

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

SUBCOMMITTEE RECOMMENDATION

FOR ENGROSSED

SENATE BILL NO. 828

By: Griffin and Pittman of the  
Senate

and

Caldwell of the House

SUBCOMMITTEE RECOMMENDATION

An Act relating to the Oklahoma Health Care Authority; creating the Nursing Facility Supplemental Payment Program Revolving Fund; specifying contents of fund and authorized expenditures; prohibiting use of fund for certain purposes; requiring the Health Care Authority to promulgate rules regarding assessment of penalties and interest, with limitations; repealing 63 O.S. 2011, Sections 5022 and 5022.1, which relate to wage and salary

1 adjustments; providing for codification; providing an  
2 effective date; and declaring an emergency.

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7 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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9 SECTION 1. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 1011.13 of Title 56, unless  
11 there is created a duplication in numbering, reads as follows:

12 A. There is hereby created in the State Treasury a revolving  
13 fund for the Oklahoma Health Care Authority to be designated the  
14 "Nursing Facility Supplemental Payment Program Revolving Fund". The  
15 fund shall be a continuing fund, not subject to fiscal-year  
16 limitations, and shall consist of:

17 1. All monies received by the Authority from hospitals pursuant  
18 to the Nursing Facility Supplemental Payment Program;

19 2. Any interest or penalties levied and collected in  
20 conjunction with the administration of this act; and

21 3. All interest attributable to investment of money in the  
22 fund.  
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1       B. All monies accruing to the credit of the fund are hereby  
2 appropriated and may be budgeted and expended by the Authority for  
3 the purposes of:

4           1. Transferring funds for the state share of supplemental  
5 payments for the Oklahoma Medicaid Program; or  
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7           2. Transferring funds for the state share of administrative  
8 expenses incurred by the Authority or its agents and employees in  
9 performing the activities authorized by the Nursing Facility  
10 Supplemental Payment Program.

11       C. Expenditures from the fund shall be made upon warrants  
12 issued by the State Treasurer against claims filed as prescribed by  
13 law with the Director of the Office of Management and Enterprise  
14 Services for approval and payment.

15       D. Except for the transfers described in in subsection B of  
16 this section, monies in the Nursing Facility Supplemental Payment  
17 Program Revolving Fund shall not be used to replace other general  
18 revenues appropriated and funded by the Legislature or other  
19 revenues used to support Medicaid.  
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21       E. The Nursing Facility Supplemental Payment Program Revolving  
22 Fund and the program specified in this section are exempt from  
23 budgetary cuts, reductions or eliminations.  
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1       SECTION 2.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1011.14 of Title 56, unless  
3 there is created a duplication in numbering, reads as follows:

4       The Health Care Authority shall promulgate administrative rules  
5 that govern the assessment of penalties and interest against any  
6 non-state governmental organization that fails to timely pay the  
7 full amount of a quarterly intergovernmental transfer; provided,  
8 however, that the penalty assessed shall not exceed five percent  
9 (5%) of the quarterly amount not paid on or before the due date.  
10 Penalties and interest collected pursuant to this section shall be  
11 deposited in the Nursing Facility Supplemental Payment Program  
12 Revolving Fund, as described in Section 1 of this act.

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14       SECTION 3.       REPEALER       63 O.S. 2011, Sections 5022 and  
15 5022.1 are hereby repealed.

16       SECTION 4.   This act shall become effective July 1, 2017.

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18       SECTION 5.   It being immediately necessary for the preservation  
19 of the public peace, health or safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

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