

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 1046

By: Thompson and Hall of the
Senate

and

Wallace and Hilbert of the
House

COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Health Care Authority; requiring that portions of certain appropriated funds be used for certain purposes; providing for duties and compensation of employees; authorizing payment of certain expenses; authorizing certain transfers; requiring certain transfers; authorizing certain early transfer requests; authorizing the exemption of unanticipated federal funds from expenditure and budgetary limitations; providing procedures; requiring certain budget procedures; prohibiting certain budget procedures; and providing lapse dates.

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

SECTION 1. From the funds appropriated to the Oklahoma Health Care Authority in Enrolled House Bill No. 2900 of the 1st Session of the 58th Oklahoma Legislature, the sum of Twenty-eight Million Eight Hundred Forty-four Thousand Eight Hundred Seventy-seven Dollars (\$28,844,877.00) shall be used for program growth.

1 SECTION 2. From the funds appropriated to the Oklahoma Health
2 Care Authority in Enrolled House Bill No. 2900 of the 1st Session of
3 the 58th Oklahoma Legislature, the sum of Sixteen Million Seven
4 Hundred Thirty-three Thousand Six Hundred Eighty-two Dollars
5 (\$16,733,682.00) shall be used to expand the dental benefit of the
6 state's Medicaid enrollees.

7 SECTION 3. From the funds appropriated to the Oklahoma Health
8 Care Authority in Enrolled House Bill No. 2900 of the 1st Session of
9 the 58th Oklahoma Legislature, the sum of Seven Million Five Hundred
10 Fifty-five Thousand Two Hundred Eighty-seven Dollars (\$7,555,287.00)
11 shall be used for alternative treatments for pain management of the
12 state's Medicaid enrollees.

13 SECTION 4. A. The duties and compensation of employees, not
14 otherwise prescribed by law, necessary to perform the duties imposed
15 upon the Oklahoma Health Care Authority by law shall be set by the
16 Administrator of the Oklahoma Health Care Authority.

17 B. The Oklahoma Health Care Authority is authorized to:

18 1. Pay professional expenses of the Administrator of the
19 Authority including dues, licenses, professional memberships and
20 continuing education classes conducted in this state; and

21 2. Pay professional expenses of any employee including dues,
22 licenses, professional memberships, continuing medical education
23 classes conducted in this state and medical malpractice insurance;
24 provided, he or she is a full-time employee of the Authority in

1 accordance with subsection B of Section 5006 of Title 63 of the
2 Oklahoma Statutes or paragraph 1 of subsection B of Section 840-5.5
3 of Title 74 of the Oklahoma Statutes and utilizing those
4 professional skills in the performance of his or her job duties.

5 SECTION 5. In order to facilitate cash management of federal
6 grant receipts and disbursements, the Office of Management and
7 Enterprise Services shall transfer monies between the Oklahoma
8 Health Care Authority federal and revolving funds in amounts
9 requested by the Oklahoma Health Care Authority.

10 SECTION 6. The Oklahoma Health Care Authority is authorized to
11 transfer funds from Fund 205 to Fund 340 to satisfy claims made to
12 the Authority under the Supplemental Hospital Offset Payment Program
13 Act.

14 SECTION 7. A. The Administrator of the Oklahoma Health Care
15 Authority may request, in the manner provided in this section, that
16 receipt and expenditure of unanticipated federal funds awarded after
17 July 1, 2021, be exempt from expenditure limitations and from
18 budgetary limitations.

19 1. The Administrator shall make a request for exemption to the
20 Office of Management and Enterprise Services in writing and file a
21 revised budget program.

22 2. The Administrator shall also file copies of the request for
23 exemption and budget work program revisions with the House of
24 Representatives Appropriations and Budget Committee Chair and the

1 Senate Appropriations Committee Chair. The House Appropriations and
2 Budget Committee Chair and/or the Senate Appropriations Committee
3 Chair shall notify the Office of Management and Enterprise Services
4 of any noncompliance of the request with legislative intent within
5 twelve (12) calendar days of their receipt of the exemption request.
6 The Office of Management and Enterprise Services shall approve the
7 request for exemption unless both the Chair and Vice Chair of the
8 Joint Legislative Committee on Budget and Program Oversight provide
9 written notification to the Office of Management and Enterprise
10 Services within twelve (12) calendar days of the Committee's receipt
11 of the exemption request that the exemption subverts the intention
12 and objectives of the Legislature in establishing the original
13 limit. The Office of Management and Enterprise Services shall give
14 written notice of approval or disapproval of each exemption to the
15 agency, the Governor, the Chair of the House Appropriations and
16 Budget Committee and the Chair of the Senate Appropriations
17 Committee within eighteen (18) calendar days of receiving the
18 request.

19 SECTION 8. A. The Director of the Office of Management and
20 Enterprise Services shall transfer monies appropriated from the
21 General Revenue Fund and the Health Care Enhancement Fund to the
22 Oklahoma Health Care Authority disbursing funds in the amounts and
23 ratios requested by the Authority, except that the cumulative
24 amounts transferred shall not exceed the cumulative amounts of equal

1 monthly allotments of the appropriations from the General Revenue
2 Fund and Health Care Enhancement Fund.

3 B. Monies appropriated or collected for the fiscal year ending
4 June 30, 2022, may be transferred to these disbursing funds for the
5 fiscal year ending June 30, 2021, to satisfy encumbrances and
6 obligations of said fiscal year; provided, that monies equal in
7 amount are transferred from appropriations or collections for the
8 fiscal year ending June 30, 2021, to the disbursing fund for the
9 fiscal year ending June 30, 2022, to satisfy encumbrances and
10 obligations of said fiscal year. All transfer requests shall be in
11 writing to the Director of the Office of Management and Enterprise
12 Services.

13 C. The Oklahoma Health Care Authority shall maintain records of
14 the inter-year transfers.

15 SECTION 9. The Administrator of the Oklahoma Health Care
16 Authority may request, through the Director of the Office of
17 Management and Enterprise Services, the early transfer by the
18 Oklahoma Tax Commission of tax collections to the General Revenue
19 Fund for the purpose of early allocation to the agency's disbursing
20 funds to alleviate cash-flow problems.

21 SECTION 10. Appropriations made by Enrolled House Bill No. 2900
22 of the 1st Session of the 58th Oklahoma Legislature, not including
23 appropriations made for capital outlay purposes, may be budgeted for
24 the fiscal year ending June 30, 2022 (hereafter FY-22) or may be

1 budgeted for the fiscal year ending June 30, 2023 (hereafter FY-23).
2 Funds budgeted for FY-22 may be encumbered only through June 30,
3 2022, and must be expended by November 15, 2022. Any funds
4 remaining after November 15, 2022, and not budgeted for FY-23, shall
5 lapse to the credit of the proper fund for the then current fiscal
6 year. Funds budgeted for FY-23 may be encumbered only through June
7 30, 2023. Any funds remaining after November 15, 2023, shall lapse
8 to the credit of the proper fund for the then current fiscal year.
9 These appropriations shall not be budgeted in both fiscal years
10 simultaneously. Funds budgeted in FY-22, and not required to pay
11 obligations for that fiscal year, may be budgeted for FY-23, after
12 the agency to which the funds have been appropriated has prepared
13 and submitted a budget work program revision removing these funds
14 from the FY-22 budget work program and after such revision has been
15 approved by the Office of Management and Enterprise Services.

16

17 58-1-2194 WR 5/17/2021 10:12:57 AM

18

19

20

21

22

23

24