

An Act

ENROLLED SENATE
BILL NO. 3xx

By: Treat of the Senate

and

McCall of the House

An Act relating to University Hospitals Authority; making appropriations; identifying source; establishing amount; providing purpose; requiring and limiting the utilization of funds; prohibiting certain treatment; defining term; creating certain special accounts; limiting duration of accounts; requiring certain determination; providing and limiting the nature of accounts and funds within accounts; authorizing agency to submit request for certain deposit or transfer; requiring certain compliance and verification; authorizing certain memorandums of understanding; limiting scope; prohibiting certain memoranda terms; authorizing and limiting the promulgation of rules and utilization of procedures; authorizing and limiting the retention of monies for administration costs; requiring certain reports and submissions to certain entities; requiring appearance before certain joint committee; limiting duration of certain requirements; providing determination process; providing for noncodification; and declaring an emergency.

SUBJECT: University Hospitals Authority

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the University Hospitals Authority from any monies not otherwise appropriated from the

Statewide Recovery Fund of the State Treasury created in Section 1, Chapter 319, O.S.L. 2022, the sum of Thirty-nine Million Four Hundred Thousand Dollars (\$39,400,000.00) or so much thereof as may be necessary to budget and expend for the construction and equipping of facilities designed to expand the capacity of behavioral health care for the children of this state; provided, no monies shall be budgeted or expended by the Authority for the benefit of any facility owned by the University Hospitals Authority or University Hospitals Trust performing "gender reassignment medical treatment", as defined in this section, on children under eighteen (18) years of age.

For the purposes of this section, "gender reassignment medical treatment" means any health care to facilitate the transitioning of a patient's assigned gender identity on the patient's birth certificate, to the gender identity experienced and defined by the patient.

1. The term includes:

- a. interventions to suppress the development of endogenous secondary sex characteristics,
- b. interventions to align the patient's appearance or physical body with the patient's gender identity, and
- c. medical therapies and medical intervention used to treat gender dysphoria.

2. The term shall not include:

- a. behavioral healthcare services or mental health counseling,
- b. medications to treat depression and anxiety, or
- c. services provided to individuals born with ambiguous genitalia, incomplete genitalia, or both male and female anatomy, or biochemically verifiable disorder of sex development (DSD), including but not limited to: 46,XX DSD; 46,XY DSD; sex chromosomes DSDs; XX or XY sex reversal; and ovotesticular disorder.

Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on June 7, 2022.

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the University Hospitals Authority from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Section 1, Chapter 319, O.S.L. 2022, the sum of Forty-four Million Dollars (\$44,000,000.00) or so much thereof as may be necessary for an electronic health record system and related infrastructure. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on August 31, 2022.

SECTION 3. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the University Hospitals Authority from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Section 1, Chapter 319, O.S.L. 2022, the sum of Twenty Million Dollars (\$20,000,000.00) or so much thereof as may be necessary to provide medical treatment for cancer patients who have been disproportionately impacted by the pandemic. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 4. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the University Hospitals Authority from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Section 1, Chapter 319, O.S.L. 2022, the sum of Five Million One Hundred Sixty-three Thousand One Hundred Ninety-five Dollars (\$5,163,195.00) or so much thereof as may be necessary to improve dental health through mobile dental units. Such funds shall be utilized in a manner

consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 5. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. There is hereby created in the State Treasury a Statewide Recovery Special Account for the University Hospitals Authority for each appropriation section of this act. The duration of such accounts shall continue for the period of time that monies related to the American Rescue Plan Act of 2021 are being budgeted, expended, or managed in the state. The ending of such period shall be determined by the State Treasurer and shall result in the closing of such accounts as a matter of law. Such accounts shall be continuing accounts as otherwise provided in this section, not subject to fiscal year limitations, and shall exclusively consist of monies related to the relevant appropriations made in this act and as otherwise directed by law. All monies deposited to the credit of such accounts are hereby appropriated and may be budgeted and expended by the University Hospitals Authority in accordance with the provisions of this act. Expenditures from such accounts shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

B. The University Hospitals Authority is authorized to request in writing that the monies appropriated by the provisions of this act be deposited or transferred to the accounts created pursuant to subsection A of this section. No later than seven (7) calendar days from the date of such request, the Director of the Office of Management and Enterprise Services shall comply with such request and verify to the requesting agency that such deposit or transfer has been completed.

SECTION 6. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The University Hospitals Authority may enter into memorandums of understanding with other agencies of the State of Oklahoma for the auditing, documentation, evaluation, implementation, oversight, reporting, and management of funds and associated efforts related to the appropriations made in this act; provided, that no such

memorandum of understanding shall require or include, as an option or condition, the direct or practical transfer or relinquishment of control by the agency appropriated such funds to budget, expend, allocate, and request the distribution of the funds appropriated by this act.

SECTION 7. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The University Hospitals Authority may promulgate rules, utilize existing rules, establish procedures, and utilize existing procedures to implement the provisions of this act; provided, such rules and procedures do not conflict with or impede the provisions of this act.

SECTION 8. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The University Hospitals Authority shall retain no more than two percent (2%) of the funds appropriated by this act to reimburse:

1. Costs incurred by the University Hospitals Authority; or
2. Costs incurred on the agency's behalf,

associated with the administration of the appropriated funds and programming required by the University Hospitals Authority under the provisions of this act; provided, that no funds shall be retained that would be disallowable under the provisions of the American Rescue Plan Act of 2021.

SECTION 9. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The University Hospitals Authority shall:

1. Submit to the Chairs of the Joint Committee on Pandemic Relief Funding, or any successor Senate legislative or House of Representatives legislative committee or joint committee, as designated by the President Pro Tempore of the Senate and the Speaker of the House of Representatives:

- a. a written or electronic quarterly report detailing the budgeting, expenditure, and management of all monies appropriated in this act, and
- b. a copy of all memorandums of understanding and contracts with third parties entered into by the University Hospitals Authority to facilitate, assist, or administer powers and duties provided to the University Hospitals Authority under the provisions of this act; and

2. At the Joint Committee on Pandemic Relief Funding's request, appear before the Joint Committee no later than six (6) months after the effective date of this act, and as otherwise requested by the Joint Committee to provide a status update regarding the implementation of the provisions of this act.

B. The provisions of subsection A of this section shall remain applicable for the period of time that monies appropriated under this act are being budgeted, expended, or managed in the state. The ending of such period shall be determined by the State Treasurer, and shall be reported to the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

SECTION 10. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 29th day of September, 2022.

Presiding Officer of the Senate

Passed the House of Representatives the 29th day of September,
2022.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____