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Oklahoma Department of CAREER and Technology Education (Formerly: Oklahoma Department of VOCATIONAL and Technical Education)	780	Oklahoma WHEAT Commission	795
Oklahoma WATER Resources Board	785	Department of WILDLIFE Conservation	800
Board of Regents of WESTERN Oklahoma State College (<i>exempted</i> <i>11-1-98</i>)	790	WILL Rogers and J.M. Davis Memorials Commission	805
		Oklahoma WORKERS' Compensation Commission	810

Notices of Rulemaking Intent

Prior to adoption and gubernatorial/legislative review of a proposed PERMANENT rulemaking action, an agency must publish a Notice of Rulemaking Intent in the *Register*. In addition, an agency may publish a Notice of Rulemaking Intent in the *Register* prior to adoption of a proposed EMERGENCY or PREEMPTIVE rulemaking action.

A Notice of Rulemaking Intent announces a comment period, or a comment period and public hearing, and provides other information about the intended rulemaking action as required by law, including where copies of proposed rules may be obtained.

For additional information on Notices of Rulemaking Intent, see 75 O.S., Section 303.

TITLE 90. COUNCIL OF BOND OVERSIGHT CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #15-898]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. General Operations of the Council
90:1-3-1 [AMENDED]
90:1-3-2 [AMENDED]

SUMMARY:

The proposed rule amendments will change the reference to the permanent Office address and correct the reference to Council meeting dates following a statutory change.

AUTHORITY:

Oklahoma Bond Oversight and Reform Act. 62 O.S., Section 695.8(A)5.; Council of Bond Oversight

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 5:00 p.m. on January 15, 2016 at the following address: State Bond Advisor's Office, 9220 N. Kelley Avenue, Oklahoma City, Oklahoma, 73131 or by email to jjoseph@oksba.org.

PUBLIC HEARING:

A public hearing will be held at 9:45 a.m. on Thursday, January 28, 2016 in the Board Room of the State Bond Advisor's Office, 9220 N. Kelley Avenue, Oklahoma City, Oklahoma 73131. Anyone who wishes to speak must sign in at the door prior to the start of the hearing.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The State Bond Advisor requests that business entities affected by these proposed rules provide the State Bond Advisor, within the comment period (in dollar amounts if possible), the increase in the level of direct services, revenue loss, or other costs expected to be incurred by costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to James C. Joseph, at the above addresses, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the State Bond Advisor's Office, 9220 N. Kelley Avenue, Oklahoma City, Oklahoma, 73131. The proposed rules

are also available on the State Bond Advisor's website at <http://www.ok.gov/bondadvisor/>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the State Bond Advisor's Office at the above address beginning December 15, 2015.

CONTACT PERSON:

James C. Joseph, Director, (405) 602-3100, jjoseph@oksba.org

[OAR Docket #15-898; filed 11-25-15]

TITLE 90. COUNCIL OF BOND OVERSIGHT CHAPTER 10. ADMINISTRATION OF THE OKLAHOMA BOND OVERSIGHT AND REFORM ACT

[OAR Docket #15-899]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Fees
90:10-5-2. [AMENDED]

SUMMARY:

The proposed rule amendments will revise the statutorily authorized fees assessed to each state bond issue.

AUTHORITY:

Oklahoma Bond Oversight and Reform Act. 62 O.S., Section 695.8(A)5.; Council of Bond Oversight

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 5:00 p.m. on January 15, 2016 at the following address: State Bond Advisor's Office, 9220 N. Kelley Avenue, Oklahoma City, Oklahoma, 73131 or by email to jjoseph@oksba.org.

PUBLIC HEARING:

A public hearing will be held at 9:45 a.m. on Thursday, January 28, 2016 in the Board Room of the State Bond Advisor's Office, 9220 N. Kelley Avenue, Oklahoma City, Oklahoma 73131. Anyone who wishes to speak must sign in at the door prior to the start of the hearing.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The State Bond Advisor requests that business entities affected by these proposed rules provide the State Bond Advisor, within the comment period (in dollar amounts if

Notices of Rulemaking Intent

possible), the increase in the level of direct services, revenue loss, or other costs expected to be incurred by costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to James C. Joseph, at the above addresses, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the State Bond Advisor's Office, 9220 N. Kelley Avenue, Oklahoma City, Oklahoma, 73131. The proposed rules are also available on the State Bond Advisor's website at <http://www.ok.gov/bondadvisor/>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the State Bond Advisor's Office at the above address beginning December 15, 2015.

CONTACT PERSON:

James C. Joseph, Director, (405) 602-3100, jjoseph@oksba.org

[OAR Docket #15-899; filed 11-25-15]

TITLE 158. CONSTRUCTION INDUSTRIES BOARD CHAPTER 10. FINE SCHEDULE

[OAR Docket #15-864]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Administrative Fine Schedule

158:10-3-1 [AMENDED]

158:10-3-2 [AMENDED]

SUMMARY:

The proposed amendments to OAC 158:10-3-1 are needed to correct ambiguity which exists in the current language related to requirements for display of any commercial endorsement on vehicles and on postings at job sites. Current language references commercial endorsement "number"; however, the only number assigned by the Construction Industries Board to a roofing contractor, whether residential or commercial, is the registration number.

The proposed amendments to OAC 158:10-3-2 are needed to clarify that the rule is applicable to the electrical, mechanical, and plumbing trades.

AUTHORITY:

Construction Industries Board; 59 O.S. §§ 858-627, 1000.4, 1000.5, 1002, 1032, 1681, 1850.3 and 1151.2a

COMMENT PERIOD:

Written and oral comments will be accepted until 4:30 p.m. on January 15, 2016, at the following address: 2401 NW 23rd

Street, Ste. 2F, Oklahoma City, OK 73107. During the open public comment period, comments may be delivered during regular business hours or submitted via regular mail.

PUBLIC HEARING:

A Public Hearing is scheduled for 1:30 p.m. on Wednesday, January 20, 2016, at the meeting of the Construction Industries Board which will be held in the Construction Industries Board Conference Room at 2401 NW 23rd Street, Suite 2F, Oklahoma City, OK 73107. Anyone wishing to make comments regarding the proposed rules at the public hearing must sign in by 1:30 p.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Construction Industries Board requests that business entities affected by these proposed rules provide the Construction Industries Board, within the comment period set forth and described above, in dollar amounts if possible, the increase in the level of direct costs, such as administrative fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs that the business entity expects to be incurred due to compliance with the proposed rules. Business entities may submit this information in writing to Linda Ruckman through the close of the comment period on January 15, 2016, at the address shown below for obtaining copies of the proposed rules.

COPIES OF PROPOSED RULES:

Copies of the proposed rules are available at the Construction Industries Board, 2401 NW 23rd Street, Ste. 2F, Oklahoma City, OK 73107, or online at www.cib.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement will be prepared and will be available beginning December 21, 2015, at the address listed above for obtaining copies of the proposed rules.

CONTACT PERSON:

Linda Ruckman, Board Secretary/Executive Assistant, 405-521-6550.

[OAR Docket #15-864; filed 11-19-15]

TITLE 158. CONSTRUCTION INDUSTRIES BOARD CHAPTER 40. ELECTRICAL INDUSTRY REGULATIONS

[OAR Docket #15-865]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 7. License Classifications

158:40-7-7 [NEW]

Subchapter 9. Examination Applications, Examinations and License and Registration Fees and Renewals

- 158:40-9-2 [AMENDED]
Subchapter 11. License Revocation or Suspension and Prohibited Acts
- 158:40-11-1 [AMENDED]
Subchapter 13. Procedures of the Variance and Appeals Board, Plan Review Applications and Filing Fees, Code Variance Applications and Filing Fee and Code Interpretation Appeals
- 158:40-13-3 [AMENDED]

SUMMARY:

A poultry house contractor license category was established by House Bill 2208 which became effective July 1, 2015. The new rule, OAC 158:40-7-7, is for the purpose of administering the new provisions of the Electrical License Act related to establishment of the new license category. The amendment to OAC 158:40-9-2 is for the purpose of clarifying by reference to the laws and regulations on which electrical license examinations may be based. The amendments to OAC 158:40-11-1 and OAC 158:40-13-3 are to correct grammar and punctuation.

AUTHORITY:

Construction Industries Board; 59 O.S. §§ 1000.4(A)(1), 1000.5, and 1681.

COMMENT PERIOD:

Written and oral comments will be accepted until 4:30 p.m. on January 15, 2016, at the following address: 2401 NW 23rd Street, Ste. 2F, Oklahoma City, OK 73107. During the open public comment period, comments may be delivered during regular business hours or submitted via regular mail.

PUBLIC HEARING:

A Public Hearing is scheduled for 1:30 p.m. on Wednesday, January 20, 2016, at the meeting of the Construction Industries Board which will be held in the Construction Industries Board Conference Room at 2401 NW 23rd Street, Suite 2F, Oklahoma City, OK 73107. Anyone wishing to make comments regarding the proposed rules at the public hearing must sign in by 1:30 p.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Construction Industries Board requests that business entities affected by these proposed rules provide the Construction Industries Board, within the comment period set forth and described above, in dollar amounts if possible, the increase in the level of direct costs, such as administrative fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs that the business entity expects to be incurred due to compliance with the proposed rules. Business entities may submit this information in writing to Linda Ruckman through the close of the comment period on January 15, 2016, at the address shown below for obtaining copies of the proposed rules.

COPIES OF PROPOSED RULES:

Copies of the proposed rules are available at the Construction Industries Board, 2401 NW 23rd Street, Ste. 2F, Oklahoma City, OK 73107, or online at www.cib.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement will be prepared and will be available beginning December 21, 2015, at the address listed above for obtaining copies of the proposed rules.

CONTACT PERSON:

Linda Ruckman, Board Secretary/Executive Assistant, 405-521-6550.

[OAR Docket #15-865; filed 11-19-15]

**TITLE 158. CONSTRUCTION INDUSTRIES BOARD
CHAPTER 50. MECHANICAL INDUSTRY REGULATIONS**

[OAR Docket #15-866]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 1. General Provisions
158:50-1-2. [AMENDED]
- Subchapter 3. Procedures of the Committee and the Hearing Board
158:50-3-2. [AMENDED]
- Subchapter 9. Qualifications for Mechanical Licensure, License and Registration Fees, Duration of License, Mechanical License Application, and Apprentice Registration
158:50-9-1. [AMENDED]
158:50-9-5. [AMENDED]
158:50-9-7. [AMENDED]
- Subchapter 11. License Revocation or Suspension and Prohibited Acts
158:50-11-3. [AMENDED]
- Subchapter 13. Procedures of the Variance and Appeals Board, Plan Review Applications and Fees, Code Variance Applications and Fee, Code Interpretation Appeals
158:50-13-3. [AMENDED]

SUMMARY:

The amendment to OAC 158:50-1-2 is the addition of a definition for "Chemical plant" [59 O.S. § 1850.10(D)] in response to a request for written clarification from an agricultural fertilizer plant involved in developing chemicals.

The amendments to OAC 158:50-9-1 would allow substitution of vocational education of less than 500 hours for comparable experience which would encourage mechanical program development and attendance and allow a shortened time frame to obtain licensing.

The amendment to OAC 158:50-9-5 is for the purpose of correcting a scrivener's error made during the prior rulemaking process. During the 2015 rulemaking process, OAC 158:50-9-5(e) was inadvertently omitted from the text of

Notices of Rulemaking Intent

the rules submitted. It was not the intent to have this subsection deleted and the text was not included with strikethrough to indicate the agency intended to delete the text.

The amendments to OAC 158:50-3-2, 158:50-9-7, 158:50-11-3 and 158:50-13-3 are to correct references in accordance with the Secretary of State's rules on rulemaking (Appendix A of OAC 655:10).

AUTHORITY:

Construction Industries Board; 59 O.S. §§ 1000.4 and 1850.3.

COMMENT PERIOD:

Written and oral comments will be accepted until 4:30 p.m. on January 15, 2016, at the following address: 2401 NW 23rd Street, Ste. 2F, Oklahoma City, OK 73107. During the open public comment period, comments may be delivered during regular business hours or submitted via regular mail.

PUBLIC HEARING:

A Public Hearing is scheduled for 1:30 p.m. on Wednesday, January 20, 2016, at the meeting of the Construction Industries Board which will be held in the Construction Industries Board Conference Room at 2401 NW 23rd Street, Suite 2F, Oklahoma City, OK 73107. Anyone wishing to make comments regarding the proposed rules at the public hearing must sign in by 1:30 p.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Construction Industries Board requests that business entities affected by these proposed rules provide the Construction Industries Board, within the comment period set forth and described above, in dollar amounts if possible, the increase in the level of direct costs, such as administrative fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs that the business entity expects to be incurred due to compliance with the proposed rules. Business entities may submit this information in writing to Linda Ruckman through the close of the comment period on January 15, 2016, at the address shown below for obtaining copies of the proposed rules.

COPIES OF PROPOSED RULES:

Copies of the proposed rules are available at the Construction Industries Board, 2401 NW 23rd Street, Ste. 2F, Oklahoma City, OK 73107, or online at www.cib.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement will be prepared and will be available beginning December 21, 2015, at the address listed above for obtaining copies of the proposed rules.

CONTACT PERSON:

Linda Ruckman, Board Secretary/Executive Assistant, 405-521-6550.

[OAR Docket #15-866; filed 11-19-15]

TITLE 175. STATE BOARD OF COSMETOLOGY AND BARBERING CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #15-862]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Rules of Practice

175:1-5-4 [AMENDED]

175:1-5-15 [AMENDED]

SUMMARY:

The proposed amendments to Subchapter 1 more clearly establish the Board's ability to administer fines. They also eliminate fines that appear to be subjective.

AUTHORITY:

59 O.S. § 199.3 (A); State Board of Cosmetology and Barbering

COMMENT PERIOD:

Persons wishing to present their views orally or in writing may do so before 4:00 p.m. on January 18, 2016 at the following address: Sherry G. Lewelling, 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107, during the comment period December 15, 2015 to January 18, 2016.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on Monday, January 18, 2016 at the Oklahoma State Board of Cosmetology and Barbering, 2401 NW 23rd, Suite 84, Oklahoma City, OK 73107 in the Testing Center. Anyone wish to speak must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

There are no known business entities affected by these rules other than those persons operating cosmetology and barber establishments and schools that the Board does not already license.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained from the Oklahoma State Board of Cosmetology and Barbering, 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107. Copies may be obtained by email written request to the attention of Sherry G. Lewelling, Executive Director at slewelling@cosmo.ok.gov or in writing to Ms. Lewelling at the address above.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303 (D), a rule impact statement will be prepared and available for review after December 15, 2015. At the office of the Oklahoma State Board of Cosmetology, 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107

CONTACT PERSON(S):

Sherry G. Lewelling, Executive Director (405) 522-7615.

[OAR Docket #15-862; filed 11-18-15]

**TITLE 175. STATE BOARD OF
COSMETOLOGY AND BARBERING
CHAPTER 10. LICENSURE OF
COSMETOLOGISTS, BARBERS, SCHOOLS
AND RELATED ESTABLISHMENTS**

[OAR Docket #15-863]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 3. Licensure of Schools
 - Part 1. Initial School Licensing
 - 175:10-3-1 [AMENDED]
 - Part 7. General Operations and Licensing Requirements
 - 175:10-3-60 [AMENDED]
 - 175:10-3-61 [AMENDED]
 - 175:10-3-67 [AMENDED]
- Subchapter 7. Sanitation, Disinfection and Safety
 - Standards for Establishments and Schools
 - 175:10-7-17 [AMENDED]
 - 175:10-7-29 [AMENDED]
 - 175:10-7-32 [NEW]

SUMMARY:

The proposed amendments to Subchapter 10 eliminate the unnecessary requirement for initial school licensing of 23 students registered to open. The amendments require that students pay tuition owed to the school when transferring or completing hours and being eligible to register for the State Board examination as is the same with any university or college. Amendments also clarify that invasive procedures cannot be performed by Board licensees. A new rule allows for licensing of kiosks. Amendment also requires licensees to carry a photo ID when while practicing and to be able to present the ID to the Inspector for proper identification

AUTHORITY:

59 O.S. §199.3 (A); State Board of Cosmetology and Barbering

COMMENT PERIOD:

Persons wishing to present their views orally or in writing may do so before 4:00 p.m. on January 18, 2016 at the following address: Sherry G. Lewelling, 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107, during the comment period December 15, 2015 to January 18, 2016.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on Monday, January 18, 2016 at the Oklahoma State Board of Cosmetology and Barbering, 2401 NW 23rd, Suite 84, Oklahoma City, OK 73107 in the Testing Center. Anyone wish to speak must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

There are no known business entities affected by these rules other than those persons operating cosmetology and barber establishments and schools that the Board does not already license.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained from the Oklahoma State Board of Cosmetology and Barbering, 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107. Copies may be obtained by email written request to the attention of Sherry G. Lewelling, Executive Director at slewelling@cosmo.ok.gov or in writing to Ms. Lewelling at the address above.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303 (D), a rule impact statement will be prepared and available for review after December 15, 2015. At the office of the Oklahoma State Board of Cosmetology, 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107

CONTACT PERSON(S):

Sherry G. Lewelling, Executive Director (405) 522-7615.

[OAR Docket #15-863; filed 11-18-15]

**TITLE 210. STATE DEPARTMENT OF
EDUCATION
CHAPTER 35. STANDARDS FOR
ACCREDITATION OF ELEMENTARY,
MIDDLE LEVEL, SECONDARY, AND
CAREER AND TECHNOLOGY SCHOOLS**

[OAR Docket #15-877]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 7. Additional Standards for Middle Level Schools
 - Part 9. Standard V: The School Staff
 - 210:35-7-41. Staffing: pupil/professional staff ratio [AMENDED]
- Subchapter 9. Additional Standards for Secondary Schools
 - Part 9. Standard V: The School Staff
 - 210:35-9-41. Staffing: pupil/professional staff ratio [AMENDED]

SUMMARY:

The proposed amendments to the pupil/professional staff ratio rules provide that a teacher and school district may agree in writing to waive the minimum weekly teacher planning time established by the rules, as long as the teacher is compensated with a stipend. School districts must currently request exceptions to the minimum weekly planning time through the deregulation process, which requires applying directly to the State Board of Education. Providing for the mutually agreed exception directly in the rules will reduce the administrative burden on school districts and the State Board, as well as the State Department of Education offices that process deregulation applications.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 18-113.1 et seq.

Notices of Rulemaking Intent

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from December 15, 2015 until 4:30 p.m., Tuesday, January 19, 2016.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Tuesday, January 19, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-877; filed 11-24-15]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 40. GRANTS AND PROGRAMS-IN-AID

[OAR Docket #15-878]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 87. Rules for Payments to Charter Schools

210:40-87-5. Charter school application [AMENDED]

210:40-87-7. Charter school contracts [NEW]

210:40-87-8. Appeals for sponsorship to the State Board of Education [NEW]

210:40-87-9. Applications for renewal of charter school contracts [NEW]

SUMMARY:

Updates to the charter school rules are required due to extensive statutory changes. Senate Bill 782 (2015) made several changes to the Oklahoma Charter Schools Act, including adding authorized sponsors and laying out detailed application and contract requirements. The rule update adds guidance on the new provisions, and establishes a procedure for submitting a sponsorship appeal to the State Board of Education if a school district has denied a proposed charter school's application for sponsorship. The update also adds guidelines for renewing an existing charter school contract.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 3-130 et seq.

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from December 15, 2015 until 4:30 p.m., Tuesday, January 19, 2016.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Tuesday, January 19, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-878; filed 11-24-15]

**TITLE 218. OFFICE OF EDUCATIONAL QUALITY AND ACCOUNTABILITY
CHAPTER 10. EDUCATIONAL QUALITY**

[OAR Docket #15-872]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 5. Educator Preparation Program Accreditation
- 218:10-5-1 [AMENDED]
- 218:10-5-2 [AMENDED]
- 218:10-5-3 [AMENDED]
- 218:10-5-4 [AMENDED]
- Subchapter 7. Educator Assessment
- 218:10-7-1 [AMENDED]

SUMMARY:

The proposed Educator Preparation Program Accreditation revisions reflect alignment of educator preparation program accreditation processes with those of the Council for Accreditation of Educator Preparation. The proposed revisions also reflect changes in educator assessment rules for out-of-state certified educators as a result of legislation.

AUTHORITY:

Office of Educational Quality and Accountability; 70 O.S. Supp. 1998, §6-180 et seq.; Oklahoma Teacher Preparation Act

COMMENT PERIOD:

Persons wishing to present their views orally or in writing may do so before 4:30 p.m. on January 14, 2016 at the following address: Office for Educational Quality and Accountability, 840 Research Parkway, Suite 455, Oklahoma City, OK 73104.

PUBLIC HEARING:

A public hearing will be held from 9:00 a.m. to 11:00 a.m. on Thursday, January 14, 2016 in the 4th floor Board Room, 840 Research Parkway, Oklahoma City, 73104.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency within the comment period, with information, in dollar amounts if possible, about he increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Sherry Labyer, at the above address, before the close of the comment period.

COPIES OF PROPOSED RULES:

Copies of the proposed rule may be obtained from the Office of Educational Quality and Accountability, 840 Research Parkway, Suite 455, Oklahoma City, OK 73104.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303 (D), a rule impact statement will be prepared and may be obtained from the Office of Educational Quality and Accountability at the above address beginning on December 30, 2015.

CONTACT PERSON:

Sherry Labyer, Executive Director, 405-522-5399

[OAR Docket #15-872; filed 11-19-15]

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL**

[OAR Docket #15-905]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 9. Excess Emission Reporting Requirements
- 252:100-9-1. [AMENDED]
- 252:100-9-1.1. [AMENDED]
- 252:100-9-2. [AMENDED]
- 252:100-9-8. [AMENDED]
- Appendix E. Primary Ambient Air Quality Standards [REVOKED]
- Appendix E. Primary Ambient Air Quality Standards [NEW]
- Appendix F. Secondary Ambient Air Quality Standards [REVOKED]

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Appendix F. Secondary Ambient Air Quality Standards
[NEW]

SUMMARY:

The Department is proposing to amend OAC 252:100-9, Excess Emission Reporting Requirements, to comply with the "State Implementation Plan (SIP) Call To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction" (SSM), as published in the Federal Register by the U.S. Environmental Protection Agency (EPA) on June 12, 2015 (80 FR 33840), and to conform with EPA's restated and updated SSM policy applicable to SIPs, as expressed in the referenced Federal Register notice.

The Department also proposes to update OAC 252:100, Appendix E, Primary Ambient Air Quality Standards, and Appendix F, Secondary Ambient Air Quality Standards, to maintain consistency with recent federal changes to the primary and secondary National Ambient Air Quality Standards (NAAQS) for ozone, as published in the Federal Register on October 26, 2015 (80 FR 65292).

AUTHORITY:

The powers and duties of the Environmental Quality Board are set out in 27A O.S. Sections 2-2-101 and 2-5-106, and those of the Air Quality Advisory Council in 27A O.S. Sections 2-2-201 and 2-5-107. The legal authority authorizing the proposed rules is found in the Oklahoma Clean Air Act, 27A O.S. Sections 2-5-101 through -117, specifically 27A O.S. Section 2-5-105 for Appendices E and F, and 27A O.S. Sections 2-5-105 and -110 for Subchapter 9.

COMMENT PERIOD:

Written comments on the proposed rulemakings will be accepted prior to and at the hearing on January 20, 2016. For comments received at least five (5) business days prior to the Council meeting, staff will post written responses on the Department's web page at least one (1) day prior to the Council meeting. Oral comments may be made at the January 20, 2016 hearing and at the February 19, 2016 Environmental Quality Board hearing.

PUBLIC HEARINGS:

A public hearing is scheduled before the Air Quality Advisory Council at 9:00 a.m. on Wednesday, January 20, 2016, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, Oklahoma 73102. In case of inclement weather, an alternate date is scheduled for Thursday, January 28, 2016 at the same location. In the event the alternate date is needed, the comment period will extend to include that date.

If due to inclement weather the public hearing scheduled for January 20, 2016 is cancelled, notice announcing the hearing cancellation will be posted on the DEQ web site (<http://www.deq.state.ok.us/aqdnew/RulesandPlanning/index.htm>) at least 24 hours prior to the scheduled time for the hearing. Interested parties may call (405) 702-4100 to find out if the hearing has been cancelled.

If the Council recommends adoption of the proposed rules, an additional public hearing will be held before the

Environmental Quality Board at its meeting scheduled for 9:30 a.m. on Friday, February 19, 2016, at the DEQ headquarters, 707 N. Robinson, Oklahoma City, Oklahoma 73102.

These hearings shall also serve as public hearings to receive comments on the proposed revisions to the State Implementation Plan (SIP) under the requirements of 40 CFR Section 51.102 and 27A O.S. Section 2-5-107(6)(c), and to the State Title V (Part 70) Implementation Plan under the requirements of 40 CFR Part 70 and 27A O.S. Section 2-5-112(B)(9).

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The Department requests that business entities or any other members of the public affected by these rules provide the Department, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

COPIES OF PROPOSED RULES:

The proposed rules are available for review 30 days prior to the hearing on the DEQ Air Quality Division website at http://www.deq.state.ok.us/AQDnew/council_mtgs/index.htm. Copies also may be obtained from the Department by calling the contact person listed below.

RULE IMPACT STATEMENTS:

Pursuant to 75 O.S. Section 303(D), a rule impact statement will be prepared and available on and after December 15, 2015 on the DEQ Air Quality Division website at http://www.deq.state.ok.us/AQDnew/council_mtgs/index.htm. Copies also may be obtained from the Department by calling the contact person listed below.

CONTACT PERSON:

The contact person for these proposals is Cheryl E. Bradley, Environmental Programs Manager, at (405)702-4100. Please send written comments on the proposed rule changes to Ms. Bradley at cheryl.bradley@deq.ok.gov. Mail should be addressed to Department of Environmental Quality, Air Quality Division, P.O. Box 1677, Oklahoma City, Oklahoma 73101-1677, ATTN: Cheryl E. Bradley. The Air Quality Division FAX number is (405)702-4101.

PERSONS WITH DISABILITIES:

Should you desire to attend the public hearing but have a disability and need an accommodation, please notify the Air Quality Division three (3) days in advance at (405)702-4172. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

[OAR Docket #15-905; filed 11-25-15]

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES
CHAPTER 20. OKLAHOMA EMPLOYEES INSURANCE AND BENEFITS BOARD**

[OAR Docket #15-867]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 20. Oklahoma Employees Insurance and Benefits Board [AMENDED]

SUMMARY:

The rules and regulations are necessary to promote and enhance effective operation of the Oklahoma Employees Insurance and Benefits Board. It is proposed that the rules and regulations be amended. The effect of the amended rules is to provide for the continued efficiency, responsiveness, the correction of citations and scrivener's errors, and changes to improve the clarity of the rules.

AUTHORITY:

62 O.S. §34.6(8); the Director of the Office of Management and Enterprise Services

COMMENT PERIOD:

Written comments may be made from this date until January 15, 2016. Comments should be filed in the office of Scott D. Boughton, Deputy General Counsel, Office of Management and Enterprise Services Employees Group Insurance Department, located at 3545 NW 58th Street, Suite 110, Oklahoma City, Oklahoma 73112.

PUBLIC HEARING:

9:00 am, January 15, 2016, in the 5th Floor Board Room of the Office of Management and Enterprise Services Employees Group Insurance Department, 3545 NW 58th Street, Oklahoma City, Oklahoma. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Scott D. Boughton, Deputy General Counsel
Office of Management and Enterprise Services
Employees Group Insurance Department
3545 NW 58th Street, Suite 110
Oklahoma City, OK 73112

RULE IMPACT STATEMENT:

This agency has issued a Rule Impact Statement which may be obtained for review by contacting Scott D. Boughton of the Office of Management and Enterprise Services Employees Group Insurance Department.

CONTACT PERSON:

Scott D. Boughton, Deputy General Counsel, (405) 717-8957

[OAR Docket #15-867; filed 11-19-15]

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES
CHAPTER 25. MERIT SYSTEM OF PERSONNEL ADMINISTRATION RULES**

[OAR Docket #15-868]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Position Allocation and Employee Classification System
Part 4. Assignment of Job Family Levels
260:25-5-44 [AMENDED]
Subchapter 7. Salary and Payroll
Part 1. Salary and rate of Pay
260:25-7-3 [AMENDED]
260:25-7-4 [AMENDED]
260:25-7-13 [AMENDED]
260:25-7-14 [AMENDED]
260:25-7-17 [AMENDED]
260:25-7-22 [AMENDED]
Subchapter 11. Employee Actions
Part 3. Probationary Employees
260:25-11-30 [AMENDED]
260:25-11-36 [AMENDED]
Part 5. Promotions
260:25-11-55 [AMENDED]
Part 13. Resignations
260:25-11-132 [AMENDED]
Subchapter 15. Time and Leave
Part 5. Miscellaneous Types of Leave
260:25-15-45 [AMENDED]

SUMMARY:

The proposed amendment to 260:25-5-44 removes unnecessary references to the Position Description Questionnaire form number; the proposed amendment to 260:25-7-3 removes a grammatically incorrect sentence fragment; the proposed amendment to 260:25-7-4 is necessary to clarify that the salary referenced by the rule means "base salary" as defined by 260:25-1-2 and that reinstatement only applies to the same agency the classified employee recently vacated; the proposed amendments to 260:25-7-13, 260:25-7-14, 260:25-7-17 and 260:25-7-22 are necessary to make it clear that the salary referenced by these rules means "base salary" as defined by 260:25-1-2; the proposed amendment to 260:25-11-30 is necessary to clarify that an employee does not have to be in "leave without pay" status in order for the probationary period to be adjusted; the proposed amendments to 260:25-11-36 and 260:25-11-55 are necessary to promote greater administrative efficiency in the probationary and/or trial period adjustment process by using more than thirty days of continuous absence, not simply more than five days of "leave without pay"; the amendments to 260:25-11-132 are necessary to clarify that Appointing Authorities may choose whether or not to accept verbal

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resignations and allows Appointing Authorities to fill an abandoned position in a more timely manner; the amendment to 260:25-15-45 is necessary to clarify that Appointing Authorities may require employees on family and medical leave to use all available paid leave prior to recording the absence as leave without pay.

AUTHORITY:

Office of Management and Enterprise Services Human Capital Management Division; 74 O.S. Section 840-1.6A; 74 O.S. Section 840-2.17; 74 O.S. Section 840-2.20; 74 O.S. 840-4.3; 74 O.S. Section 840-4.6; 74 O.S. Section 840-4.13; 62 O.S. §34.6(8) the Director of the Office of Management and Enterprise Services.

COMMENT PERIOD:

Written comments may be made from this date until January 21, 2016. Comments should be filed in the office of Matt Stewart, Deputy General Counsel, Office of Management and Enterprise Services Human Capital Management Division, located at 2101 N. Lincoln Blvd., suite G-80, Oklahoma City, Oklahoma 73105.

PUBLIC HEARING:

10:30 am, January 21, 2016, in the HCM Training Room located in the Jim Thorpe Building (basement), 2101 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Matt Stewart, Deputy General Counsel
Office of Management and Enterprise Services
Human Capital Management Division
2101 N. Lincoln Blvd., Suite G-80
Oklahoma City, OK 73105

RULE IMPACT STATEMENT:

This agency has issued a Rule Impact Statement which may be obtained for review by contacting Matt Stewart of the Office of Management and Enterprise Services Human Capital Management Division.

CONTACT PERSON:

Matt Stewart, Deputy General Counsel, (405) 522-0663

[OAR Docket #15-868; filed 11-19-15]

TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES CHAPTER 45. EMPLOYEES GROUP INSURANCE ~~DIVISION~~ DEPARTMENT - ADMINISTRATIVE AND GENERAL PROVISIONS

[OAR Docket #15-869]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 45. Employees Group Insurance
~~Division~~ Department - Administrative and General
Provisions [AMENDED]

SUMMARY:

The rules and regulations are necessary to promote and enhance effective operation of the Employees Group Insurance Department. It is proposed that the rules and regulations be amended. The effect of the amended rules is to provide for the continued efficiency, responsiveness, the correction of citations and scrivener's errors, and changes to improve the clarity of the rules.

AUTHORITY:

74 O.S. Section 1304.1; Office of Management and Enterprise Services Employees Group Insurance Department; 62 O.S. §34.6(8) the Director of the Office of Management and Enterprise Services.

COMMENT PERIOD:

Written comments may be made from this date until January 15, 2016. Comments should be filed in the office of Scott D. Boughton, Deputy General Counsel, Office of Management and Enterprise Services Employees Group Insurance Department, located at 3545 NW 58th Street, Suite 110, Oklahoma City, Oklahoma 73112.

PUBLIC HEARING:

9:00 am, January 15, 2016, in the 5th Floor Board Room of the Office of Management and Enterprise Services Employees Group Insurance Department, 3545 NW 58th Street, Oklahoma City, Oklahoma. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Scott D. Boughton, Deputy General Counsel
Office of Management and Enterprise Services
Employees Group Insurance Department
3545 NW 58th Street, Suite 110
Oklahoma City, OK 73112

RULE IMPACT STATEMENT:

This agency has issued a Rule Impact Statement which may be obtained for review by contacting Scott D. Boughton of the Office of Management and Enterprise Services Employees Group Insurance Department.

CONTACT PERSON:

Scott D. Boughton, Deputy General Counsel, (405) 717-8957

[OAR Docket #15-869; filed 11-19-15]

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES
CHAPTER 50. EMPLOYEES GROUP INSURANCE ~~DIVISION~~ DEPARTMENT
- HEALTH, DENTAL, VISION AND LIFE PLANS**

[OAR Docket #15-870]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 50. Employees Group Insurance ~~Division~~ Department - Health, Dental, Vision and Life Plans [AMENDED]

SUMMARY:

The rules and regulations are necessary to promote and enhance effective operation of the Employees Group Insurance Department. It is proposed that the rules and regulations be amended. The effect of the amended rules is to provide for the continued efficiency, responsiveness, the correction of citations and scrivener's errors, and changes to improve the clarity of the rules.

AUTHORITY:

74 O.S. Section 1304.1; Office of Management and Enterprise Services Employees Group Insurance Department; 62 O.S. §34.6(8) the Director of the Office of Management and Enterprise Services.

COMMENT PERIOD:

Written comments may be made from this date until January 15, 2016. Comments should be filed in the office of Scott D. Boughton, Deputy General Counsel, Office of Management and Enterprise Services Employees Group Insurance Department, located at 3545 NW 58th Street, Suite 110, Oklahoma City, Oklahoma 73112.

PUBLIC HEARING:

9:00 am, January 15, 2016, in the 5th Floor Board Room of the Office of Management and Enterprise Services Employees Group Insurance Department, 3545 NW 58th Street, Oklahoma City, Oklahoma. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Scott D. Boughton, Deputy General Counsel
Office of Management and Enterprise Services
Employees Group Insurance Department
3545 NW 58th Street, Suite 110
Oklahoma City, OK 73112

RULE IMPACT STATEMENT:

This agency has issued a Rule Impact Statement which may be obtained for review by contacting Scott D. Boughton of the Office of Management and Enterprise Services Employees Group Insurance Department.

CONTACT PERSON:

Scott D. Boughton, Deputy General Counsel, (405) 717-8957

[OAR Docket #15-870; filed 11-19-15]

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES
CHAPTER 55. EMPLOYEES GROUP INSURANCE ~~DIVISION~~ DEPARTMENT - THE DISABILITY PLAN**

[OAR Docket #15-871]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 55. Employees Group Insurance ~~Division~~ Department - The Disability Plan [AMENDED]

SUMMARY:

The rules and regulations are necessary to promote and enhance effective operation of the Employees Group Insurance Department. It is proposed that the rules and regulations be amended. The effect of the amended rules is to provide for the continued efficiency, responsiveness, the correction of citations and scrivener's errors, and changes to improve the clarity of the rules.

AUTHORITY:

74 O.S. Section 1304.1; Office of Management and Enterprise Services Employees Group Insurance Department; 62 O.S. §34.6(8) the Director of the Office of Management and Enterprise Services.

COMMENT PERIOD:

Written comments may be made from this date until January 15, 2016. Comments should be filed in the office of Scott D. Boughton, Deputy General Counsel, Office of Management and Enterprise Services Employees Group Insurance Department, located at 3545 NW 58th Street, Suite 110, Oklahoma City, Oklahoma 73112.

PUBLIC HEARING:

9:00 am, January 15, 2016, in the 5th Floor Board Room of the Office of Management and Enterprise Services Employees Group Insurance Department, 3545 NW 58th Street, Oklahoma City, Oklahoma. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Scott D. Boughton, Deputy General Counsel
Office of Management and Enterprise Services
Employees Group Insurance Department
3545 NW 58th Street, Suite 110
Oklahoma City, OK 73112

Notices of Rulemaking Intent

RULE IMPACT STATEMENT:

This agency has issued a Rule Impact Statement which may be obtained for review by contacting Scott D. Boughton of the Office of Management and Enterprise Services Employees Group Insurance Department.

CONTACT PERSON:

Scott D. Boughton, Deputy General Counsel, (405) 717-8957

[OAR Docket #15-871; filed 11-19-15]

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY CHAPTER 25. SOONERCARE CHOICE

[OAR Docket #15-892]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 7. SoonerCare

Part 1. General Provisions

317:25-7-5. [AMENDED]

(Reference APA WF # 15-27A)

SUMMARY:

Proposed SoonerCare Choice policy is revised to clarify inconsistent and conflicting language authorizing medical residents as Primary Care Physicians (PCP) under SoonerCare. Language cleanup will reflect current OHCA practices.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; Okla. Article 10, Section 23 of the Oklahoma Constitution. 42 CFR 431.10

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to

Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-892; filed 11-24-15]

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE

[OAR Docket #15-880]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Individual Providers and Specialties

Part 3. Hospitals

317:30-5-41. [AMENDED]

317:30-5-47. [AMENDED]

(Reference APA WF # 15-03)

SUMMARY:

The proposed policy revisions clarify reimbursement methodology for DRG hospitals. Rules state that covered inpatient services provided to eligible members admitted to acute care and critical access hospitals will be reimbursed the lesser of the billed charges or the DRG amount.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; Article 10, Section 23 of the Oklahoma Constitution; 42 CFR 412.20

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015, through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar

amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-880; filed 11-24-15]

**TITLE 317. OKLAHOMA HEALTH CARE
AUTHORITY
CHAPTER 30. MEDICAL PROVIDERS-FEE
FOR SERVICE**

[OAR Docket #15-881]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking
PROPOSED RULES:

- Subchapter 3. General Provider Policies
 - Part 3. General Medical Program Information
317:30-3-59. [AMENDED]
 - Subchapter 5. Individual Providers and Specialties
 - Part 1. Physicians
317:30-5-2 [AMENDED]
 - Part 3. Hospitals
317:30-5-42.17 [AMENDED]
- (Reference APA WF # 15-04)**

SUMMARY:

Proposed SoonerCare policy is revised to eliminate coverage for removal of benign skin lesions for adults and adult sleep studies.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; Article 10, Section 23 of the Oklahoma Constitution

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-881; filed 11-24-15]

**TITLE 317. OKLAHOMA HEALTH CARE
AUTHORITY
CHAPTER 30. MEDICAL PROVIDERS-FEE
FOR SERVICE**

[OAR Docket #15-882]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking
PROPOSED RULES:

- Subchapter 5. Individual Providers and Specialties
 - Part 17. Medical Suppliers
317:30-5-210.2. [AMENDED]
- (Reference APA WF # 15-06)**

SUMMARY:

The proposed policy revisions restrict coverage for continuous positive airway pressure devices (CPAP) to children only.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; Article 10, Section 23 of the Oklahoma Constitution

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours

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by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-882; filed 11-24-15]

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE

[OAR Docket #15-883]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. General Provider Policies

Part 1. General Scope and Administration

317:30-3-11. [AMENDED]

317:30-3-11.1. [AMENDED]

Subchapter 5. Individual Providers and Specialties

Part 3. Hospitals

317:30-5-44. [AMENDED]

Part 83. Residential Behavior Management Services in
Foster Care Settings

317:30-5-744. [AMENDED]

Part 87. Birthing Centers

317:30-5-893. [AMENDED]

Part 97. Case Management Services for Under Age 18 at Risk of or in the Temporary Custody or Supervision of Office of Juvenile Affairs

317:30-5-973. [AMENDED]

Part 99. Case Management Services for Under Age 18 in Emergency, Temporary or Permanent Custody or Supervision of the Department of Human Services

317:30-5-993. [AMENDED]

Part 105. Residential Behavioral Management Services in Group Settings and Non-Secure Diagnostic and Evaluation Centers

317:30-5-1045. [AMENDED]

(Reference APA WF # 15-09)

SUMMARY:

The proposed policy revisions restrict the filing of claims for reimbursement from 12 months to six months. In addition, rules regarding resubmissions are revised to update the deadline from 24 months to 12 months.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; 42 CFR 447.45

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-883; filed 11-24-15]

**TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY
CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE**

[OAR Docket #15-885]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Individual Providers and Specialties

Part 1. Physicians

317:30-5-9. [AMENDED]

(Reference APA WF # 15-13)

SUMMARY:

Proposed physician policy revisions will allow payment for a joint injection and office visit if the claim is billed appropriately and medical documentation supports separate payments. Further, current policy states that payment is made for joint injections without a global coverage designation; however, all joint injection codes have a global coverage designation. Therefore, proposed policy changes are also needed to decrease provider confusion.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-885; filed 11-24-15]

**TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY
CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE**

[OAR Docket #15-887]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Individual Providers and Specialties

Part 85. Advantage Program Waiver Services

317:30-5-763. [AMENDED]

(Reference APA WF # 15-14B)

SUMMARY:

Department of Human Services policy is being revised to comply with federal regulation. The proposed changes adhere to the CMS conflict free case management requirements and changes adhere to Home and Community Based settings requirements for Medicaid Assisted Living Programs that are directly related to the Assisted Living Service Option in ADvantage program.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, 42 CFR 441.301, 441.710, and 441.730

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping,

Notices of Rulemaking Intent

equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-887; filed 11-24-15]

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE

[OAR Docket #15-888]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Individual Providers and Specialties

Part 5. Pharmacies

317:30-5-72.1. [AMENDED]

(Reference APA WF # 15-15)

SUMMARY:

Proposed pharmacy policy revisions will reflect guidance in federal law regarding "included" and "excluded" prescription drug coverage and it will update the list of covered over-the-counter drugs. This proposal will also update items within the State Plan. Drugs are periodically updated; the OHCA rules and State Plan do not reflect most recent federal guidance. Revisions will align policy with federal regulation.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; Oklahoma State Plan Attachment 3.1-A, Page 5a-1.1; 42 U.S.C. 1396r-8(d)(2)

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-888; filed 11-24-15]

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE

[OAR Docket #15-889]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. General Provider Policies

Part 1. General Scope and Administration

317:30-3-4.1. [AMENDED]

317:30-3-15. [AMENDED]

317:30-3-30. [AMENDED]

Subchapter 5. Individual Providers and Specialties

Part 1. Physicians

317:30-5-3. [AMENDED]

(Reference APA WF # 15-22)

SUMMARY:

OHCA proposes to revise policy to specify electronic and paper based medical records must be authenticated on the same day the record is completed or, if completed by someone else, the record must be signed within three business days. Current rules only address signature requirements for edits of a medical record.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; 42 CFR 482.24

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-889; filed 11-24-15]

**TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY
CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE**

[OAR Docket #15-890]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 5. Individual Providers and Specialties
- Part 79. Dentists
- 317:30-5-695. [AMENDED]
- 317:30-5-696.1. [AMENDED]
- 317:30-5-698. [AMENDED]
- 317:30-5-699. [AMENDED]
- 317:30-5-700. [AMENDED]
- (Reference APA WF # 15-24)

SUMMARY:

OHCA proposes to revise policy to align rules to reflect new terminology from the Code on Dental Procedures and

Nomenclature (CDT), general clean-up of outdated terms, and to add oversight requirements for dentist who supervise certified registered nurse anesthetist during the administration of anesthesia to members. The oversight requirement would align OHCA policy with requirements set forth by the Oklahoma Board of Dentistry. In addition, revisions include updating policy to reflect that diagnosis codes must appear on the dental form when requesting a prior authorization and the removal of language for the recoupment of restoration services. The removal of recoupment language will mirror other policy sections concerning dental services that are silent to the recoupment process. Recoupment for inappropriate restorations will still occur as deemed appropriate by the agency's Program Integrity Division.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; 42 CFR 440.100

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-890; filed 11-24-15]

Notices of Rulemaking Intent

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE

[OAR Docket #15-891]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Individual Providers and Specialties
Part 83. Residential Behavior Management Services
317:30-5-740.1. [AMENDED]
(Reference APA WF # 15-26)

SUMMARY:

Proposed outpatient behavioral health policy revisions will broaden Foster Care (TFC) agencies' employment practices with Treatment Parent Specialist (TPS). Current policy language regarding employment status of TPS in a TFC is problematic for TFC agencies as there are different variations of "employment" among the agencies. Changing policy language from "employment" to "employment relationship" will create more inclusive terminology which will reflect the various arrangements TFC agencies have with TPS (i.e. full-time employment, contractual employment, etc.).

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; OAC 340:75-8-6; OAC 340:75-8-8; Section 1-9-119 of Title 10A of the Oklahoma Statutes

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-891; filed 11-24-15]

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE

[OAR Docket #15-893]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Individual Providers and Specialties
Part 75. Federally Qualified Health Centers
317:30-5-660.5. [AMENDED]
(Reference APA WF # 15-27B)

SUMMARY:

Proposed SoonerCare Choice policy is revised to clarify inconsistent and conflicting references to language authorizing medical residents as Primary Care Physicians (PCP) under SoonerCare. Language cleanup will reflect current OHCA practices.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; Okla. Article 10, Section 23 of the Oklahoma Constitution. 42 CFR 431.10

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to

Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-893; filed 11-24-15]

**TITLE 317. OKLAHOMA HEALTH CARE
AUTHORITY
CHAPTER 30. MEDICAL PROVIDERS-FEE
FOR SERVICE**

[OAR Docket #15-894]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 5. Individual Providers and Specialties
- Part 21. Outpatient Behavioral Health Agency Services
- 317:30-5-240.3. [AMENDED]
- 317:30-5-241.6. [NEW]
- 317:30-5-249. [AMENDED]
- Part 67. Behavioral Health Case Management Services
- [REVOKED]
- 317:30-5-595. [REVOKED]
- 317:30-5-596. [REVOKED]
- 317:30-5-599. [REVOKED]
- Part 75. Federally Qualified Health Centers
- 317:30-5-660.3. [AMENDED]
- 317:30-5-661.4. [AMENDED]
- 317:30-5-664.1. [AMENDED]
- 317:30-5-664.5. [AMENDED]
- Part 105. Residential Behavioral Management Services
- in Group Settings and Non-Secure Diagnostic and
- Evaluation Centers
- 317:30-5-1043. [AMENDED]
- Part 110. Indian Health Services, Tribal Programs, and
- Urban Indian Clinics (I/T/Us)
- 317:30-5-1090. [AMENDED]
- 317:30-5-1094. [AMENDED]
- 317:30-5-1095. [AMENDED]
- (Reference APA WF # 15-29)**

SUMMARY:

Proposed Behavioral Health Case Management policy changes will transfer coverage guidelines and provider requirements for case management services to another Part of rules addressing guidelines for services provided by Outpatient Behavioral Health Agencies. This change is being made

to reduce provider confusion and to organize outpatient behavioral health agency service rules in a way that is more comprehensive and easily understood by SoonerCare providers and members.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; 42 CFR Part 431,440, and 441

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-894; filed 11-24-15]

**TITLE 317. OKLAHOMA HEALTH CARE
AUTHORITY
CHAPTER 30. MEDICAL PROVIDERS-FEE
FOR SERVICE**

[OAR Docket #15-895]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 5. Individual Providers and Specialties
- Part 21. Outpatient Behavioral Health Agency Services

Notices of Rulemaking Intent

317:30-5-241.1. [AMENDED]

(Reference APA WF # 15-30)

SUMMARY:

Proposed outpatient Behavioral Health Agency policy changes will allow providers more flexibility in conducting biopsychosocial assessments by removing specific required elements. This change in policy will align the assessment requirements in OHCA rules with those in the ODMHSAS contract.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-895; filed 11-24-15]

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE

[OAR Docket #15-896]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Individual Providers and Specialties

Part 22. Health Homes

317:30-5-251. [AMENDED]

317:30-5-252. [AMENDED]

(Reference APA WF # 15-32)

SUMMARY:

SoonerCare Health Homes for adults with Serious Mental Illness (SMI) and Children with Serious Emotional Disturbances (SED) were implemented in February 2015. Since implementation, some inconsistencies between OHCA rules and Health Home Certification rules administered by the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) have been identified that need to be cleaned up. Some examples are specifics regarding provider requirements and which providers are allowed to provide specific Health Home services.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-896; filed 11-24-15]

**TITLE 317. OKLAHOMA HEALTH CARE
AUTHORITY
CHAPTER 35. MEDICAL ASSISTANCE FOR
ADULTS AND CHILDREN-ELIGIBILITY**

[OAR Docket #15-879]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 6. SoonerCare for Pregnant Women and Families with Children

Part 5. Determination of Eligibility for SoonerCare Health Benefits for Pregnant Women and Families with Children

317:35-6-37. [AMENDED]

317:35-6-39. [AMENDED]

Part 7. Certification, Redetermination and Notification

317:35-6-64.1. [AMENDED]

Subchapter 7. Medical Services

Part 5. Determination of Eligibility for Medical Services

317:35-7-48. [AMENDED]

(Reference APA WF # 15-02)

SUMMARY:

Proposed Eligibility policy is amended to clean up language where policy references Appendix C-1 (Maximum Income, Resource, and Payment Standards) which is a Department of Human Services (DHS) document. The language "Appendix C-1" will be replaced with "SoonerCare Income Guidelines" when referencing eligibility groups for which the Oklahoma Health Care Authority (OHCA) determines eligibility. The previous language was appropriate when DHS was determining eligibility for those groups. Also, the language referencing Categorically Needy Standards will be deleted.

OHCA also proposes to amend rules to update Transitional Medical Assistance (TMA) policy to match Federal regulations on MAGI eligibility determinations. Policy states that health benefits are continued when SoonerCare case closure is due to the receipt of new or increased child support. These health benefits are called TMA. However, under MAGI rules a case would never be closed due to Child Support income because Child Support income is not counted under MAGI rules for determining income eligibility.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-879; filed 11-24-15]

**TITLE 317. OKLAHOMA HEALTH CARE
AUTHORITY
CHAPTER 35. MEDICAL ASSISTANCE FOR
ADULTS AND CHILDREN-ELIGIBILITY**

[OAR Docket #15-884]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Eligibility and Countable Income

Part 5. Countable Income and Resources

317:35-5-41.8. [AMENDED]

(Reference APA WF # 15-10)

Notices of Rulemaking Intent

SUMMARY:

Proposed eligibility regarding long-term care services policy is revised to modify the home equity maximum amount of \$500,000 to include the increased annual percentage increase in the urban component of the consumer price index. Other proposed revisions clarify home exemption criteria for persons living in the home as well as changes to how annuities are accessed.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; 42 U.S. Code § 1396p

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-884; filed 11-24-15]

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY CHAPTER 35. MEDICAL ASSISTANCE FOR ADULTS AND CHILDREN-ELIGIBILITY

[OAR Docket #15-886]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 17. Advantage Waiver Services
317:35-17-5. [AMENDED]

(Reference APA WF # 15-14A)

SUMMARY:

Department of Human Services policy is being revised to comply with federal regulation. The proposed changes adhere to the CMS conflict free case management requirements and changes adhere to Home and Community Based settings requirements for Medicaid Assisted Living Programs that are directly related to the Assisted Living Service Option in ADvantage program.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, 42 CFR 441.301, 441710, and 441.730

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-886; filed 11-24-15]

**TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY
CHAPTER 35. MEDICAL ASSISTANCE FOR ADULTS AND CHILDREN-ELIGIBILITY**

[OAR Docket #15-897]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. ICF/IID, HCBW/IID, and Individuals Age 65 or Older in Mental Health Hospitals

Part 11. Payment, Billing, and other Administrative Procedures

317:35-9-95. [AMENDED]

Part 17. Conditions of Eligibility-Citizenship and Alienage

Subchapter 19. Nursing Facility Services

317:35-19-26. [AMENDED]

(Reference APA WF # 15-40)

SUMMARY:

Proposed policy would clean up language in Chapter 35 to match 2014 changes to Chapter 30 that eliminated hospital leave payments to long term care facilities. Proposed changes to Chapter 35 would remove existing references to reimbursement for hospital leave and reflect current OHCA practices. Payments will continue for therapeutic leave.

AUTHORITY:

The Oklahoma Health Care Authority Board; The Oklahoma Health Care Authority Act, Section 5003 through 5016 of Title 63 of Oklahoma Statutes; 42 CFR 483.12

COMMENT PERIOD:

Written and oral comments will be accepted December 16, 2015 through January 15, 2016, during regular business hours by contacting Tywanda Cox, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, Telephone 405-522-7153.

PUBLIC HEARING:

A public hearing is scheduled for Tuesday, January 19, 2016, at 1:00 p.m., at the Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules may provide the OHCA, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules.

Business entities may submit this information in writing to Tywanda Cox, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed contact person.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), copies of the Rule Impact Statement may be obtained for review by contacting the above listed person.

CONTACT PERSON:

Tywanda Cox, Chief of Federal & State Policy, Federal & State Policy, 405-522-7153.

[OAR Docket #15-897; filed 11-24-15]

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION
CHAPTER 25. ENTRIES AND DECLARATIONS**

[OAR Docket #15-906]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

PROPOSED RULE:

325:25-1-10. Horses ineligible to start in a race [AMENDED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed an amendment to add a horse with an open hole in its trachea, by means of a tracheotomy or otherwise, would be ineligible to start in a race.

AUTHORITY:

75 O.S., § 303; Title 3A O.S. § 204(A); Oklahoma Horse Racing Commission.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Friday, January 15, 2016, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Friday, January 15, 2016, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule

Notices of Rulemaking Intent

amendments. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULE AMENDMENTS:

A copy of the proposed rule amendments may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by December 28, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

Bonnie Morris, Agency Rulemaking Liaison, (405) 943-6472.

[OAR Docket #15-906; filed 11-25-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 30. CLAIMING RACES

[OAR Docket #15-907]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

PROPOSED RULE:

325:30-1-8. Form and deposit of claim [AMENDED]

325:30-1-9. Errors which invalidate claim [AMENDED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed amendment to add language that the claim envelope must have the correct race number written on it.

AUTHORITY:

75 O.S., § 303; Title 3A O.S. § 204(A); Oklahoma Horse Racing Commission.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Friday, January 15, 2016, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Friday, January 15, 2016, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule

amendments. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on January 15, 2016.

COPIES OF PROPOSED RULE AMENDMENTS:

A copy of the proposed rule amendments may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by December 28, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

Bonnie Morris, Agency Rulemaking Liaison, (405) 943-6472.

[OAR Docket #15-907; filed 11-25-15]

TITLE 505. BOARD OF EXAMINERS IN OPTOMETRY CHAPTER 10. LICENSURE AND REGULATION OF OPTOMETRISTS

[OAR Docket #15-876]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULE:

Subchapter 5. Regulation of Licensees

505:10-5-11. Authorized post-graduate educational work [AMENDED]

SUMMARY:

The proposed revisions to Subchapter 5, Title 505:10-5-11 updates the list of continuing professional education providers that are acceptable to the Board of Examiners. In addition, the proposed revisions increase the number of continuing education hours required each year from 18 to 25, and specify minimum numbers of hours in certain subject areas.

AUTHORITY:

Oklahoma Optometry Act; 59 O.S. §§ 583, 587.; Board of Examiners in Optometry

COMMENT PERIOD:

Persons wishing to present their views orally or in writing may do so before 5:00 p.m. on January 25, 2016 at the following address: 2008 S. Post Road, Suite 200, Midwest City, OK 73130, Attn: Mary Walker.

PUBLIC HEARING:

The Board of Examiners will hold a public hearing at 8:00 p.m. on Friday, January 29, 2016 at nJoy Vision Tulsa, 1601 S. Eucalyptus Avenue, Suite 200, Broken Arrow, OK 74012. Anyone who wishes to speak must sign in at the door by 7:40 p.m.

REQUESTS FOR COMMENT FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Board of Examiners in Optometry at 2008 S. Post Road, Suite 200, Midwest City, OK 73130, Attn: Mary Walker.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and may be obtained beginning immediately at the offices of the Board at 2008 S. Post Road, Suite 200, Midwest City 73130, Attn: Mary Walker..

CONTACT PERSON:

Mary Walker, Administrative Assistant to the Board, (405) 733-7836.

[OAR Docket #15-876; filed 11-23-15]

Submissions to Governor and Legislature

Within 10 calendar days after adoption by an agency of proposed PERMANENT rules, the agency must submit the rules to the Governor and the Legislature. A "statement" of such submission must subsequently be published by the agency in the *Register*.
For additional information on submissions to the Governor/Legislature, see 75 O.S., Section 303.1 and 308.

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 4. RULES OF PRACTICE AND PROCEDURE

[OAR Docket #15-900]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 17. Electronic Reporting

252:4-17-2. Definitions [AMENDED]

252:4-17-4. Electronic signature agreement [AMENDED]

Appendix E. Electronic signature agreement [REVOKED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 18, 2015

[OAR Docket #15-900; filed 11-25-15]

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL

[OAR Docket #15-901]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 2. Incorporation by Reference

252:100-2-3. [AMENDED]

Appendix Q. Incorporation by Reference [REVOKED]

Appendix Q. Incorporation by Reference [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 18, 2015

[OAR Docket #15-901; filed 11-25-15]

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL

[OAR Docket #15-902]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 5. Registration, Emission Inventory and Annual Operating Fees

252:100-5-2.1. [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 18, 2015

[OAR Docket #15-902; filed 11-25-15]

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL

[OAR Docket #15-903]

RULEMAKING ACTION:

Submission to Governor and Legislature

PROPOSED RULES:

Subchapter 7. Permits for Minor Facilities

Part 1. General Provisions

252:100-7-1.1 [AMENDED]

252:100-7-2 [AMENDED]

Part 9. Permits by Rule

252:100-7-60.6 [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 18, 2015

[OAR Docket #15-903; filed 11-25-15]

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 205. HAZARDOUS WASTE MANAGEMENT

[OAR Docket #15-904]

RULEMAKING ACTION:

Submission to Governor and Legislature

PROPOSED RULES:

Subchapter 3. Incorporation by Reference

252:205-3-1. [AMENDED]

252:205-3-2. [AMENDED]

Subchapter 15. Transfer Stations

252:205-15-1. [AMENDED]

252:205-15-2. [AMENDED]

252:205-15-3. [AMENDED]

252:205-15-4. [AMENDED]

252:205-15-5. [AMENDED]

Submissions to Governor and Legislature

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 18, 2015

[OAR Docket #15-904; filed 11-25-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 1. COMMISSION POWERS AND JURISDICTION

[OAR Docket #15-908]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

325:1-1-3 [AMENDED]

325:1-1-7 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 23, 2015

[OAR Docket #15-908; filed 11-25-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 10. RACING ORGANIZATION

[OAR Docket #15-909]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

325:10-1-8 [AMENDED]

325:10-1-32 [REVOKED]

325:10-1-33 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 23, 2015

[OAR Docket #15-909; filed 11-25-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 15. LICENSING

[OAR Docket #15-910]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 5. Occupation Licensing

325:15-5-10 [AMENDED]

325:15-5-23 [AMENDED]

325:15-5-27 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 23, 2015

[OAR Docket #15-910; filed 11-25-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 20. RACING OFFICIALS AND RACING PERSONNEL

[OAR Docket #15-911]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

325:20-1-6 [AMENDED]

325:20-1-18 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 23, 2015

[OAR Docket #15-911; filed 11-25-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 25. ENTRIES AND DECLARATIONS

[OAR Docket #15-912]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULE:

325:25-1-2 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 23, 2015

[OAR Docket #15-912; filed 11-25-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 35. GENERAL CONDUCT

[OAR Docket #15-913]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

325:35-1-8 [AMENDED]

325:35-1-10.1 [AMENDED]

325:35-1-18 [REVOKED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 23, 2015

[OAR Docket #15-913; filed 11-25-15]

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION
CHAPTER 45. MEDICATION AND EQUINE TESTING PROCEDURES**

[OAR Docket #15-914]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULE:

325:45-1-20 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 23, 2015

[OAR Docket #15-914; filed 11-25-15]

**TITLE 630. SCENIC RIVERS COMMISSION
CHAPTER 3. ELECTION PROCEDURES**

[OAR Docket #15-915]

RULEMAKING ACTION:

Submission to governor and legislature

RULES:

630:3-1-2. Notice of filing period [AMENDED]

630:3-1-4. Notice of election [AMENDED]

630:3-1-7. Qualification for voting in election [AMENDED]

630:3-1-16. Counting of votes [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 25, 2015

[OAR Docket #15-915; filed 11-25-15]

**TITLE 630. SCENIC RIVERS COMMISSION
CHAPTER 10. LICENSING AND USE PERMITS**

[OAR Docket #15-916]

RULEMAKING ACTION:

Submission to governor and legislature

RULES:

Subchapter 1. General Provisions and Licensing

630:10-1-5. Commercial licensing [AMENDED]

630:10-1-6. Suspend or revoke license or permit [AMENDED]

630:10-1-9. Non-commercial fee procedures [AMENDED]

Subchapter 2. Public Access Areas

630:10-2-4. Use of public access areas [AMENDED]

Subchapter 3. Boater Safety [NEW]

630:10-3-1. Life Jackets [NEW]

630:10-3-2. Alcoholic beverages [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 25, 2015

[OAR Docket #15-916; filed 11-25-15]

**TITLE 630. SCENIC RIVERS COMMISSION
CHAPTER 15. PROTECTION OF NATURAL RESOURCES**

[OAR Docket #15-917]

RULEMAKING ACTION:

Submission to governor and legislature

RULES:

630:15-1-7. Glass and Styrofoam Certain containers prohibited [AMENDED]

630:15-1-14. Ice chest restrictions [AMENDED]

630:15-1-15. Tying flotation devices prohibited [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

November 25, 2015

[OAR Docket #15-917; filed 11-25-15]

Emergency Adoptions

"If an agency finds that a rule is necessary as an emergency measure, the rule may be promulgated" if the Governor approves the rules after determining "that the rule is necessary as an emergency measure to do any of the following:

- a. protect the public health, safety or welfare,
- b. comply with deadlines in amendments to an agency's governing law or federal programs,
- c. avoid violation of federal law or regulation or other state law,
- d. avoid imminent reduction to the agency's budget, or
- e. avoid serious prejudice to the public interest." [75 O.S., Section 253(A)]

An emergency rule is considered promulgated immediately upon approval by the Governor, and effective immediately upon the Governor's approval or a later date specified by the agency in the emergency rule document. An emergency rule expires on September 15 following the next regular legislative session after its promulgation, or on an earlier date specified by the agency, if not already superseded by a permanent rule or terminated through legislative action as described in 75 O.S., Section 253(H)(2).

Emergency rules are not published in the *Oklahoma Administrative Code*; however, a source note entry, which cites to the *Register* publication of the emergency action, is added to the *Code* upon promulgation of a superseding permanent rule or expiration/termination of the emergency action.

For additional information on the emergency rulemaking process, see 75 O.S., Section 253.

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 15. ANIMAL INDUSTRY

[OAR Docket #15-874]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 11. Importation of Livestock, Poultry, and Pets
Part 11. Poultry and Other Avian Species
35:15-11-41. Poultry and other avian species importation [AMENDED]

AUTHORITY:

Oklahoma Constitution, Article 6, Section 31; 2 O.S. § 2-4; and 2 O.S. § 6-1 et seq.; State Board of Agriculture

ADOPTION:

October 8, 2015

EFFECTIVE:

Immediately upon Governor's approval

APPROVED BY GOVERNOR:

November 2, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature.

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

N/A

FINDING OF EMERGENCY:

A recent national outbreak of highly pathogenic avian influenza (HPAI) limited transportation of eggs and chickens throughout the nation. The existing rules would prohibit the transport of poultry from or through quarantined areas to commercial poultry operations in Oklahoma. Implementation of the existing rule would severely restrict the Oklahoma poultry industry from acquiring eggs and chickens necessary for continued commercial operation.

To address the impact of HPAI on the national poultry industry, state departments of agriculture, universities, the poultry industry, and the United States Department of Agriculture developed the Secure Egg Supply Plan, Secure Broiler Supply Plan, and Secure Turkey Supply Plan to safely transport eggs and chickens from or through quarantined areas while minimizing the risk of spreading HPAI.

The proposed emergency rule is necessary to avoid serious prejudice to the public interest by permitting poultry operations in Oklahoma to acquire the eggs and poultry necessary for continued commercial operation. The Administrative Procedures Act permits an agency to adopt emergency rules to "avoid serious prejudice to the public interest." 75 O.S. § 253(A)(1)(e).

ANALYSIS:

The proposed emergency rule permits the State Veterinarian or designee to allow an exception to the general rule prohibiting the importation of poultry or other avian species transported from or through an area under quarantine if the

products are imported pursuant to the Secure Egg Supply Plan, Secure Broiler Supply Plan, or Secure Turkey Supply Plan.

CONTACT PERSON:

Bennett Abbott, (405) 522-5803, bennett.abbott@ag.ok.gov

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(F):

SUBCHAPTER 11. IMPORTATION OF LIVESTOCK, POULTRY, AND PETS

PART 11. POULTRY AND OTHER AVIAN SPECIES

35:15-11-41. Poultry and other avian species importation

(a) No person shall import poultry or other avian species or products of poultry or other avian species originating from or transported through an area under quarantine by any state or federal animal health official for Avian Influenza or Exotic Newcastle Disease.

(1) The State Veterinarian may allow an exception to this paragraph if poultry or poultry products are imported pursuant to the Secure Egg Supply Plan, Secure Broiler Supply Plan, or Secure Turkey Supply Plan developed by United States Department of Agriculture.

(2) Any exceptions granted by the State Veterinarian shall be in writing and signed by the State Veterinarian or designee.

(b) Poultry or other avian species determined to be infected with or exposed to Avian Influenza or Exotic Newcastle Disease shall be destroyed without compensation to the owner.

[OAR Docket #15-874; filed 11-20-15]

Emergency Adoptions

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 40. MARKET DEVELOPMENT

[OAR Docket #15-873]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 5. Agriculture Enhancement and Diversification Program

Part 3. Applicant Eligibility

35:40-5-31. Applicant eligibility [AMENDED]

Part 5. Evaluation and Funding Criteria

35:40-5-51. Evaluation and funding criteria [AMENDED]

Part 7. Procedure for Loan or Grant Requests

35:40-5-71. Applications for loan or grant requests [AMENDED]

Part 9. Supplemental Program Information

35:40-5-91. Supplemental program information [AMENDED]

Part 11. Terms of Loans or Grants

35:40-5-111. Terms of loans or grants [AMENDED]

Part 19. Disbursements

35:40-5-191. Disbursements [AMENDED]

Part 23. Agriculture Event Grants [NEW]

35:40-5-221. Agriculture Event Grants [NEW]

AUTHORITY:

Oklahoma Constitution, Article 6, Section 31; 2 O.S. § 2-4; and 2 O.S. § 5-3.1, et seq. as amended by HB 1437 (effective November 1, 2015); State Board of Agriculture

ADOPTION:

October 8, 2015

EFFECTIVE:

November 1, 2015 or upon Governor's approval, whichever is later.

APPROVED BY GOVERNOR:

November 2, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature.

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

N/A

FINDING OF EMERGENCY:

The Oklahoma Agriculture Enhancement and Diversification Act directs the State Board of Agriculture to administer the Oklahoma Agriculture Enhancement and Diversification Program. HB 1437 amends the Act and directs the Board to provide grants and loans to "agricultural events." The proposed rules are adopted to comply with the requirements of the revised Act before the effective date of the revision, November 1, 2015. The Administrative Procedures Act permits an agency to adopt emergency rules to "comply with deadlines in amendments to an agency's governing law ..." and to "avoid violation of ... state law". 75 O.S. § 253(A)(1)(b) and (c).

ANALYSIS:

The purpose of the proposed emergency rules is to implement the provisions of HB 1437 by establishing a process for awarding grants and loans to agricultural events from the Oklahoma Agriculture Enhancement and Diversification Program. These rules are necessary to allow the Department to comply with the effective date of November 1, 2015 and to avoid violation of state law.

CONTACT PERSON:

Bennett Abbott, (405) 522-5803, bennett.abbott@ag.ok.gov

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(F) AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR OR NOVEMBER 1, 2015, WHICHEVER IS LATER:

SUBCHAPTER 5. AGRICULTURE ENHANCEMENT AND DIVERSIFICATION PROGRAM

PART 3. APPLICANT ELIGIBILITY

35:40-5-31. Applicant eligibility

(a) ~~All applicants~~ An Applicant shall be individual persons of at least 21 years of age and shall reside and be a legal resident of the state of Oklahoma, Oklahoma corporations, or Oklahoma governmental subdivisions.

(b) Eligibility may be given to those applicants whose:

(1) Projects demonstrate a shared commitment for funding or in kind services from the applicant and other private or public sources, if any;

(2) Industrial and nonfood production processes utilize agricultural products;

(3) Food, feed and fiber products and their uses are innovative and add to the value of agricultural products;

(4) Applications demonstrate a high feasibility of job creation and return-on-investments;

(5) Proposals demonstrate a high feasibility of rapid commercialization;

(6) Proposals center efforts on non-urban locales;

(7) Principals are individuals, a group of individuals, an individual acting on behalf of a group, or corporations which meet the criteria set forth in Section 951 of Title 18 of the Oklahoma Statutes, to market a product or formulate or implement a marketing plan for products which have not been marketed through existing marketing cooperatives;

(8) Proposals contain the potential to create additional income for the farm unit;

(9) Proposals provide for new innovative plans for marketing the product;

(10) Proposals feature research that is innovative as well as commercially feasible; or

(11) Proposals shall result in creation or expansion of viable agritourism venues.

(c) Eligibility may be given for new agricultural event applicants that:

(1) Highlight an agricultural commodity;

(2) Include an educational component;

(3) Enhance the economic impact of the agricultural commodity;

(4) Impact a large geographic region of the state; and

(5) Are endorsed by a governmental subdivision or local Chamber of Commerce.

(d) Eligibility may be given for an established agricultural event applicants that:

(1) Enhance the economic impact of an agricultural commodity;

(2) Include an educational component;

(3) Include proposals to increase participation and attendance;

(4) Are endorsed by a governmental subdivision or local Chamber of Commerce; and

- (5) Provide supporting documents demonstrating the economic impact of prior agricultural events.
- (ee) Consideration shall not be given to applications for:
 - (1) Research or marketing plans which do not clearly meet the stated objectives of the Oklahoma Agriculture Enhancement and Diversification Program;
 - (2) Proposals which are aimed solely at business expansion or creation without regard to agricultural products utilization; and
 - (3) Research or marketing plans that cannot reasonably be expected to result in a viable commercial application, or that are or have been duplicated by other research efforts.

PART 5. EVALUATION AND FUNDING CRITERIA

35:40-5-51. Evaluation and funding criteria

(a) ~~The State Board of Agriculture delegates the evaluation of applications for loans or grants to the Advisory Board. The Advisory Board shall evaluate each proposal. The Advisory Board shall provide a report recommendations to the State Board of Agriculture of funding of loan or grant proposals. Each Advisory Board member's evaluation shall be based upon one hundred possible points, according to the following criteria:~~

- ~~(1) An evaluation of the likelihood of the proposal's success.~~
- ~~(2) Demonstration of a high probability of job and wealth creation.~~
- ~~(3) A review of credibility, merit, technical, and commercial feasibility; innovative and commercially plausible research; and relative competence and technical qualifications of project principals.~~
- ~~(4) Demonstration that the proposal can be implemented quickly and has a high probability of rapid commercialization.~~
- ~~(5) Demonstration of a shared commitment for funding from other private or public sources or the applicant in the form of cash, in kind services, or both. Indirect costs may qualify as matching funds. Preference shall be given to the applications with shared cash funding however, disbursement of funds shall be contingent upon evidence that matching funds have been allocated to the proposal.~~
- ~~(6) Centering of efforts on non urban or rural locales except when the proposal requires specific research that cannot possibly be carried out in rural Oklahoma, consideration shall be given to the ultimate development and commercialization of the results of the proposal, with the same rural preference.~~

(b) Each Advisory Board member's evaluation of applications shall be based on the following criteria:

- (1) An evaluation of the likelihood of the proposal's success.
- (2) Demonstration of a high probability of job and wealth creation.
- (3) A review of credibility, merit, technical, and commercial feasibility; innovative and commercially plausible

research; and relative competence and technical qualifications of project principals.

(4) Demonstration that the proposal can be implemented quickly and has a high probability of rapid commercialization.

(5) Demonstration of a shared commitment for funding from other private or public sources or the applicant in the form of cash, in-kind services, or both. Indirect costs may qualify as matching funds. Preference shall be given to the applications with shared cash funding however, disbursement of funds shall be contingent upon evidence that matching funds have been allocated to the proposal.

(6) Centering of efforts on non-urban or rural locales except when the proposal requires specific research that cannot possibly be carried out in rural Oklahoma, consideration shall be given to the ultimate development and commercialization of the results of the proposal, with the same rural preference.

(c) Each Advisory Board member's evaluation of applications for new or established agricultural events shall be based on the following criteria:

- (1) The completeness of the application;
- (2) The likelihood of success;
- (3) Level of economic impact of the agricultural event;
- (4) A review of educational component;
- (5) The impact to Oklahoma agriculture;
- (6) The size of geographic region of the state impacted;
- (7) The use of grant funds; and
- (8) Endorsements by governmental subdivisions, local Chambers of Commerce, and other community organizations.

PART 7. PROCEDURE FOR LOAN OR GRANT REQUESTS

35:40-5-71. Applications for loan or grant requests

~~Contact the Market Development Services Division of the Oklahoma Department of Agriculture, Food, and Forestry for application guidelines. Applications for loans or grants are limited to the equivalent of twenty (20) typed, single-spaced or double-spaced eight and one-half inch by eleven inch pages including any attachments. Fifteen (15) copies of the proposal shall be delivered to the Oklahoma Agriculture Enhancement and Diversification Advisory Board in care of the Oklahoma Department of Agriculture, Food, and Forestry, P.O. Box 528804 Oklahoma City, OK 73152. Applications shall be submitted electronically to the Oklahoma Department of Agriculture, Food and Forestry.~~

PART 9. SUPPLEMENTAL PROGRAM INFORMATION

35:40-5-91. Supplemental program information

(a) Proposals are not limited to a specific dollar amount. However, the Advisory Board's loan or grant moneys are finite.

Emergency Adoptions

The Advisory Board reserves the right to recommend an increase or decrease in the amount of requested funding based on its findings and on its level of available funds.

(b) Proposals may be submitted at anytime. Deadline dates for submissions are January 1st, April 1st, July 1st, and October 1st. Reviews for loan and grant requests shall be made on a quarterly basis.

(c) The Oklahoma Department of Agriculture, Food, and Forestry shall complete initial screening for completeness and eligibility of all proposals upon receipt. Should revisions or corrections be deemed necessary, the applicant may withdraw and resubmit so long as they submit the revision by the deadline dates. Each proposal shall be considered individually by the Advisory Board. A decision to ~~accept~~recommend acceptance, modify modification, or deny denial of each shall then be made, by majority vote of at a quorum of the Advisory Board. Should the Advisory Board ~~adopt~~recommend a funding level less than the amount requested in the proposal, the ~~Advisory Board~~Department shall confer with the applicant to determine whether the amount recommended would alter the project's feasibility. No member of the Advisory Board may participate in, or vote on, a decision of the Advisory Board relating to an organization in which that individual has a direct personal financial interest.

(d) Following approval of the loan or grant request by the State Board of Agriculture, a formal loan or grant contract shall be executed between the Board and the borrower or grantee. This agreement shall specify the agreed upon objectives, tasks to be performed, time line and budget, fund release schedule, and any other conditions specific to the individual proposal. Under the terms of all loan or grant contracts, the borrower or grantee shall submit an interim report to the ~~Advisory Board~~Department for approval that outlines the projects progress, time lines, and budget compliance prior to the Department issuing each of the subsequent payments. In most cases, the entire loan or grant amount shall not be released at the time of the Advisory Board's decision. The release of funds shall be tied to the loan or grant contract, and any insufficiencies with the contract may result in withholding of further funding. Grant awards exceeding \$2,500 shall be disbursed in two or more installments to the grantee. Borrowers and grantees shall submit a comprehensive final written report describing the work performed and the results obtained no later than sixty (60) days after completion of the contract. This comprehensive report shall be supplemented by the financial report of all expenses actually incurred and income generated by the project.

(e) To protect the investment of the Board and of the people of Oklahoma, those financial documents, books, receipts, orders, expenditures, electronic data, and accounting procedures and practices of the borrower or grantee necessary to evaluate the use of loan or grant funds are subject to examination by or for the ~~Advisory Board~~Department at any time for three years following the termination of the project.

(f) Oklahoma Agriculture Enhancement and Diversification loan or grant funds may be used to ~~pay salaries,~~ buy supplies, and cover day-to-day expenses of the project.

(g) To the extent allowed under Oklahoma law, the ~~Advisory Board~~Department may limit the dissemination of information concerning a proposal, but in any event, does not assume any liability for inadvertent disclosure.

(h) Subject to the policies, if any, of participating public programs and entities, rights to use products, processes, or services developed under this loan or grant program shall remain with the borrower or grantee. Subject to the same policies, all rights to project outcomes may revert to the ~~Advisory Board~~Department if the borrower, grantee or assignee fails to market the product, process, or service in accordance with individually negotiated funding contracts. In such cases, the ~~Advisory Board~~Department shall provide notice and the opportunity to others to assume control of research projects. In these cases, priority shall be given to any licensee under such property or others who benefit Oklahoma commercially, with first priority being given to small firms in non-urban areas of the state.

(i) In certain cases, the ~~Advisory Board~~Department may receive royalties on the sale or lease of any product, process, or service developed under the ~~Advisory Board~~ loan or grant. Royalty agreements shall be negotiated at the time of the loan or grant contract and shall be structured so that the ~~Advisory Board~~Department can recover a portion of its investment of public funds. Repaid funds shall be used to make new investments in other Oklahoma Agriculture Enhancement and Diversification Program projects.

(j) In the event that a grantee or loan recipient fails to comply with the terms of the agreement, including but not limited to failure to pay back loans pursuant to the terms outlined in the Agreement or failure to submit reports in a timely manner, the grantee or loan recipient shall not participate in any events sponsored by any program of the Oklahoma Department of Agriculture, Food, and Forestry related to market development.

(k) Failure to complete the terms of the agreement shall result in an audit and collection activities by the Oklahoma Department of Agriculture, Food, and Forestry.

PART 11. TERMS OF LOANS OR GRANTS

35:40-5-111. Terms of loans or grants

(a) Funds shall be provided in the form of a zero interest loan with repayment terms determined by the Board. Repayment of loans in an amount of \$20,000.00 or less shall begin three (3) years from the date funds are initially issued to the borrower and shall be completed in not more than three (3) years. Repayment of loans in an amount over \$20,000.00 shall begin three (3) years from the date funds are initially issued to the borrower and shall be completed in not more than five (5) years. Loan repayments shall be in equal installments as specified in the loan contract.

(b) In the event the facility or project fails to succeed, the borrower may submit in writing, a petition to the Advisory Board to convert the balance from a loan to a grant. Petitions to convert loans to grants may be considered by the Advisory Board at the next available quarterly meeting following receipt of the petition. Petitions recommended for approval by the

Advisory Board shall be submitted to the State Board of Agriculture for final determination.

(c) Farm Diversification, agritourism venue development and expansion, and Basic and Applied Research projects may be awarded specifically as grants of up to \$10,000.

- (1) Grants awarded for less than \$2,500 shall not be required to provide matching funds.
- (2) Grants awarded for ~~\$2,500~~\$2,501 to \$5,000 shall require a matching contribution of funds or in-kind.
- (3) Grants awarded in excess of ~~\$5,000~~\$5,001 shall require a dollar for dollar ratio of matching dollars.

(d) Agriculture Event Grants may be awarded specifically as grants of up to \$10,000.

- (1) Grants awarded in the amount of \$2,500 or less shall have supporting documents projecting an economic impact up to \$5,000.
- (2) Grants awarded in the amount of \$2,501 to \$5,000 shall have supporting documents projecting an economic impact of \$5,001 to \$75,000.
- (3) Grants awarded in the amount of \$5,001 to \$10,000 shall have supporting documents projecting an economic impact of more than \$75,000.

PART 19. DISBURSEMENTS

35:40-5-191. Disbursements

- (a) Upon final approval of the proposal by the State Board of Agriculture, and completion of a mutually agreed upon contract, and issuance of a purchase order, applicants shall receive one third (1/3) of the total loan or grant amount for the proposed project full or partial disbursements pursuant to the terms of the contract between the grantee and the Department.
- (b) The grantee or borrower shall submit an invoice and ~~documents~~documentation supporting expenditures with each interim report for approval to the ~~Advisory Board~~Department prior to the disbursement of ~~each~~ subsequent ~~payment~~payments.

PART 23. AGRICULTURE EVENT GRANTS

35:40-5-221. Agriculture Event Grants

- (a) Agriculture Event Grants shall be for the purpose of creating a new agricultural event highlighting an agricultural commodity, expanding the economic benefits of an established agricultural event, increasing agricultural productivity and participation, or enhancing economic impact of the event on local or regional commerce.
- (b) An agricultural event grant shall include an educational component.

[OAR Docket #15-873; filed 11-20-15]

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 40. MARKET DEVELOPMENT**

[OAR Docket #15-875]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

- Subchapter 19. Viticulture and Enology Center Development Revolving Fund [NEW]
- 35:40-19-1. Purpose [NEW]
- 35:40-19-2. Definitions [RESERVED]
- 35:40-19-3. Eligibility [NEW]
- 35:40-19-4. Evaluation [NEW]
- 35:40-19-5. Submission of applications [NEW]
- 35:40-19-6. Supplemental program information [NEW]
- 35:40-19-7. Disbursements [NEW]

AUTHORITY:

Oklahoma Constitution, Article 6, Section 31; 2 O.S. § 2-4; and 37 O.S. § 563.1 as amended by SB 256 (effective November 1, 2015); State Board of Agriculture

ADOPTION:

October 8, 2015

EFFECTIVE:

November 1, 2015 or upon Governor's approval, whichever is later.

APPROVED BY GOVERNOR:

November 2, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature.

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

N/A

FINDING OF EMERGENCY:

SB 256 directs the State Board of Agriculture to administer the Oklahoma Viticulture and Enology Center Development Revolving Fund beginning November 1, 2013 and to expend monies from the fund for the purposes described by 37 O.S. § 563.1(C). The State Board of Agriculture has not previously administered the Oklahoma Viticulture and Enology Center Development Revolving Fund and has no rules, procedures, or forms necessary to administer the fund. Administrative rules adopted through a regular rulemaking would not become effective until approximately September, 2016. As prescribed by the Administrative Procedures Act, the State Board of Agriculture finds that an emergency exists and that an emergency rulemaking is necessary to administer the Oklahoma Viticulture and Enology Center Development Revolving Fund beginning November 1, 2013. The Administrative Procedures Act permits an agency to adopt emergency rules to "comply with deadlines in amendments to an agency's governing law ..." and to "avoid violation of ... state law". 75 O.S. § 253(A)(1)(b) and (c).

ANALYSIS:

The purpose of the proposed emergency rules is to implement the provisions of Senate Bill 256 that directs the Oklahoma Department of Agriculture, Food, and Forestry to administer the Oklahoma Viticulture and Enology Center Development Revolving Fund. These rules are necessary to allow the Department to comply with the effective date of the SB 256, November 1, 2015 and to avoid violation of state law. The proposed emergency rules establish guidelines for the application for grants from the Oklahoma Viticulture and Enology Center Development Revolving Fund.

CONTACT PERSON:

Bennett Abbott, (405) 522-5803, bennett.abbott@ag.ok.gov

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(F), AND EFFECTIVE UPON APPROVAL BY THE

Emergency Adoptions

GOVERNOR OR NOVEMBER 1, 2015, WHICHEVER IS LATER:

SUBCHAPTER 19. OKLAHOMA VITICULTURE AND ENOLOGY CENTER DEVELOPMENT REVOLVING FUND

35:40-19-1. Purpose

The purpose of the Oklahoma Viticulture and Enology Center Development Revolving Fund is to:

- (1) develop viticulture-related and enology-related educational programs;
- (2) develop technologies, strategies, or practices that aid in the production of grapes and wine in Oklahoma; and
- (3) increase the positive economic impact of the Oklahoma wine industry on this state.

35:40-19-2. Definitions [RESERVED]

35:40-19-3. Eligibility

An applicant shall be eligible for funding assistance in the form of a grant from the Oklahoma Viticulture and Enology Center Development Revolving Fund if the applicant meets the following eligibility requirements:

- (1) An applicant shall be an institution of higher education in Oklahoma, a state agency or governmental subdivision of Oklahoma, or a trade group promoting grape or wine production industries within Oklahoma; and
- (2) Projects proposed by the applicant shall be limited to scientific research, education, product development, or marketing projects that support the purpose of the Oklahoma Viticulture and Enology Center Development Revolving Fund.

35:40-19-4. Evaluation

The Department shall evaluate applications for funding in the form of a grant from the Oklahoma Viticulture and Enology Center Development Revolving Fund and may consider some or all of the following factors:

- (1) Whether the applications clearly meets the criteria of the Oklahoma Viticulture and Enology Center Development Revolving Fund purpose, goals, and objectives;
- (2) Whether the proposed project is commercially feasible, can be duplicated by other grape and wine producers, or will aid in the production of grapes and wine in Oklahoma and
- (3) Whether the outcome will provide a positive impact on the Oklahoma wine industry.

35:40-19-5. Submission of applications

(a) Applications shall be electronically submitted to the Department on a form designated by the Department.
(b) Applications shall identify the category of the proposed project and describe the goals and benefits of the proposed project, as follows:

- (1) For projects related to scientific research, the application shall describe proposed research project and in what manner the project will benefit grape and wine production in Oklahoma;
- (2) For projects related to education, the application shall describe the proposed educational coursework and in what manner the project will educate or provide technical assistance to individuals and businesses engaged in the grape or wine production industries within Oklahoma;
- (3) For projects related to product development, the application shall describe the proposed project and in what manner the project improves the quality or variety of grapes or wine produced in Oklahoma; and
- (4) For projects related to marketing, the application shall describe the proposed project and how the project will promote grapes and wines produced in Oklahoma.

35:40-19-6. Supplemental program information

(a) Following approval of the application, a contract shall be executed between the Department and the grantee. The Department shall not disburse grant funding to the grantee until the contract is executed and a purchase order is issued.
(b) The grantee shall not expend funds for the project until after receiving notice the purchase order has been issued.
(c) The contract shall specify the agreed upon objectives and tasks to be performed. The release of funds shall be tied to the completion of contract objectives. Failure to complete contract objectives may result in the Department withholding further funding and recovery of previously disbursed funds.
(d) Before December 31 of each year, the grantee shall submit a final report to the Department in a form specified by the Department. If the applicant received a grant the previous year, the final report shall be submitted before funds are disbursed for the following year.

35:40-19-7. Disbursements

(a) The grantee shall submit receipts supporting expenditures.
(b) Grant awards to any applicant shall not exceed \$50,000 per fiscal year.

[OAR Docket #15-875; filed 11-20-15]

Executive Orders

As required by 75 O.S., Sections 255 and 256, Executive Orders issued by the Governor of Oklahoma are published in both the *Oklahoma Register* and the *Oklahoma Administrative Code*. Executive Orders are codified in Title 1 of the *Oklahoma Administrative Code*.

Pursuant to 75 O.S., Section 256(B)(3), "Executive Orders of previous gubernatorial administrations shall terminate ninety (90) calendar days following the inauguration of the next Governor unless otherwise terminated or continued during that time by Executive Order."

TITLE 1. EXECUTIVE ORDERS

1:2015-49.

EXECUTIVE ORDER 2015-49

I, Mary Fallin, Governor of the State of Oklahoma, hereby direct the appropriate steps be taken to fly all American and Oklahoma flags on State property at half-staff from 8:00 a.m. until 5:00 p.m. on Wednesday, November 18, 2015, to honor Master Sergeant Joshua L. Wheeler, an Oklahoma soldier, who died on October 22, 2015, while on active duty in Kirkuk Province, Iraq. His service to our country and state will never be forgotten.

This executive order shall be forwarded to the Division of Capital Assets Management, who shall cause the provisions of this order to be implemented by all appropriate agencies of state government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 13th day of November, 2015.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Chris Bengé
Secretary of State

[OAR Docket #15-860; filed 11-16-15]

1:2015-50.

EXECUTIVE ORDER 2015-50

I, Mary Fallin, Governor of the State of Oklahoma, hereby direct the appropriate steps be taken to fly all American and Oklahoma flags on State property at half-staff upon receipt until 5:00 p.m. on Thursday, November 19, 2015, in memory of those killed and injured in the senseless act of violence perpetrated in Paris, France on November 13, 2015.

This Executive Order shall be forwarded to the Division of Capital Assets Management, which shall cause the provisions

of this order to be implemented by all appropriate agencies of State government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 16th day of November, 2015.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Chris Bengé
Secretary of State

[OAR Docket #15-861; filed 11-16-15]

1:2015-51.

EXECUTIVE ORDER 2015-51

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the power vested in me by Section 2 of Article VI of the Oklahoma Constitution, hereby declare the following:

1. Winter storm, freezing rain, ice, sleet, and flooding beginning November 26, 2015, and that are continuing, may cause extensive damage to public and private properties within the State of Oklahoma; and said damages may cause an undue hardship on the citizens of this State.
2. It may be necessary to provide for the rendering of mutual aid assistance among the State and political subdivisions of the State with respect to carrying out disaster emergency functions during the continuance of the State emergency pursuant to the provisions of the Oklahoma Emergency Management Act of 2003.
3. There is hereby declared a disaster emergency caused by the winter storm, freezing rain, ice, sleet, and flooding in the State of Oklahoma that threatens the lives and property of the people of this State and the public's peace, health, and safety. The counties included in this declaration are:

All 77 Oklahoma Counties

4. The State Emergency Operations Plan has been activated, and resources of all State departments and agencies available to meet this emergency are hereby committed to the

Executive Orders

reasonable extent necessary to protect lives and to prevent, minimize, and repair injury and damage. These efforts shall be coordinated by the Director of the Department of Emergency Management with comparable functions of the federal government and political subdivisions of the State.

5. State agencies, in responding to this continuing disaster emergency, may make necessary emergency acquisitions to fulfill the purposes of this Order without regard to limitations or bidding requirements on such acquisitions.

6. This Executive Order shall terminate at the end of thirty (30) days.

Copies of this Executive Order shall be distributed to the Director of Emergency Management, who shall cause the provisions of this Order to be implemented by all appropriate agencies of State government.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 29th day of November 2015.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Chris Bengé
Secretary of State

[OAR Docket #15-918; filed 11-30-15]

1:2015-52.

EXECUTIVE ORDER 2015-52

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the power vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution and 63 O.S. §§ 683.1 *et seq.*, and pursuant to 49 C.F.R. Part 390.23, hereby declare that there is a State of Emergency continuing in the State of Oklahoma. Due to catastrophic weather occurring statewide, it is necessary

to assist and expedite all efforts of storm relief. In order to accommodate this need and to provide assistance to the citizens of the State of Oklahoma in this extraordinary situation, I hereby order the temporary suspension of the following as they apply to vehicles in the support efforts:

1. The requirements for size and weights permits of oversized vehicles under Title 47 whose sole purpose is transportation of materials and supplies used for storm relief;
2. The requirements under Parts 390 through 399 of Title 49 of the Federal Motor Carrier Safety Administration Regulations;
3. The requirements for licensing/operating authority as required by the Oklahoma Corporation Commission; and
4. The requirements for licensing/registration authority as required by the Oklahoma Tax Commission.

Because of the on-going State of Emergency resulting from the winter storm, freezing rain, ice, sleet, and flooding that began November 26, 2015 and are continuing, this Executive Order shall be effective until the end of thirty (30) days after the filing of this Executive Order.

This Executive Order shall be forwarded to the Oklahoma Corporation Commission, the Oklahoma Tax Commission, and the Commission of Public Safety, who shall cause the provisions of this Order to be implemented by all appropriate agencies of State government.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 29th day of November 2015.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Chris Bengé
Secretary of State

[OAR Docket #15-919; filed 11-30-15]
