

# An Act

ENROLLED SENATE  
BILL NO. 578

By: Crain of the Senate

and

Cox of the House

An Act relating to public health; creating the Oklahoma Department of Health Civil Monetary Penalty Revolving Fund; removing fiscal year limitations; specifying monies to be deposited into fund; authorizing expenditure of funds by the State Department of Health at discretion of the State Commissioner of Health; providing for compliance with the Centers for Medicare and Medicaid Services; providing for certain transfers of funds; providing for codification; and providing an effective date.

SUBJECT: Oklahoma Department of Health Civil Monetary Penalty Revolving Fund

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-107.4 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created in the State Treasury a fund for the State Department of Health to be designated the "Oklahoma Department of Health Civil Monetary Penalty Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations. It shall consist of monies received by the State Department of Health which emanate from fines and assessments against Oklahoma nursing homes

and other long-term and non-long-term care facilities found to be noncompliant with federal conditions of participation.

B. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the State Department of Health at the discretion of the Commissioner of Health for the protection of the health or property of residents of nursing facilities.

C. All expenditures shall be in compliance with requirements of the Centers for Medicare and Medicaid Services. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

D. The Commissioner of Health may request the Director of the Office of Management and Enterprise Services to transfer monies between the Oklahoma Department of Health Civil Monetary Penalty Revolving Fund and any other fund of the Department, as needed for the proper expenditure of funds.

SECTION 2. This act shall become effective November 1, 2013.

Passed the Senate the 6th day of May, 2013.

*AJ Griffin*

Presiding Officer of the Senate

Passed the House of Representatives the 17th day of April, 2013.

*E. Blum*

Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 7<sup>th</sup>

day of May, 20 13, at 3:05 o'clock P M.

By: Kandi C. Bolt

Approved by the Governor of the State of Oklahoma this 13<sup>th</sup>

day of May, 20 13, at 3:57 o'clock P M.

*Mary Fallin*

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 13<sup>th</sup>

day of May, 20 13, at 5:15 o'clock P M.

By: Chris Trevisso