



**Why Provide this Summary?**

It is that time of year to begin the permanent rulemaking process.

**What agency staff need to do NOW....**

Plan, plan, plan.... If you have revisions or corrections that need to be made to agency rules, or if you anticipate changes due to program changes, now is the time.

**How to Start a Rule Change?**

Go to the Health Policy Unit intranet site (under Program Integrity and Planning) – click on Policy Green Sheets and then on Policy Planning Worksheet.

Complete the Green Sheet and give to your supervisor and / or Division Director for approval. Your Division Director will take the Green Sheet to an executive staff meeting for discussion / approval - - this should get the process started. A Policy staff member will then contact you to assist you through the process.

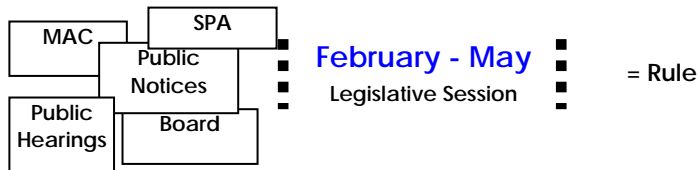
**Green Sheets should be submitted by NOVEMBER 1<sup>st</sup> to ensure the rule will be made permanent.**

**OKLAHOMA HEALTH CARE AUTHORITY**

**It's Permanent Rule-Making "Season"**

**What is a Permanent Rule?**

A permanent rule is a rule which must be reviewed by the Governor and the Legislature prior to its enactment. Permanent rules, therefore, are promulgated only during the legislative session.



**"Emergency" Rule vs "Permanent" Rule – What's the Fuss About?**

When the agency takes a rule forward as an "emergency" rule, the agency also has to provide a statement to the Secretary of State, and to the Governor's office, as to "why" the agency thinks this particular rule cannot wait for the permanent rulemaking process. Additionally, the OHCA board must make a motion to "declare an emergency" for each emergency rule passed.

The work doesn't just stop there; each "emergency" rule must be taken back through almost the entire process during "permanent" rulemaking season. If the emergency rule is not made "permanent", it will die on July 15<sup>th</sup> following the next legislative session.

**Why Does Rule-Making Take So LONG???**

Permanent rulemaking is a lengthy process. A Notice of Rulemaking Intent (NRI) is a requirement of the Administrative Procedures Act (APA). The APA and the Secretary of State's Office of Administrative rules dictate that the Notice be published in the Oklahoma register and that a 30 day comment period be allowed for comment. A public hearing is held and then revisions must be presented to the MAC before going to the Board for approval. (See flow-chart on reverse page.)

Think about this....the same steps must be followed to add / change an entire section of policy.....or just to change one sentence.

**OKLAHOMA HEALTH CARE AUTHORITY  
PERMANENT RULEMAKING PROCESS**

