

1 STATE OF OKLAHOMA

2 1st Extraordinary Session of the 56th Legislature (2017)

3 HOUSE BILL 1023

By: Wallace and Casey of the
House

4 and

5 David and Fields of the
6 Senate

7
8
9 AS INTRODUCED

10 An Act relating to the Oklahoma Health Care
11 Authority; making an appropriation; providing for
12 duties and compensation of employees; authorizing
13 payment of certain expenses; stating purpose;
14 requiring compliance with and providing budgetary
15 limitations; providing exemptions to budgetary
16 limitations; providing process for exemptions;
17 authorizing certain transfers; providing procedures;
18 providing lapse dates; requiring and prohibiting
19 certain budget procedures; and declaring an
20 emergency.

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

22 SECTION 1. There is hereby appropriated to the Oklahoma Health
23 Care Authority from any monies not otherwise appropriated from the
24 General Revenue Fund of the State Treasury for the fiscal year
ending June 30, 2018, the sum of _____ (\$0.00) or so
much thereof as may be necessary to perform the duties imposed upon
the Oklahoma Health Care Authority by law.

1 SECTION 2. A. The duties and compensation of employees, not
2 otherwise prescribed by law, necessary to perform the duties imposed
3 upon the Oklahoma Health Care Authority by law shall be set by the
4 Administrator of the Oklahoma Health Care Authority.

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

6 1. Pay professional expenses of the Administrator of the
7 Authority, including dues, licenses, professional memberships,
8 continuing medical education classes conducted in the State of
9 Oklahoma, and medical malpractice insurance; and

10 2. Pay professional expenses of any Oklahoma licensed
11 physician, including dues, licenses, professional memberships,
12 continuing medical education classes conducted in the State of
13 Oklahoma, and medical malpractice insurance, provided the physician
14 is a full-time employee of the Authority in accordance with
15 subsection B of Section 5006 of Title 63 of the Oklahoma Statutes or
16 paragraph 1 of subsection B of Section 840-5.5 of Title 74 of the
17 Oklahoma Statutes and utilizing those professional skills in the
18 performance of their job duties.

19 SECTION 3. In order to facilitate cash management of federal
20 grant receipts and disbursements, the Office of Management and
21 Enterprise Services shall transfer monies between the Oklahoma
22 Health Care Authority federal and revolving funds in amounts
23 requested by the Oklahoma Health Care Authority.

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1 SECTION 4. A. The Administrator of the Oklahoma Health Care
2 Authority may request in the manner provided in this section that
3 receipt and expenditure of unanticipated federal funds awarded after
4 July 1, 2017, be exempt from expenditure limitations and from
5 budgetary limitations.

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

9 2. The Administrator shall also file copies of the request for
10 exemption and budget work program revisions with the Oklahoma House
11 of Representatives Appropriations and Budget Committee Chair and the
12 Oklahoma State Senate Appropriations Committee Chair. The Oklahoma
13 House of Representatives Appropriations and Budget Committee Chair
14 and/or the Oklahoma State Senate Appropriations Committee Chair
15 shall notify the Office of Management and Enterprise Services of any
16 noncompliance of the request with legislative intent within twelve
17 (12) calendar days of their receipt of the exemption request.

18 B. The Office of Management and Enterprise Services shall
19 approve the request for exemption unless both the Chair and Vice
20 Chair of the Joint Legislative Committee on Budget and Program
21 Oversight provide written notification to the Office of Management
22 and Enterprise Services within twelve (12) calendar days of the
23 Committee's receipt of the exemption request that the exemption
24 subverts the intention and objectives of the Legislature in

1 establishing the original limit. The Office of Management and
2 Enterprise Services shall give written notice of approval or
3 disapproval of each exemption to the agency, the Governor and the
4 Chair of the Oklahoma House of Representatives Appropriations and
5 Budget Committee and the Chair of the Oklahoma State Senate
6 Appropriations Committee within eighteen (18) calendar days of
7 receiving the request.

8 SECTION 5. The Office of Management and Enterprise Services
9 shall transfer monies appropriated from the General Revenue Fund to
10 the Oklahoma Health Care Authority disbursing funds in the amounts
11 and ratios requested by the Authority except that the cumulative
12 amount transferred shall not exceed the cumulative amount of equal
13 monthly allotments of the appropriation from the General Revenue
14 Fund. Monies appropriated or collected for the fiscal year ending
15 June 30, 2017, may be transferred to these disbursing funds for the
16 fiscal year ending June 30, 2018, to satisfy encumbrances and
17 obligations of said fiscal year; provided, that monies equal in
18 amount are transferred from appropriations or collections for the
19 fiscal year ending June 30, 2017, to the disbursing fund for the
20 fiscal year ending June 30, 2018, to satisfy encumbrances and
21 obligations of said fiscal year. All transfer requests shall be in
22 writing to the Office of Management and Enterprise Services. The
23 Oklahoma Health Care Authority shall maintain records of the inter-
24 year transfers.

1 SECTION 6. The Administrator of the Oklahoma Health Care
2 Authority may request through the Office of Management and
3 Enterprise Services the early transfer by the Oklahoma Tax
4 Commission of tax collections to the General Revenue Fund for the
5 purpose of early allocation to the agency's disbursing funds to
6 alleviate cash-flow problems.

7 SECTION 7. Appropriations made by this act, not including
8 appropriations made for capital outlay purposes, may be budgeted for
9 the fiscal year ending June 30, 2018 (hereafter FY-18) or may be
10 budgeted for the fiscal year ending June 30, 2019 (hereafter FY-19).
11 Funds budgeted for FY-18 may be encumbered only through June 30,
12 2018, and must be expended by November 15, 2018. Any funds
13 remaining after November 15, 2018, and not budgeted for FY-19, shall
14 lapse to the credit of the proper fund for the then current fiscal
15 year. Funds budgeted for FY-18 may be encumbered only through June
16 30, 2019. Any funds remaining after November 15, 2019, shall lapse
17 to the credit of the proper fund for the then current fiscal year.
18 These appropriations may not be budgeted in both fiscal years
19 simultaneously. Funds budgeted in FY-18, and not required to pay
20 obligations for that fiscal year, may be budgeted for FY-19, after
21 the agency to which the funds have been appropriated has prepared
22 and submitted a budget work program revision removing these funds
23 from the FY-18 budget work program and after such revision has been
24 approved by the Office of Management and Enterprise Services.

1 SECTION 8. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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6 56-1EX-51006 SJ 9/24/17

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