

1 ENGROSSED SENATE
2 BILL NO. 32x

By: Thompson (Roger) and Hall
of the Senate

3 and

4 Wallace, Martinez, and
5 Fugate of the House

6
7 An Act relating to the Oklahoma Health Care
8 Authority; requiring that portions of certain
9 appropriated funds be used for certain purposes;
10 directing Oklahoma Health Care Authority to implement
11 increased payment for certain long-term care and
12 intermediate care facilities for individuals with
13 intellectual disabilities; directing the Authority to
14 distribute funds to certain institutions; requiring
15 the Authority to work with certain association to
16 create the methodology for disbursement; requiring
17 submission of certain plan by certain date; providing
18 for duties and compensation of administrators and
19 employees; authorizing payment of certain expenses;
20 authorizing certain transfers; requiring certain
21 transfers; authorizing certain early transfer
22 requests; authorizing the exemption of unanticipated
23 federal funds from expenditure and budgetary
24 limitations; providing procedures; requiring certain
budget procedures; prohibiting certain budget
procedures; and providing lapse dates.

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

20 SECTION 1. From the funds appropriated to the Oklahoma Health
21 Care Authority in Enrolled House Bill No. 1004 of the 1st
22 Extraordinary Session of the 59th Oklahoma Legislature, the sum of
23 Thirty Million Dollars (\$30,000,000.00) shall be used to provide
24

1 grant funding to providers for the one-time connection to the state-
2 designated entity for health information exchange.

3 SECTION 2. From the funds appropriated to the Oklahoma Health
4 Care Authority in Enrolled House Bill No. 1004 of the 1st
5 Extraordinary Session of the 59th Oklahoma Legislature, the sum of
6 Forty-seven Million Seven Hundred Sixty-seven Thousand Four Hundred
7 Fifty-eight Dollars (\$47,767,458.00) shall be used to increase
8 reimbursement to long-term care facilities by Thirty-five Dollars
9 (\$35.00) per day and reimbursement to intermediate care facilities
10 for individuals with intellectual disabilities (ICF/IID) by
11 Seventeen Dollars (\$17.00) per day.

12 SECTION 3. A. From the funds appropriated to the Oklahoma
13 Health Care Authority in Enrolled House Bill No. 1004 of the 1st
14 Extraordinary Session of the 59th Oklahoma Legislature, the sum of
15 Two Hundred Million Dollars (\$200,000,000.00) shall be used for one-
16 time funding to critical access hospitals and hospitals
17 participating in the Supplemental Hospital Offset Payment Program.

18 B. The Authority shall work in conjunction with an Oklahoma-
19 based association of hospitals to create the methodology for the
20 disbursement of this funding.

21 C. The Authority shall submit to the Senate Appropriations
22 Committee Chair and the House of Representatives Appropriations and
23 Budget Committee Chair a plan for the disbursement of the funds
24 listed in this section by no later than July 31st, 2023.

1 SECTION 4. 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, and
8 continuing education classes conducted in this state; and

9 2. Pay professional expenses of any employee including dues,
10 licenses, professional memberships, continuing medical education
11 classes conducted in this state, and medical malpractice insurance
12 provided he or she is a full-time employee of the Authority in
13 accordance with subsection B of Section 5006 of Title 63 of the
14 Oklahoma Statutes and is utilizing those professional skills in the
15 performance of his or her job duties.

16 SECTION 5. In order to facilitate cash management of federal
17 grant receipts and disbursements, the Office of Management and
18 Enterprise Services shall transfer monies between the Oklahoma
19 Health Care Authority federal and revolving funds in amounts
20 requested by the Oklahoma Health Care Authority.

21 SECTION 6. The Oklahoma Health Care Authority is authorized to
22 transfer funds from Fund 205 and Fund 270 to Fund 200 and Fund 340
23 to satisfy claims made to the Authority under the Supplemental
24 Hospital Offset Payment Program Act.

1 SECTION 7. 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, 2023, 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 Senate
11 Appropriations Committee Chair and the House of Representatives
12 Appropriations and Budget Committee Chair. The Senate
13 Appropriations Committee Chair and/or the House Appropriations and
14 Budget Committee Chair shall notify the Office of Management and
15 Enterprise Services of any noncompliance of the request with
16 legislative intent within twelve (12) calendar days of receipt of
17 the exemption request. The Office of Management and Enterprise
18 Services shall approve the request for exemption unless both the
19 Chair and Vice Chair of the Legislative Oversight Committee on State
20 Budget Performance provide written notification to the Office of
21 Management and Enterprise Services within twelve (12) calendar days
22 of the Committee's receipt of the exemption request that the
23 exemption subverts the intention and objectives of the Legislature
24 in establishing the original limit. The Office of Management and

1 Enterprise Services shall give written notice of approval or
2 disapproval of each exemption to the agency, the Governor, the Chair
3 of the Senate Appropriations Committee, and the Chair of the House
4 Appropriations and Budget Committee within eighteen (18) calendar
5 days of receiving the request.

6 SECTION 8. A. The Director of the Office of Management and
7 Enterprise Services shall transfer monies appropriated from the
8 General Revenue Fund and the Health Care Enhancement Fund to the
9 Oklahoma Health Care Authority disbursing funds in the amounts and
10 ratios requested by the Authority, except that the cumulative
11 amounts transferred shall not exceed the cumulative amounts of equal
12 monthly allotments of the appropriations from the General Revenue
13 Fund and Health Care Enhancement Fund.

14 B. Monies appropriated or collected for the fiscal year ending
15 June 30, 2024, may be transferred to these disbursing funds for the
16 fiscal year ending June 30, 2023, to satisfy encumbrances and
17 obligations of such fiscal year; provided, that monies equal in
18 amount are transferred from appropriations or collections for the
19 fiscal year ending June 30, 2023, to the disbursing fund for the
20 fiscal year ending June 30, 2024, to satisfy encumbrances and
21 obligations of such fiscal year. All transfer requests shall be in
22 writing to the Director of the Office of Management and Enterprise
23 Services.

24

1 C. The Oklahoma Health Care Authority shall maintain records of
2 the inter-year transfers.

3 SECTION 9. The Administrator of the Oklahoma Health Care
4 Authority may request, through the Director of the Office of
5 Management and Enterprise Services, the early transfer by the
6 Oklahoma Tax Commission of tax collections to the General Revenue
7 Fund for the purpose of early allocation to the agency's disbursing
8 funds to alleviate cash-flow problems.

9 SECTION 10. Appropriations made by Enrolled House Bill No. 1004
10 of the 1st Extraordinary Session of the 59th Oklahoma Legislature,
11 not including appropriations made for capital outlay purposes, may
12 be budgeted for the fiscal year ending June 30, 2024 (hereafter FY-
13 24), or may be budgeted for the fiscal year ending June 30, 2025
14 (hereafter FY-25). Funds budgeted for FY-24 may be encumbered only
15 through June 30, 2024, and must be expended by November 15, 2024.
16 Any funds remaining after November 15, 2024, and not budgeted for
17 FY-25, shall lapse to the credit of the proper fund for the then
18 current fiscal year. Funds budgeted for FY-25 may be encumbered
19 only through June 30, 2025. Any funds remaining after November 15,
20 2025, shall lapse to the credit of the proper fund for the then
21 current fiscal year. These appropriations may not be budgeted in
22 both fiscal years simultaneously. Funds budgeted in FY-24, and not
23 required to pay obligations for that fiscal year, may be budgeted
24 for FY-25, after the agency to which the funds have been

1 appropriated has prepared and submitted a budget work program
2 revision removing these funds from the FY-24 budget work program and
3 after such revision has been approved by the Office of Management
4 and Enterprise Services.

5 Passed the Senate the 24th day of May, 2023.

6

7

Presiding Officer of the Senate

8

9 Passed the House of Representatives the ____ day of _____,

10 2023.

11

12

Presiding Officer of the House
of Representatives

13

14

15

16

17

18

19

20

21

22

23

24