

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 456

By: Treat

AS INTRODUCED

An Act relating to the Oklahoma Health Care Authority; amending 63 O.S. 2011, Section 5007, which relates to the Oklahoma Health Care Authority Board; requiring that administrator be appointed by Governor with advice and consent of the Senate and serve at the pleasure of the Governor; modifying powers and duties of board; clarifying language; updating statutory references; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 5007, is amended to read as follows:

Section 5007. A. There is hereby created the Oklahoma Health Care Authority Board. On and after July 1, 1994, as the terms of the initially appointed members expire, the Board shall be composed of seven appointed members who shall serve for terms of four (4) years and shall be appointed as follows:

1. Two members shall be appointed by the President Pro Tempore of the Senate;

1        2. Two members shall be appointed by the Speaker of the House  
2 of Representatives; and

3        3. Three members shall be appointed by the Governor. Two of  
4 the members appointed by the Governor shall be consumers.

5        B. Members appointed pursuant to this paragraph, with the  
6 exception of the consumer members, shall include persons having  
7 experience in medical care, health care services, health care  
8 delivery, health care finance, health insurance and managed health  
9 care. Consumer members shall have no financial or professional  
10 interest in medical care, health care services, health care  
11 delivery, health finance, health insurance or managed care. In  
12 making the appointments, the appointing authority shall also give  
13 consideration to urban, rural, gender and minority representation.

14        C. 1. As the terms of office of members appointed before July  
15 1, 1995, expire, appointments made on or after July 1, 1995, shall  
16 be subject to the following requirements:

17            a. One member appointed by the Governor shall be a  
18                resident of the First Congressional District. The  
19                term of office of the member appointed by the Governor  
20                and serving as of ~~the effective date of this act~~ July  
21                1, 1998, shall expire on September 1, 2003;

22            b. One member appointed by the President Pro Tempore of  
23                the Senate shall be a resident of the Second  
24                Congressional District and a consumer. The term of

1 office of the member appointed by the President Pro  
2 Tempore of the Senate and serving as of ~~the effective~~  
3 ~~date of this act~~ July 1, 1998, shall expire on  
4 September 1, 1999;

5 c. One member appointed by the President Pro Tempore of  
6 the Senate shall be a resident of the Third  
7 Congressional District. The term of office of the  
8 member appointed by the President Pro Tempore of the  
9 Senate and serving as of ~~the effective date of this~~  
10 ~~act~~ July 1, 1998, shall expire on September 1, 2004;

11 d. One member appointed by the Speaker of the House of  
12 Representatives shall be a resident of the Fourth  
13 Congressional District. The term of office of the  
14 member appointed by the Speaker of the House of  
15 Representatives and serving as of ~~the effective date~~  
16 ~~of this act~~ July 1, 1998, shall expire on September 1,  
17 2001;

18 e. One member appointed by the Speaker of the House of  
19 Representatives shall be a resident of the Fifth  
20 Congressional District and a consumer. The term of  
21 office of the member appointed by the Speaker of the  
22 House of Representatives and serving as of ~~the~~  
23 ~~effective date of this act~~ July 1, 1998, shall expire  
24 on September 1, 1998;

1 f. One member appointed by the Governor shall be a  
2 resident of the Sixth Congressional District and a  
3 consumer. The term of office of the member appointed  
4 by the Governor and serving as of ~~the effective date~~  
5 ~~of this act~~ July 1, 1998, shall expire on September 1,  
6 2000; and

7 g. The second consumer member appointed by the Governor  
8 shall be appointed at large. The term of office of  
9 the member appointed by the Governor and serving as of  
10 ~~the effective date of this act~~ July 1, 1998, shall  
11 expire on September 1, 2002.

12 2. Appointments made subsequent to ~~the effective date of this~~  
13 ~~act~~ November 5, 2002, shall not be restricted to any particular  
14 congressional district. Appointments made after July 1 of the year  
15 in which a redrawing of a congressional district becomes effective  
16 shall be from the state at large. However, no appointments may be  
17 made after July 1 of the year in which such modification becomes  
18 effective if such appointment would result in more than two members  
19 serving from the same modified district.

20 D. The terms of the members serving on the Board as of ~~the~~  
21 ~~effective date of this act~~ July 1, 1998, shall expire on September 1  
22 of the year in which the respective terms expire. Thereafter, as  
23 new terms begin, members shall be appointed to four-year staggered  
24 terms which shall expire on September 1. Should a member serve less

1 than a four-year term, the term of office of the member subsequently  
2 appointed shall be for the remainder of the four-year term.

3 E. ~~On and after July 1, 1994, any subsequently appointed~~  
4 ~~administrator of the Authority shall be appointed by the Board. The~~  
5 administrator of the Authority shall be appointed by the Governor,  
6 with the advice and consent of the Senate, and shall serve at the  
7 pleasure of the Governor. The administrator shall have the training  
8 and experience necessary for the administration of the Authority, as  
9 determined by the Board, including, but not limited to, prior  
10 experience in the administration of managed health care. ~~The~~  
11 ~~administrator shall serve at the pleasure of the Board.~~

12 F. The Board shall have the power and duty to:

13 1. Establish the policies of the Oklahoma Health Care  
14 Authority;

15 2. ~~Appoint the Administrator of the Authority;~~

16 ~~3.~~ Adopt and promulgate rules as necessary and appropriate to  
17 carry out the duties and responsibilities of the Authority. The  
18 Board shall be the rulemaking body for the Authority; and

19 ~~4.~~ 3. Adopt, publish and submit by January 1 of each year to  
20 the Governor, the President Pro Tempore of the Senate, and the  
21 Speaker of the House of Representatives appropriate administrative  
22 policies and the business plan for that year. All actions governed  
23 by said administrative policies and annual business plan shall be  
24 examined annually in an independent audit.

1 G. 1. A vacancy in a position shall be filled in the same  
2 manner as provided in subsection A of this section.

3 2. A majority of the members of the Board shall constitute a  
4 quorum for the transaction of business and for taking any official  
5 action. Official action of the Board must have a favorable vote by  
6 a majority of the members present.

7 3. Members appointed pursuant to subsection A of this section  
8 shall serve without compensation but shall be reimbursed for  
9 expenses incurred in the performance of their duties in accordance  
10 with the State Travel Reimbursement Act.

11 H. The Board and the Authority shall act in accordance with the  
12 provisions of the Oklahoma Open Meeting Act, the Oklahoma Open  
13 Records Act and the Administrative Procedures Act.

14 SECTION 2. This act shall become effective November 1, 2019.  
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