

1 ENGROSSED SENATE
2 BILL NO. 1046

By: Thompson and Hall of the
Senate

3 and

4 Wallace and Hilbert of the
5 House

6
7 An Act relating to the Oklahoma Health Care
8 Authority; requiring that portions of certain
9 appropriated funds be used for certain purposes;
10 providing for duties and compensation of employees;
11 authorizing payment of certain expenses; authorizing
12 certain transfers; requiring certain transfers;
13 authorizing certain early transfer requests;
14 authorizing the exemption of unanticipated federal
15 funds from expenditure and budgetary limitations;
16 providing procedures; requiring certain budget
17 procedures; prohibiting certain budget procedures;
18 and providing lapse dates.
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20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

SECTION 2. 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 Sixteen Million Seven
Hundred Thirty-three Thousand Six Hundred Eighty-two Dollars

1 (\$16,733,682.00) shall be used to expand the dental benefit of the
2 state's Medicaid enrollees.

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

9 SECTION 4. A. The duties and compensation of employees, not
10 otherwise prescribed by law, necessary to perform the duties imposed
11 upon the Oklahoma Health Care Authority by law shall be set by the
12 Administrator of the Oklahoma Health Care Authority.

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

14 1. Pay professional expenses of the Administrator of the
15 Authority including dues, licenses, professional memberships and
16 continuing education classes conducted in this state; and

17 2. Pay professional expenses of any employee including dues,
18 licenses, professional memberships, continuing medical education
19 classes conducted in this state and medical malpractice insurance;
20 provided, he or she is a full-time employee of the Authority in
21 accordance with subsection B of Section 5006 of Title 63 of the
22 Oklahoma Statutes or paragraph 1 of subsection B of Section 840-5.5
23 of Title 74 of the Oklahoma Statutes and utilizing those
24 professional skills in the performance of his or her job duties.

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

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

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

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

18 2. The Administrator shall also file copies of the request for
19 exemption and budget work program revisions with the House of
20 Representatives Appropriations and Budget Committee Chair and the
21 Senate Appropriations Committee Chair. The House Appropriations and
22 Budget Committee Chair and/or the Senate Appropriations Committee
23 Chair shall notify the Office of Management and Enterprise Services
24 of any noncompliance of the request with legislative intent within

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

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

23 B. Monies appropriated or collected for the fiscal year ending
24 June 30, 2022, may be transferred to these disbursing funds for the

1 fiscal year ending June 30, 2021, to satisfy encumbrances and
2 obligations of said fiscal year; provided, that monies equal in
3 amount are transferred from appropriations or collections for the
4 fiscal year ending June 30, 2021, to the disbursing fund for the
5 fiscal year ending June 30, 2022, to satisfy encumbrances and
6 obligations of said fiscal year. All transfer requests shall be in
7 writing to the Director of the Office of Management and Enterprise
8 Services.

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

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

17 SECTION 10. Appropriations made by Enrolled House Bill No. 2900
18 of the 1st Session of the 58th Oklahoma Legislature, not including
19 appropriations made for capital outlay purposes, may be budgeted for
20 the fiscal year ending June 30, 2022 (hereafter FY-22) or may be
21 budgeted for the fiscal year ending June 30, 2023 (hereafter FY-23).
22 Funds budgeted for FY-22 may be encumbered only through June 30,
23 2022, and must be expended by November 15, 2022. Any funds
24 remaining after November 15, 2022, and not budgeted for FY-23, shall

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

12 Passed the Senate the 18th day of May, 2021.

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Presiding Officer of the Senate

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16 Passed the House of Representatives the ____ day of _____,
17 2021.

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Presiding Officer of the House
of Representatives

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