

1 **SENATE FLOOR VERSION**

2 March 2, 2022

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 SENATE BILL NO. 1236

By: Allen of the Senate

and

Steagall of the House

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8  
9 [ public health - Oklahoma State University Medical  
10 Authority to provide financial support for certain  
11 research - codification - effective date -  
12 emergency ]

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

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 1-291.11 of Title 63, unless  
16 there is created a duplication in numbering, reads as follows:

17 A. The Oklahoma State University Medical Authority shall  
18 provide financial support for research into hyperbaric oxygen  
19 treatment for traumatic brain injury. The Authority may contract  
20 with one or more public or private entities including but not  
21 limited to Oklahoma State University to implement the provisions of  
22 this section.  
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1 B. The research receiving financial support shall be conducted  
2 using methodologies including but not limited to double-blind  
3 studies.

4 C. The Authority shall not spend more than Five Million Dollars  
5 (\$5,000,000.00) on the research described in subsection A of this  
6 section, of which not more than Two Million Dollars (\$2,000,000.00)  
7 shall be state funds. The Authority may partner with one or more  
8 public or private entities to raise the nonstate funds necessary to  
9 conduct the research described in subsection A of this section.

10 SECTION 2. AMENDATORY 63 O.S. 2021, Section 3276, is  
11 amended to read as follows:

12 Section 3276. A. On and after July 1, 2006, the Oklahoma State  
13 University Medical Authority shall have the power and duty to:

14 1. Adopt bylaws and promulgate rules for the regulation of its  
15 affairs and the conduct of its business;

16 2. Adopt an official seal;

17 3. Maintain an office at a location to be determined by the  
18 Authority;

19 4. Sue and be sued, subject to the provisions of The  
20 Governmental Tort Claims Act;

21 5. Enter into cooperative agreements with the Board of Regents  
22 for the Oklahoma Agricultural and Mechanical Colleges for  
23 educational programs, professional staffing, research and other  
24 medical activities;

1           6. Make and enter into all contracts necessary or incidental to  
2 the performance of its duties and the execution of its powers  
3 pursuant to the Oklahoma State University Medical Authority Act;

4           7. Purchase or lease equipment, furniture, materials and  
5 supplies, and incur such other expenses as may be necessary to  
6 maintain and operate hospitals or clinics, or to discharge its  
7 duties and responsibilities or to make any of its powers effective;

8           8. Acquire by purchase, lease, gift, or by any other manner,  
9 and to maintain, use and operate or to contract for the maintenance,  
10 use and operation of or lease of any and all property of any kind,  
11 real, personal, or mixed or any interest therein unless otherwise  
12 provided by the Oklahoma State University Medical Authority Act;

13           9. Appoint such officers, agents and employees, including but  
14 not limited to attorneys, as it deems necessary and to prescribe  
15 their duties and to fix their compensation;

16           10. Accept grants from the United States of America, or from  
17 any corporation or agency created or designed by the United States  
18 of America, and, in connection with any grant, to enter into such  
19 agreements as the United States of America or such corporation or  
20 agency may require;

21           11. Make and issue bonds and to pledge revenues of the  
22 Authority subject to the Oklahoma Bond Oversight and Reform Act.  
23 Nothing in the Oklahoma State University Medical Authority Act shall  
24 authorize the issuance of any bonds of the Authority payable other

1 than from revenues of the Authority. Funds appropriated to the  
2 Authority shall not be used for issuance of bonds. Authority  
3 revenue bonds issued under the provisions of ~~this act~~ Section 3271  
4 et seq. of this title shall not at any time be deemed to constitute  
5 a debt of the state or of any political subdivision thereof or a  
6 pledge of the faith and credit of the state or of any political  
7 subdivision, but such bonds shall be payable solely from the funds  
8 herein provided. Such revenue bonds shall contain on the face  
9 thereof a statement to the effect that neither the state nor the  
10 Authority shall be obligated to pay the same or the interest thereon  
11 except from the revenues of the project or projects for which they  
12 are issued and that neither the faith and credit nor the taxing  
13 power of the state or any political subdivision thereof is pledged,  
14 or may hereafter be pledged, to the payment of the principal of or  
15 the interest on such bonds. The maximum amount of outstanding bonds  
16 at any time shall not exceed Fifty Million Dollars (\$50,000,000.00)  
17 unless a greater amount is expressly approved by the Legislature by  
18 a concurrent resolution adopted prior to commencing any action in  
19 anticipation of issuance of revenue bonds of the Oklahoma State  
20 University Medical Authority for the greater amount;

21 12. Provide for complete financial audits on all accounts of  
22 the Oklahoma State University Medical Authority and to authorize  
23 periodic audits by an independent external auditing agency. Such  
24 audits shall be performed annually in a format approved by the State

1 Auditor and Inspector, and all such audits shall be submitted to the  
2 State Auditor and Inspector for review. Such audits shall be made  
3 in accordance with generally accepted auditing standards and  
4 government auditing standards. Financial statements shall be  
5 prepared in accordance with generally accepted accounting  
6 principles. In addition to ~~said~~ such audits, whenever the State  
7 Auditor and Inspector deems it appropriate, and at least once each  
8 five (5) years, or upon receipt of a request to do so from the  
9 Governor, the Attorney General, the President Pro Tempore of the  
10 Senate, the Speaker of the House of Representatives or the  
11 Authority, the State Auditor and Inspector shall conduct a special  
12 audit of the Authority;

13 13. Engage in long-term planning for the operation and  
14 management of the Authority;

15 14. Establish petty cash funds and provide for appropriate  
16 accounting procedures and controls;

17 15. Contract with national manufacturers and distributors of  
18 drugs and medical supplies when appropriate to carry out the  
19 purposes of ~~this act~~ Section 3271 et seq. of this title;

20 16. Do all other things necessary and proper to implement the  
21 provisions of the Oklahoma State University Medical Authority Act;

22 17. Waive, by such means as the Authority deems appropriate,  
23 the exemption from federal income taxation of interest on the  
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1 Authority's bonds provided by the Internal Revenue Code of 1986, as  
2 amended, or any other federal statute providing a similar exemption;

3 18. Arrange for guaranties or insurance of its bonds by the  
4 federal government or by any private insurer, and to pay any  
5 premiums therefor; ~~and~~

6 19. Make a declaration of necessity as provided in Section 3273  
7 of this title. The Authority may, in its exclusive judgment, make a  
8 declaration of necessity when such a declaration is deemed necessary  
9 to effectuate the purposes of the Oklahoma State University Medical  
10 Authority Act; and

11 20. Make and enter into contracts to provide financial support  
12 for research into hyperbaric oxygen treatment for traumatic brain  
13 injury as described in Section 1 of this act.

14 B. The Oklahoma State University Medical Authority shall be  
15 subject to the Oklahoma Budget Law of 1947.

16 C. The Authority shall prepare monthly a "budget vs. actual"  
17 report which shows by budget activity the monthly and year-to-date  
18 revenues and expenditures compared to budgeted revenues and  
19 expenditures. Such report shall be submitted to the Office of  
20 Management and Enterprise Services and to the Directors of the House  
21 of Representatives Fiscal Division and the Senate Fiscal Division.

22 D. The Authority shall be subject to the professional risk  
23 management program provided for in Section 85.58A of Title 74 of the  
24 Oklahoma Statutes.

1 SECTION 3. This act shall become effective July 1, 2022.

2 SECTION 4. It being immediately necessary for the preservation  
3 of the public peace, health or safety, an emergency is hereby  
4 declared to exist, by reason whereof this act shall take effect and  
5 be in full force from and after its passage and approval.

6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
7 March 2, 2022 - DO PASS AS AMENDED  
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