

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 576

By: Haste

AS INTRODUCED

An Act relating to the Oklahoma State University Medical Authority; amending 63 O.S. 2021, Sections 3275 and 3290, as amended by Sections 1 and 3, Chapter 334, O.S.L. 2023 (63 O.S. Supp. 2024, Sections 3275 and 3290), which relate to the Oklahoma State University Medical Authority and the Oklahoma State University Medical Trust; authorizing virtual meetings under certain conditions; providing for electronic submission of certain report; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 3275, as amended by Section 1, Chapter 334, O.S.L. 2023 (63 O.S. Supp. 2024, Section 3275), is amended to read as follows:

Section 3275. A. There is hereby created the Oklahoma State University Medical Authority, an agency of the State of Oklahoma, a body corporate and politic, with powers of government and with the authority to exercise the rights, privileges, and functions as specified in the Oklahoma State University Medical Authority Act. The Oklahoma State University Medical Authority is covered by ~~the~~ The Governmental Tort Claims Act.

1 B. The Authority shall consist of eight (8) members as follows:

2 1. One member shall be appointed by the Governor, with the
3 advice and consent of the Senate;

4 2. One member shall be appointed by the President Pro Tempore
5 of the ~~Oklahoma State~~ Senate;

6 3. One member shall be appointed by the Speaker of the ~~Oklahoma~~
7 House of Representatives;

8 4. One member shall be the ~~Chief Executive Officer~~
9 Administrator of the Oklahoma Health Care Authority, or a designee;

10 5. One member shall be the President of the Oklahoma State
11 University Center for Health Sciences;

12 6. One member shall be appointed by the President of Oklahoma
13 State University;

14 7. One member shall be a member of the Board of Regents for the
15 Oklahoma Agricultural and Mechanical Colleges, or his or her
16 designee, as selected by the chair of the Board of Regents; and

17 8. One member shall be the Chief Executive Officer of the
18 Oklahoma State University Medical Authority who shall be an ex
19 officio, nonvoting member.

20 C. Members shall be appointed for terms of three (3) years.

21 D. Each member of the Authority, prior to appointment, shall be
22 a resident of the state and a qualified elector.

1 E. Members shall be removable only for cause by the appointing
2 authority. Any vacancy occurring on the Authority shall be filled
3 by the original appointing authority.

4 F. The members of the Authority shall serve without
5 compensation but may be reimbursed for all actual and necessary
6 travel expenses incurred in performance of their duties in
7 accordance with the provisions of the State Travel Reimbursement
8 Act.

9 G. All members of the Authority and administrative personnel of
10 the Authority shall be subject to the provisions of the ~~Oklahoma~~
11 Ethics Commission Rules, Chapter 62 Appendix of Title 74 of the
12 Oklahoma Statutes.

13 H. A quorum of the Authority shall be four (4) voting members.
14 The Authority shall elect a chair and vice chair from among its
15 members. The chair must be an appointed member of the Authority.

16 I. The Authority shall be exempt from the Oklahoma Central
17 Purchasing Act but shall be subject to the purchasing policies of
18 the Oklahoma State University Center for Health Sciences and shall
19 be subject to the Oklahoma Open Meeting Act and the Oklahoma Open
20 Records Act, except as otherwise provided by ~~this act~~ the Oklahoma
21 State University Medical Authority Act. Any information submitted
22 to or compiled by the Authority except for budgetary information
23 related to appropriations or the appropriations process with respect
24 to the marketing plans, financial statements, trade secrets,

1 research concepts, methods or products, or any other proprietary
2 information of the Authority, persons, firms, associations,
3 partnerships, agencies, corporations, institutions of higher
4 education, nonprofit research institutions, or other entities shall
5 be confidential, except to the extent that the person or entity
6 which provided the information or which is the subject of the
7 information consents to disclosure. Executive sessions may be held
8 to discuss such materials if deemed necessary by the Authority.

9 J. The Authority may hold meetings by videoconference where
10 each member of the Authority is visible and audible to each other
11 and the public through a video monitor at the designated meeting
12 site and website, subject to the following:

13 1. Each public meeting held by videoconference shall be
14 recorded either by written, electronic, or other means;

15 2. The meeting notice and agenda prepared in advance of the
16 meeting, as required by law, shall indicate at least one
17 videoconferencing location and shall state the location, address,
18 and telephone number of each available videoconference site and
19 provide the website address to view the meeting; and

20 3. The meeting agenda prepared in advance of the meeting, as
21 required by law, shall indicate which members of the Authority will
22 appear by video conference and which will be present at the
23 designated meeting site.

1 SECTION 2. AMENDATORY 63 O.S. 2021, Section 3290, as
2 amended by Section 3, Chapter 334, O.S.L. 2023 (63 O.S. Supp. 2024,
3 Section 3290), is amended to read as follows:

4 Section 3290. A. The State of Oklahoma expressly approves the
5 creation of a public trust to be named the "Oklahoma State
6 University Medical Trust", of which ~~the State of Oklahoma~~ this state
7 shall be the beneficiary, provided such approval shall be contingent
8 upon satisfaction of the following conditions:

9 1. Finalizing of the declaration of trust;

10 2. Adoption of the declaration of trust by an official action
11 of the trustees of the Trust;

12 3. Submission of the Trust for acceptance of the beneficial
13 interest and approval as required by Section 177 of Title 60 of the
14 Oklahoma Statutes; and

15 4. The approved declaration of trust shall:

16 a. clearly state that the principal purpose of the
17 Oklahoma State University Medical Trust is to
18 effectuate the purposes of the Oklahoma State
19 University Medical Authority as established in the
20 Oklahoma State University Medical Authority Act,

21 b. except as otherwise provided by law, provide that the
22 title to real property held by the Oklahoma State
23 University Medical Authority shall not be transferred,
24 conveyed, or assigned to the Oklahoma State University

1 Medical Trust without the express consent of the
2 Legislature as the governing entity of the beneficiary
3 pursuant to Section 176 of Title 60 of the Oklahoma
4 Statutes,

5 c. provide that any indebtedness incurred by the Oklahoma
6 State University Medical Trust or the trustees of the
7 Trust shall not be secured with or create a lien upon
8 real property to which title is held by the Oklahoma
9 State University Medical Authority and shall not
10 involve the bonding capacity of the Oklahoma State
11 University Medical Authority,

12 d. provide that the trust estate of the Oklahoma State
13 University Medical Trust shall not include fee simple
14 title to real property owned by the Oklahoma State
15 University Medical Authority,

16 e. clearly state that the creation of the Oklahoma State
17 University Medical Trust shall not in any way reduce,
18 limit, or interfere with the power granted to the
19 Oklahoma State University Medical Authority in the
20 Oklahoma State University Medical Authority Act,

21 f. provide that any lease or contractual agreement
22 involving use of the real property to which title is
23 held by the Oklahoma State University Medical
24 Authority and any improvements thereto shall contain a

1 provision and covenants requiring the proper
2 maintenance and upkeep of the real property and
3 improvements,

4 g. provide that the trustees of the Oklahoma State
5 University Medical Trust shall be the acting members
6 of the Oklahoma State University Medical Authority as
7 provided in the Oklahoma State University Medical
8 Authority Act, and

9 h. provide that the trustees of the Oklahoma State
10 University Medical Trust shall have the duty to submit
11 an annual report to the Governor, the President Pro
12 Tempore of the ~~Oklahoma State~~ Senate, and the Speaker
13 of the ~~Oklahoma~~ House of Representatives. The report
14 shall be electronically submitted by January 1 of each
15 year and shall include an account of all operations,
16 actions of the Trust, and an account of all revenue
17 received and disbursed by the Trust for the previous
18 fiscal year. The report shall also provide a complete
19 accounting of how the Trust meets its primary function
20 of effectuating the purposes of the Oklahoma State
21 University Medical Authority, as established in the
22 Oklahoma State University Medical Authority Act.

23 B. The Oklahoma State University Medical Trust shall require
24 any agreements which it enters into with any entity pursuant to

1 Section 3292 of this title for the operations of facilities leased
2 by the Oklahoma State University Medical Authority to the Trust to
3 include, but not be limited to:

4 1. The inclusion of all the members of the Trust, except the
5 ~~Chief Executive Officer~~ Administrator of the Oklahoma Health Care
6 Authority, as five of the six members representing ~~the State of~~
7 ~~Oklahoma~~ this state in a governing committee, and the sixth member
8 of the governing committee representing ~~the State of Oklahoma~~ this
9 state to be designated by the President of Oklahoma State
10 University;

11 2. Binding arbitration shall not be required by such agreements
12 for resolving issues under consideration by the governing committee;
13 and

14 3. Major decisions shall be resolved by the governing
15 committee, and approval of any major decision by the governing
16 committee must include the approval of a majority of the state
17 appointees and the approval of a majority of the private entity
18 appointees to the governing committee. Major decisions shall
19 include:

- 20 a. approval of the operating and capital budgets,
- 21 b. sale or disposition of assets over Five Hundred
22 Thousand Dollars (\$500,000.00),
- 23 c. the termination or transfer or material addition or
24 material diminution of medical services at the

1 Oklahoma State University Medical Center related to
2 and part of a teaching program of the Oklahoma State
3 University Center for Health Sciences, and

4 d. other major decisions as may be agreed upon by the
5 Trust and the private entity.

6 C. To the extent it is determined by legislative enactment that
7 the Trust has expended funds in contravention of its mission as set
8 forth in this section, the Trust shall remit, upon thirty (30) days'
9 written notice from the Oklahoma State University Medical Authority,
10 such sum or sums to the Oklahoma State University Medical Authority.

11 D. In the event the Trust enters into a joint venture or
12 acquires an interest in a not-for-profit entity to effectuate the
13 administration of the mission of the Trust, that entity shall not be
14 subject to the Oklahoma Open Meeting Act and the Oklahoma Open
15 Records Act. Any information submitted to or compiled by the Trust
16 with respect to marketing plans, financial statements, trade
17 secrets, research concepts, methods or products, or any other
18 proprietary information submitted to or compiled by the Trust,
19 persons, firms, associations, partnerships, agencies, corporations,
20 institutions of higher education, nonprofit research institutions,
21 or other entities shall be confidential, except to the extent that
22 the person or entity which provided such information or which is the
23 subject of such information consents to disclosure. Executive
24 sessions may be held to discuss such materials if deemed necessary

1 by the Trust. The provisions of this subsection shall not apply to
2 budgetary information related to appropriations or the
3 appropriations process.

4 E. The Trust may hold meetings by videoconference where each
5 member of the Trust is visible and audible to each other and the
6 public through a video monitor at the designated meeting site and
7 website, subject to the following:

8 1. Each public meeting held by videoconference shall be
9 recorded either by written, electronic, or other means;

10 2. The meeting notice and agenda prepared in advance of the
11 meeting, as required by law, shall indicate at least one
12 videoconferencing location and shall state the location, address,
13 and telephone number of each available videoconference site and
14 provide the website address to view the meeting; and

15 3. The meeting agenda prepared in advance of the meeting, as
16 required by law, shall indicate which members of the Trust will
17 appear by video conference and which will be present at the
18 designated meeting site.

19 SECTION 3. This act shall become effective November 1, 2025.

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