An Act

ENROLLED SENATE
BILL NO. 32x

By: Thompson (Roger) and Hall of the Senate

and

Wallace, Martinez, and Fugate of the House

An Act relating to the Oklahoma Health Care Authority; requiring that portions of certain appropriated funds be used for certain purposes; directing Oklahoma Health Care Authority to implement increased payment for certain long-term care and intermediate care facilities for individuals with intellectual disabilities; directing the Authority to distribute funds to certain institutions; requiring the Authority to work with certain association to create the methodology for disbursement; requiring submission of certain plan by certain date; providing for duties and compensation of administrators and employees; authorizing payment of certain expenses; authorizing certain transfers; requiring certain transfers; authorizing certain early transfer requests; authorizing the exemption of unanticipated federal funds from expenditure and budgetary limitations; providing procedures; requiring certain budget procedures; prohibiting certain budget procedures; and providing lapse dates.

SUBJECT: Oklahoma Health Care Authority

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

SECTION 1. From the funds appropriated to the Oklahoma Health Care Authority in Enrolled House Bill No. 1004 of the 1st

Extraordinary Session of the 59th Oklahoma Legislature, the sum of Thirty Million Dollars ($30,000,000.00) shall be used to provide grant funding to providers for the one-time connection to the state-designated entity for health information exchange.

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

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

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

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

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

B. The Oklahoma Health Care Authority is authorized to:

1. Pay professional expenses of the Administrator of the Authority including dues, licenses, professional memberships, and continuing education classes conducted in this state; and

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

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

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

SECTION 7. The Administrator of the Oklahoma Health Care Authority may request, in the manner provided in this section, that receipt and expenditure of unanticipated federal funds awarded after July 1, 2023, be exempt from expenditure limitations and from budgetary limitations.

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

2. The Administrator shall also file copies of the request for exemption and budget work program revisions with the Senate Appropriations Committee Chair and the House of Representatives Appropriations and Budget Committee Chair. The Senate Appropriations Committee Chair and/or the House Appropriations and Budget Committee Chair shall notify the Office of Management and Enterprise Services of any noncompliance of the request with legislative intent within twelve (12) calendar days of receipt of the exemption request. The Office of Management and Enterprise Services shall approve the request for exemption unless both the Chair and Vice Chair of the Legislative Oversight Committee on State Budget Performance provide written notification to the Office of Management and Enterprise Services within twelve (12) calendar days

of the Committee's receipt of the exemption request that the exemption subverts the intention and objectives of the Legislature in establishing the original limit. The Office of Management and Enterprise Services shall give written notice of approval or disapproval of each exemption to the agency, the Governor, the Chair of the Senate Appropriations Committee, and the Chair of the House Appropriations and Budget Committee within eighteen (18) calendar days of receiving the request.

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

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

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

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

SECTION 10. Appropriations made by Enrolled House Bill No. 1004 of the 1st Extraordinary Session of the 59th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may

be budgeted for the fiscal year ending June 30, 2024 (hereafter FY-24), or may be budgeted for the fiscal year ending June 30, 2025 (hereafter FY-25). Funds budgeted for FY-24 may be encumbered only through June 30, 2024, and must be expended by November 15, 2024. Any funds remaining after November 15, 2024, and not budgeted for FY-25, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-25 may be encumbered only through June 30, 2025. Any funds remaining after November 15, 2025, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-24, and not required to pay obligations for that fiscal year, may be budgeted for FY-25, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-24 budget work program and after such revision has been approved by the Office of Management and Enterprise Services.

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

Presiding Officer of the Senate

Passed the House of Representatives the 26th day of May, 2023.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 26th day of May, 2023, at 5:48 o'clock pm. M.

By: [signature]

Approved by the Governor of the State of Oklahoma this _____ day of _____, 20____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 2nd day of June, 2023, at 10:02 o'clock A M.

By: [signature]

OFFICE OF

THE GOVERNOR
STATE OF OKLAHOMA

No. SB 32x

OKLAHOMA CITY, OKLA., June 2, 20 23

TIME SIGNED: _____

TO THE HONORABLE PRESIDENT PRO TEMPORE
AND MEMBERS OF THE OKLAHOMA SENATE
FIRST ***EXTRAORDINARY*** SESSION OF THE
FIFTY-NINTH OKLAHOMA LEGISLATURE

ENROLLED SENATE BILL NO. 32x:

Both because I support fiscal discipline and strongly oppose an increase in recurring expenditures, and because I am disheartened by other aspects of the budget package, I have not signed Senate Bill 32x.

Subject to objections to the unique process by which the Bill made its way to my desk, the Bill will become law without signature.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

_____

Delivered to SENATE: James Leary

Date/Time: 6/2/23; 12:50pm

SENATE:

By _____

Date/Time 6/2/23 12:55pm

RECEIVED
JUN 02 2023
OKLAHOMA SECRETARY
OF STATE