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Gubernatorial Approvals

Upon notification of approval by the Governor of an agency's proposed PERMANENT rulemaking action, the agency must submit a notice of such gubernatorial approval for publication in the *Register*.

For additional information on gubernatorial approvals, see 75 O.S., Section 303.2.

TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION CHAPTER 50. LICENSED PEDORTHISTS

[OAR Docket #10-1148]

RULEMAKING ACTION:

Gubernatorial approval of permanent rules

RULES:

435:50-5-3. Continuing education requirements for renewal [AMENDED]

GUBERNATORIAL APPROVAL:

July 20, 2010

[OAR Docket #10-1148; filed 7-30-10]

TITLE 770. OKLAHOMA DEPARTMENT OF VETERANS AFFAIRS CHAPTER 10. CENTER DIVISION PROGRAM

[OAR Docket #10-1152]

RULEMAKING ACTION:

Gubernatorial approval of permanent rules

RULES:

Subchapter 1. General Provisions

770:10-1-4 [AMENDED]

GUBERNATORIAL APPROVAL:

May 14, 2010

[OAR Docket #10-1152; filed 8-6-10]

Permanent Final Adoptions

An agency may promulgate rules on a permanent basis upon "final adoption" of the proposed new, amended, or revoked rules. "Final adoption" occurs upon approval by the Governor and the Legislature, or upon enactment of a joint resolution of approval by the Legislature. Before proposed permanent rules can be reviewed and approved/disapproved by the Governor and the Legislature, the agency must provide the public an opportunity for input by publishing a Notice of Rulemaking Intent in the *Register*.

Permanent rules are effective ten days after publication in the *Register*, or on a later date specified by the agency in the preamble of the permanent rule document.

Permanent rules are published in the *Oklahoma Administrative Code*, along with a source note entry that references the *Register* publication of the permanent action.

For additional information on the permanent rulemaking process, see 75 O.S., Sections 303, 303.1, 303.2, 308 and 308.1.

TITLE 770. OKLAHOMA DEPARTMENT OF VETERANS AFFAIRS CHAPTER 10. CENTER DIVISION PROGRAM

[OAR Docket #10-1151]

RULEMAKING ACTION:

PERMANENT final adoption

RULES:

Subchapter I. General Provisions

770:10-1-4 [AMENDED]

AUTHORITY:

War Veterans Commission; 72 O.S., § 63.3

DATES:

Comment period:

March 15, 2010 through April 20, 2010

Public Hearing:

None held or requested

Adoption:

April 26, 2010

Submitted to Governor:

April 27, 2010

Submitted to House:

April 27, 2010

Submitted to Senate:

April 27, 2010

Gubernatorial Approval:

May 14, 2010

Legislative Approval:

Approved June 7, 2010, by Joint Resolution 1088, waiving the Legislature's thirty legislative-day review period

Final adoption:

June 7, 2010

Effective:

September 15, 2010

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

N/A

ANALYSIS:

The Oklahoma Department of Veterans Affairs, pursuant to the legal authority granted to it in 72 O.S. § 63.3, promulgated permanent rule 770:10-1-4. The rule eliminates the priority given to World War I veterans in admissions to the seven ODVA facilities and transfers that priority to veterans of World War II. It also eliminates the priority in admission formerly bestowed upon war veterans with a rating of 50% service connected disability as determined by the US Department of Veterans Affairs, and grants such priority to war veterans who have been determined by the US Department of Veterans Affairs to have any degree of service connected disability. Since the state of Oklahoma no longer has veterans of World War I who are seeking admission to the facilities operated by the Department, the language of the rule needed to be changed to reflect that fact. In addition, veterans with any degree of service connected disability will be given priority in being admitted to the ODVA facilities. That change is predicated on the fact many of Oklahoma's war veterans are returning to the state suffering from service connected disabilities that have been found to be less than 50%.

CONTACT PERSON:

Martha Spear, Executive Director, Oklahoma Department of Veterans Affairs, 2311 N Central, Oklahoma City, OK 73105, 405.521.3684

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTION 308.1(A), WITH AN EFFECTIVE DATE OF SEPTEMBER 15, 2010:

770:10-1-4. Admission priorities and procedures

(a) It is the intent of the War Veterans Commission to establish a fair and equitable system and one that allows for the flexibility necessary in the operation of long-term nursing care facilities whereby eligible veterans may be placed on waiting lists for admission to the Oklahoma Veterans Centers operated by the Oklahoma Department of Veterans Affairs.

(b) Priorities for placement are as follows:

(1) Eligible World War I II veterans will be placed at the top of the waiting list and will be admitted to the first available bed capable of providing the level of care they require.

(2) Eligible Ex-Prisoners of War and veterans rated at ~~50% or more~~ service connected by the United States ~~Veterans Administration~~ Department of Veterans Affairs will be placed at the top of the waiting list if there are no eligible World War I II veterans on the list, and will be admitted to the first available bed capable of providing the level of care they require.

(3) All eligible veterans not specified in (1) or (2) of this subsection will be placed on the waiting list in chronological order based on the date of receipt of the application. If more than one application is received on the same day, the Medical Director will determine their sequential order on the list according to medical need. The veterans will be called from this list and will be admitted to the first available bed capable of providing the level of care they require.

(c) The admission priorities as set forth in (b) of this Section are to be adhered to as closely as possible; however, the Administrator of each Veterans Center must maintain the flexibility of being allowed to deviate from the waiting list when medical or humanitarian need dictates.

(d) Applications for admission are provided by writing or calling the Oklahoma Department of Veterans Affairs Center as follows:

Permanent Final Adoptions

(1) Ardmore - Administrator, Oklahoma Veterans Center Box 489, Ardmore, Oklahoma 73402 Telephone: Area Code (405) 223-2266

(2) Claremore - Administrator, Oklahoma Veterans Center P. O. Box 988, Claremore, Oklahoma 74018 Telephone: Area Code (918) 342-5432

(23) Clinton - Administrator, Oklahoma Veterans Center Box 1209, Clinton, Oklahoma 73601 Telephone: Area Code (405) 323-5540 (580) 331-2200

(4) Lawton - Administrator, Oklahoma Veterans Center P. O. Box 849, Lawton, Oklahoma 73502 Telephone: Area Code (580) 351-6511

(35) Norman - Administrator, Oklahoma Veterans Center Box 1668, Norman, Oklahoma 73070 Telephone: Area Code (405) 360-5600

(46) Sulphur - Administrator, Oklahoma Veterans Center 200304 E. Fairlane, Sulphur, Oklahoma 73086 Telephone: Area Code (405) 622-2144

(57) Talihina - Administrator, Oklahoma Veterans Center ~~Route 2, Box 1425~~ P. O. Box 1168, Talihina, Oklahoma 74571 Telephone: Area Code (918) 567-2251

(68) Oklahoma City Central Office - P.O. Box 53067, Oklahoma City, Oklahoma 73152 Telephone: Area Code (405) 521-3684

(79) Other applications for admission can be obtained at ~~V.A.~~ USDVA Medical Centers in Muskogee and Oklahoma City and through Oklahoma Department of Veterans Affairs Service Officers.

[OAR Docket #10-1151; filed 8-6-10]
