

STATE OF OKLAHOMA

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

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1007

By: Wallace and Hilbert of the
House

and

Thompson and Hall of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to University Hospitals Authority;
making appropriations; identifying source;
establishing amount; providing purpose; requiring and
limiting the utilization of funds; prohibiting
certain treatment; defining term; creating certain
special accounts; limiting duration of accounts;
requiring certain determination; providing and
limiting the nature of accounts and funds within
accounts; authorizing agency to submit request for
certain deposit or transfer; requiring certain
compliance and verification; authorizing certain
memorandums of understanding; limiting scope;
prohibiting certain memoranda terms; authorizing and
limiting the promulgation of rules and utilization of
procedures; authorizing and limiting the retention of
monies for administration costs; requiring certain
reports and submissions to certain entities;
requiring appearance before certain joint committee;
limiting duration of certain requirements; providing
determination process; and providing for
noncodification.

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

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the University Hospitals
Authority from any monies not otherwise appropriated from the
Statewide Recovery Fund of the State Treasury created in Section 1,
Chapter 319, O.S.L. 2022, the sum of Thirty-nine Million Four
Hundred Thousand Dollars (\$39,400,000.00) or so much thereof as may
be necessary to budget and expend for the construction and equipping
of facilities designed to expand the capacity of behavioral health
care for the children of this state; provided, no monies shall be
budgeted or expended by the Authority for the benefit of any
facility owned by the University Hospitals Authority or University
Hospitals Trust performing "gender reassignment medical treatment",
as defined in this section, on children under eighteen (18) years of
age.

For the purposes of this section, "gender reassignment medical
treatment" means any health care to facilitate the transitioning of
a patient's assigned gender identity on the patient's birth
certificate, to the gender identity experienced and defined by the
patient.

1. The term includes:

a. interventions to suppress the development of
endogenous secondary sex characteristics,

- b. interventions to align the patient's appearance or physical body with the patient's gender identity, and
- c. medical therapies and medical intervention used to treat gender dysphoria.

2. The term shall not include:

- a. behavioral health care services or mental health counseling,
- b. medications to treat depression and anxiety, or
- c. services provided to individuals born with ambiguous genitalia, incomplete genitalia, or both male and female anatomy, or biochemically verifiable disorder of sex development (DSD), including but not limited to: 46,XX DSD; 46,XY DSD; sex chromosomes DSDs; XX or XY sex reversal; and ovotesticular disorder.

Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on June 7, 2022.

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the University Hospitals Authority from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Section 1, Chapter 319, O.S.L. 2022, the sum of Forty-four Million Dollars (\$44,000,000.00) or so much thereof as may be necessary for an

1 electronic health record system and related infrastructure. Such
2 funds shall be utilized in a manner consistent with the
3 recommendations adopted by the Joint Committee on Pandemic Relief
4 Funding on August 31, 2022.

5 SECTION 3. NEW LAW A new section of law not to be
6 codified in the Oklahoma Statutes reads as follows:

7 There is hereby appropriated to the University Hospitals
8 Authority from any monies not otherwise appropriated from the
9 Statewide Recovery Fund of the State Treasury created in Section 1,
10 Chapter 319, O.S.L. 2022, the sum of Twenty Million Dollars
11 (\$20,000,000.00) or so much thereof as may be necessary to provide
12 medical treatment for cancer patients who have been
13 disproportionately impacted by the pandemic. Such funds shall be
14 utilized in a manner consistent with the recommendations adopted by
15 the Joint Committee on Pandemic Relief Funding on September 20,
16 2022.

17 SECTION 4. NEW LAW A new section of law not to be
18 codified in the Oklahoma Statutes reads as follows:

19 There is hereby appropriated to the University Hospitals
20 Authority from any monies not otherwise appropriated from the
21 Statewide Recovery Fund of the State Treasury created in Section 1,
22 Chapter 319, O.S.L. 2022, the sum of Five Million One Hundred Sixty-
23 three Thousand One Hundred Ninety-five Dollars (\$5,163,195.00) or so
24 much thereof as may be necessary to improve dental health through

1 mobile dental units. Such funds shall be utilized in a manner
2 consistent with the recommendations adopted by the Joint Committee
3 on Pandemic Relief Funding on September 20, 2022.

4 SECTION 5. NEW LAW A new section of law not to be
5 codified in the Oklahoma Statutes reads as follows:

6 A. There is hereby created in the State Treasury a Statewide
7 Recovery Special Account for the University Hospitals Authority for
8 each appropriation section of this act. The duration of such
9 accounts shall continue for the period of time that monies related
10 to the American Rescue Plan Act of 2021 are being budgeted,
11 expended, or managed in the state. The ending of such period shall
12 be determined by the State Treasurer and shall result in the closing
13 of such accounts as a matter of law. Such accounts shall be
14 continuing accounts as otherwise provided in this section, not
15 subject to fiscal year limitations, and shall exclusively consist of
16 monies related to the relevant appropriations made in this act and
17 as otherwise directed by law. All monies deposited to the credit of
18 such accounts are hereby appropriated and may be budgeted and
19 expended by the University Hospitals Authority in accordance with
20 the provisions of this act. Expenditures from such accounts shall
21 be made upon warrants issued by the State Treasurer against claims
22 filed as prescribed by law with the Director of the Office of
23 Management and Enterprise Services for approval and payment.

1 B. The University Hospitals Authority is authorized to request
2 in writing that the monies appropriated by the provisions of this
3 act be deposited or transferred to the accounts created pursuant to
4 subsection A of this section. No later than seven (7) calendar days
5 from the date of such request, the Director of the Office of
6 Management and Enterprise Services shall comply with such request
7 and verify to the requesting agency that such deposit or transfer
8 has been completed.

9 SECTION 6. NEW LAW A new section of law not to be
10 codified in the Oklahoma Statutes reads as follows:

11 The University Hospitals Authority may enter into memorandums of
12 understanding with other agencies of the State of Oklahoma for the
13 auditing, documentation, evaluation, implementation, oversight,
14 reporting, and management of funds and associated efforts related to
15 the appropriations made in this act; provided, that no such
16 memorandum of understanding shall require or include, as an option
17 or condition, the direct or practical transfer or relinquishment of
18 control by the agency appropriated such funds to budget, expend,
19 allocate, and request the distribution of the funds appropriated by
20 this act.

21 SECTION 7. NEW LAW A new section of law not to be
22 codified in the Oklahoma Statutes reads as follows:

23 The University Hospitals Authority may promulgate rules, utilize
24 existing rules, establish procedures, and utilize existing

1 procedures to implement the provisions of this act; provided, such
2 rules and procedures do not conflict with or impede the provisions
3 of this act.

4 SECTION 8. NEW LAW A new section of law not to be
5 codified in the Oklahoma Statutes reads as follows:

6 The University Hospitals Authority shall retain no more than two
7 percent (2%) of the funds appropriated by this act to reimburse:

- 8 1. Costs incurred by the University Hospitals Authority; or
9 2. Costs incurred on the agency's behalf,

10 associated with the administration of the appropriated funds and
11 programming required by the University Hospitals Authority under the
12 provisions of this act; provided, that no funds shall be retained
13 that would be disallowable under the provisions of the American
14 Rescue Plan Act of 2021.

15 SECTION 9. NEW LAW A new section of law not to be
16 codified in the Oklahoma Statutes reads as follows:

17 A. The University Hospitals Authority shall:

- 18 1. Submit to the Chairs of the Joint Committee on Pandemic
19 Relief Funding, or any successor Senate legislative or House of
20 Representatives legislative committee or joint committee, as
21 designated by the President Pro Tempore of the Senate and the
22 Speaker of the House of Representatives:

- a. a written or electronic quarterly report detailing the budgeting, expenditure, and management of all monies appropriated in this act, and
- b. a copy of all memorandums of understanding and contracts with third parties entered into by the University Hospitals Authority to facilitate, assist, or administer powers and duties provided to the University Hospitals Authority under the provisions of this act; and

2. At the Joint Committee on Pandemic Relief Funding's request, appear before the Joint Committee no later than six (6) months after the effective date of this act, and as otherwise requested by the Joint Committee to provide a status update regarding the implementation of the provisions of this act.

B. The provisions of subsection A of this section shall remain applicable for the period of time that monies appropriated under this act are being budgeted, expended, or managed in the state. The ending of such period shall be determined by the State Treasurer, and shall be reported to the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

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