

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3033

By: Randleman

AS INTRODUCED

An Act relating to the State Department of Health; making appropriations; identifying source; establishing amount; providing purpose; requiring and limiting the utilization of funds; 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.

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 State Department of Health from monies not otherwise appropriated from the Statewide Recovery

1 Fund of the State Treasury created in Enrolled House Bill No. 3349  
2 of the 2nd Session of the 58th Legislature, the sum of Four Million  
3 Two hundred Thousand Dollars (\$4,200,000.00) or so much thereof as  
4 may be necessary to help build out a long-term stay mental health  
5 ward for adolescences located in southeast Oklahoma and already  
6 connected to and associated with an active hospital.

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

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

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

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

13 The State Department of Health may enter into memorandums of  
14 understanding with other agencies of the State of Oklahoma for the  
15 auditing, documentation, evaluation, implementation, oversight,  
16 reporting, and management of funds and associated efforts related to  
17 the appropriations made in this act; provided, that no such  
18 memorandum of understanding shall require or include, as an option  
19 or condition, the direct or practical transfer or relinquishment of  
20 control by the agency appropriated such funds to budget, expend,  
21 allocate, and request the distribution of the funds appropriated by  
22 this act.

23 SECTION 4. NEW LAW A new section of law not to be  
24 codified in the Oklahoma Statutes reads as follows:  
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1       The State Department of Health may promulgate rules, utilize  
2 existing rules, establish procedures, and utilize existing  
3 procedures to implement the provisions of this act; provided, such  
4 rules and procedures do not conflict with or impede the provisions  
5 of this act.

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

8       The State Department of Health shall retain no more than two  
9 percent (2%) of the funds appropriated by this act to reimburse:

- 10       1. Costs incurred by the State Department of Health; or
- 11       2. Costs incurred on the agency's behalf, associated with the  
12 administration of the appropriated funds and programming required by  
13 the State Department of Health under the provisions of this act;  
14 provided, that no funds shall be retained that would be disallowable  
15 under the provisions of the American Rescue Plan Act of 2021.

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

18       A. The State Department of Health shall:

- 19       1. Submit to the Chairs of the Joint Committee on Pandemic  
20 Relief Funding, or any successor Senate legislative or House of  
21 Representatives legislative committee or joint committee, as  
22 designated by the President Pro Tempore of the Senate and the  
23 Speaker of the House of Representatives:  
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- 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 State Department of Health to facilitate, assist, or administer powers and duties provided to the State Department of Health 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 7. 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

1 and be in full force from and after its passage and approval.  
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