OKLAHOMA HOUSE OF REPRESENTATIVES
COMMITTEE REPORT

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JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET COMMITTEE

HB4155

By: Wallace et al of the House

Thompson et al of the Senate

Title: Appropriations and budget; Budget Implementation Act of 2020; effective date.

Coauthored By:

Recommendation: **DO PASS AS AMENDED BY CS**

Amendments:

1. Committee Substitute Attached

_____ Chr.
Representative Kevin Wallace

YEAS: 19

Baker, Fetgatter, Ford, Lepak, Martinez, McBride, McEntire, Munson, Newton, Nichols, Ortega, Osburn, Russ, Virgin, Walke, Wallace, West (J), West (K), Worthen

NAYS: 0

CONSTITUTIONAL PRIVILEGE: 0

O K L A H O M A S T A T E S E N A T E
JOINT
COMMITTEE REPORT

May 11, 2020

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET

HB 4155

By: Wallace of the House and Thompson of the Senate

Title: Appropriations and budget; Budget Implementation Act of 2020; effective date.

Recommendation: **DO PASS AS AMENDED**

Aye: Brooks, Daniels, Dossett, Dugger, Floyd, Hall, Ikley-Freeman, Jech, Matthews, Montgomery, Pemberton, Pugh, Rosino, Scott, Shaw, Simpson, Stanislawski, Rader, Thompson

Nay:

Constitutional Privilege:

Senator Roger Thompson, Chair

Committee Substitute, motion by Senator SIMPSON - Adopted (Request No: 15061)

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 4155

By: Wallace and Hilbert of the House

and

Thompson and Rader of the Senate

COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Health Care Authority; directing the Authority to revise certain methodology and to modify compensation; providing for duties and compensation of 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.

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

SECTION 1. The Oklahoma Health Care Authority shall revise the payment methodology for hospital-based rural health care clinics. This revision shall increase payments to maximize the federal match.

SECTION 2. The Oklahoma Health Care Authority shall revise the methodology of the Disproportionate Share Hospital program.

SECTION 3. 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 the State of Oklahoma; and

2. Pay professional expenses of any employee, including dues, licenses, professional memberships, continuing medical education classes conducted in the State of Oklahoma 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 or paragraph 1 of subsection B of Section 840-5.5 of Title 74 of the Oklahoma Statutes and utilizing those professional skills in the performance of his or her job duties.

SECTION 4. 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 5. The Oklahoma Health Care Authority is authorized to transfer funds from Fund 205 to Fund 340 to satisfy claims made to the Authority under the Supplemental Hospital Offset Payment Program Act.

SECTION 6. A. 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, 2020, 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 Oklahoma House of Representatives Appropriations and Budget Committee Chair and the Oklahoma State Senate Appropriations Committee Chair. The House Appropriations and Budget Committee Chair and/or the Senate Appropriations 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 their receipt of the exemption request.

B. The Office of Management and Enterprise Services shall approve the request for exemption unless both the Chair and Vice Chair of the Joint Legislative Committee on Budget and Program

Oversight 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 House Appropriations and Budget Committee and the Chair of the Senate Appropriations Committee within eighteen (18) calendar days of receiving the request.

SECTION 7. The Office of Management and Enterprise Services shall transfer monies appropriated from the General Revenue Fund and the 245 Fund to the Oklahoma Health Care Authority disbursing funds in the amounts and ratios requested by the Authority, except that the cumulative amount transferred shall not exceed the cumulative amount of equal monthly allotments of the appropriation from the General Revenue Fund. Monies appropriated or collected for the fiscal year ending June 30, 2021, may be transferred to these disbursing funds for the fiscal year ending June 30, 2020, to satisfy encumbrances and obligations of said fiscal year; provided, that monies equal in amount are transferred from appropriations or collections for the fiscal year ending June 30, 2020, to the disbursing fund for the fiscal year ending June 30, 2021, to satisfy encumbrances and obligations of said fiscal year. All transfer

requests shall be in writing to the Office of Management and Enterprise Services. The Oklahoma Health Care Authority shall maintain record of the inter-year transfers.

SECTION 8. 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 9. Appropriations made by Enrolled Senate Bill No. 1922 of the 2nd Session of the 57th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2021 (hereafter FY-21) or may be budgeted for the fiscal year ending June 30, 2022 (hereafter FY-22). Funds budgeted for FY-21 may be encumbered only through June 30, 2021, and must be expended by November 15, 2021. Any funds remaining after November 15, 2021, and not budgeted for FY-22, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-22 may be encumbered only through June 30, 2022. Any funds remaining after November 15, 2022, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations shall not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-21, and not required to pay obligations for that fiscal year, may be budgeted for FY-22, 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-21 budget work program and after such revision has been approved by the Office of Management and Enterprise Services.

57-2-11755 JM 05/11/20