

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 COMMITTEE SUBSTITUTE
4 FOR

SENATE BILL 1236

By: Allen of the Senate

5 and

6 Steagall of the House

7
8
9 COMMITTEE SUBSTITUTE

10 An Act relating to public health; directing the
11 Oklahoma State University Medical Authority to
12 provide financial support for certain research;
13 authorizing certain contracts; requiring use of
14 certain methodology; imposing certain financial
15 limitations on expenditures; authorizing certain
16 partnerships for specified purpose; amending 63 O.S.
2021, Section 3276, which relates to powers and
17 duties of the Oklahoma State University Medical
18 Authority; adding certain power and duty; updating
19 statutory language; updating statutory references;
20 providing for codification; providing an effective
21 date; and declaring an emergency.

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

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

25 A. The Oklahoma State University Medical Authority shall
26 provide financial support for research into hyperbaric oxygen
27 treatment for traumatic brain injury. The Authority may contract

1 with one or more public or private entities including but not
2 limited to Oklahoma State University to implement the provisions of
3 this section.

4 B. The research receiving financial support shall be conducted
5 using methodologies including but not limited to double-blind
6 studies.

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

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

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

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

19 2. Adopt an official seal;

20 3. Maintain an office at a location to be determined by the
21 Authority;

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

1 5. Enter into cooperative agreements with the Board of Regents
2 for the Oklahoma Agricultural and Mechanical Colleges for
3 educational programs, professional staffing, research and other
4 medical activities;

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

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

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

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

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

1 11. Make and issue bonds and to pledge revenues of the
2 Authority subject to the Oklahoma Bond Oversight and Reform Act.
3 Nothing in the Oklahoma State University Medical Authority Act shall
4 authorize the issuance of any bonds of the Authority payable other
5 than from revenues of the Authority. Funds appropriated to the
6 Authority shall not be used for issuance of bonds. Authority
7 revenue bonds issued under the provisions of ~~this act~~ Section 3271
8 et seq. of this title shall not at any time be deemed to constitute
9 a debt of the state or of any political subdivision thereof or a
10 pledge of the faith and credit of the state or of any political
11 subdivision, but such bonds shall be payable solely from the funds
12 herein provided. Such revenue bonds shall contain on the face
13 thereof a statement to the effect that neither the state nor the
14 Authority shall be obligated to pay the same or the interest thereon
15 except from the revenues of the project or projects for which they
16 are issued and that neither the faith and credit nor the taxing
17 power of the state or any political subdivision thereof is pledged,
18 or may hereafter be pledged, to the payment of the principal of or
19 the interest on such bonds. The maximum amount of outstanding bonds
20 at any time shall not exceed Fifty Million Dollars (\$50,000,000.00)
21 unless a greater amount is expressly approved by the Legislature by
22 a concurrent resolution adopted prior to commencing any action in
23 anticipation of issuance of revenue bonds of the Oklahoma State
24 University Medical Authority for the greater amount;

1 12. Provide for complete financial audits on all accounts of
2 the Oklahoma State University Medical Authority and to authorize
3 periodic audits by an independent external auditing agency. Such
4 audits shall be performed annually in a format approved by the State
5 Auditor and Inspector, and all such audits shall be submitted to the
6 State Auditor and Inspector for review. Such audits shall be made
7 in accordance with generally accepted auditing standards and
8 government auditing standards. Financial statements shall be
9 prepared in accordance with generally accepted accounting
10 principles. In addition to ~~said~~ such audits, whenever the State
11 Auditor and Inspector deems it appropriate, and at least once each
12 five (5) years, or upon receipt of a request to do so from the
13 Governor, the Attorney General, the President Pro Tempore of the
14 Senate, the Speaker of the House of Representatives or the
15 Authority, the State Auditor and Inspector shall conduct a special
16 audit of the Authority;

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

19 14. Establish petty cash funds and provide for appropriate
20 accounting procedures and controls;

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

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

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

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

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

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

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

20 C. The Authority shall prepare monthly a "budget vs. actual"
21 report which shows by budget activity the monthly and year-to-date
22 revenues and expenditures compared to budgeted revenues and
23 expenditures. Such report shall be submitted to the Office of
24

1 Management and Enterprise Services and to the Directors of the House
2 of Representatives Fiscal Division and the Senate Fiscal Division.

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

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

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

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