

**TITLE 752. UNIVERSITY HOSPITALS AUTHORITY
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

SUBCHAPTER 1. GENERAL PROVISIONS

752:1-1-1. Purpose and scope

The purpose of this Chapter is to establish policies, procedures and standards that apply to the University Hospitals Authority and to other Chapters in this Title. The rules in this Chapter describe:

- (1) The organization of ~~The~~ the University Hospitals Authority
- (2) How to get information and file documents; and
- (3) The general practices of ~~The~~ the University Hospitals Authority.

752:1-1-2. Definitions

The following words and terms, when used in the Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Authority" means the University Hospitals Authority ~~which is the governing body of the University Hospitals.~~

"Chief Executive Officer" or "CEO" means the highest-ranking administrator at ~~The~~ the University Hospitals Authority.

"The University Hospitals" or "TUH" means the entity governed by the Authority ~~which operates University Hospital, The Children's Hospital of Oklahoma, The Child Study Center, and The O'Donoghue Rehabilitation Institute.~~

752:1-1-5. Organization

~~The Authority is the governing body of TUH. The Authority appoints a CEO who is the highest ranking administrator at TUH. TUH operates University Hospital, The Children's Hospital of Oklahoma, The Child Study Center, and The O'Donoghue Rehabilitation Institute. *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 University Hospitals Authority Act.* The Authority consists of six members as follows: one (1) appointed by the Governor, with the advice and consent of the Senate; one (1) appointed by the President Pro Tempore of the Senate; one (1) appointed by the Speaker of the House of Representatives; the Director for Human Services or the director of the successor organization responsible for Medicaid (now the Oklahoma Health Care Authority), or his or her designee; the Provost of the University of Oklahoma Health Sciences Center; and the Chief Executive Officer of the University Hospitals Authority, who shall be an ex officio, nonvoting member. [63 O.S. § 3207.]~~

752:1-1-6. Location for information and for filing

(a) Unless otherwise specified in this Title, the address and telephone number for communications with the Authority ~~TUH~~ is as follows: ~~The University Hospitals Executive Offices, 800-940 N.E. 13th Street, Suite 6900, P. O. Box 26307, Oklahoma City, Oklahoma 73126, Telephone (405) 271-67265944.~~

(b) The normal business hours of ~~TUH~~ the Authority are 8:30 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

(c) Unless otherwise provided in this Title, anyone may file a document with ~~TUH~~ the Authority by mail or ~~hand-delivered~~ hand-delivery during normal business hours. The "filing date" is the date ~~TUH~~

~~the Authority~~ receives a document by mail or ~~hand-delivered~~ hand-delivery, not the date it is mailed or postmarked. TUH does not accept facsimiles or "FAXs" instead of original official documents.

~~(d) Unless a document clearly states otherwise, the signature of a person on a document filed with TUH shall mean the person has read it and has personal knowledge of the information it contains, that every statement is true, that no statements are misleading, and that filing the document is not a delay tactic. If any document is not signed or is signed with intent to defeat the purposes of the rules in this Title, the CEO may ignore it and continue as though it had not been filed.~~

752:1-1-7. Records

~~(a) **Records retention and disposition.** TUH The Authority keeps documents for at least the minimum time required by state and federal laws that pertain to archives and records. This varies depending on the type of document. TUH The Authority has its records disposition schedules available for inspection.~~

~~(b) **Removal of documents.** Before the effective date of a document, the CEO or his/her designee may approve a written request from a person, an agency, or party that has filed the document to revise, replace, or withdraw it. After the effective date of a document, the CEO or designee may allow it to be removed on the order of a court or administrative agency with jurisdiction over the controversy before it.~~

~~(e)(b) **Confidential and open records.** The Authority follows the Oklahoma Open Records Act and other relevant laws governing confidentiality.~~

~~(1) Many records in TUH are available for public inspection and release, but some are not. The records that are not available for general public access may include records described as confidential in this Section or in other Chapters in this Title, and other records that laws require or permit TUH to keep confidential. The CEO normally keeps the following records confidential but may choose, in some cases, to make them public if law permits it:~~

~~(A) State employees' home addresses, home telephone numbers and social security numbers;~~

~~(B) Records which *relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation* [51:24A.7(A)(1)];~~

~~(C) Employee evaluations, payroll deductions, employment applications not resulting in a person being hired by the state, and other records that would result in a clearly unwarranted invasion of personal privacy if they were disclosed [51:24A.7(A)(2)];~~

~~(D) Before taking action, personal notes and personally created materials (other than TUH's budget request) prepared by TUH staff as an aid to memory [51:24A.9];~~

~~(E) Before taking action, research material leading to the adoption of a policy or the implementation of a project [51:24A.9];~~

~~(F) Records coming into the possession of TUH *from the federal government or records generated or gathered as a result of federal legislation may be kept confidential to the extent required by federal law* [51:24A.13];~~

~~(G) Documents, such as medical records and records protected by the attorney-client privilege, that are exempt from the Oklahoma Open Records Act or are specifically required or permitted by law to be kept confidential; and~~

~~(H) *Any information submitted to or compiled by the Authority with respect to the marketing plans, financial statements, trade secrets, research concepts, methods or products, or any other proprietary information of persons, firms, associations, partnerships, agencies, corporations, institutions of higher education, nonprofit research institutions or other entities shall be confidential, except to the*~~

~~extent that the person or entity which provided such information or which is the subject of such information consents to disclosure. [63:3207(1)]~~

~~(2) All records that are not confidential are open for public inspection and copying.~~

~~Examples of open records include:~~

~~(A) Employment applications that result in persons becoming state officials or employees [51:24A.7(B)(1); 51:24A.3(4)];~~

~~(B) Gross receipts of public funds [51:24A.7(B)(3)];~~

~~(C) Dates of an individual's employment with the state and his or her job title [51:24A.7(b)(3)]; and~~

~~(D) Any final disciplinary action resulting in loss of pay, suspension, demotion of position or discharge [51:24A.7(B)(4)].~~

~~(d) **Inspection and release of records.**~~

~~(1) People may inspect and copy records during TUH's regular business hours according to TUH's procedures. The procedures protect the integrity and organization of the records and prevent excessive disruption of TUH's essential functions [51:24A-5(5)].~~

~~(2) The CEO may give officers and employees of the state or federal government acting in their official capacities access to confidential records, when such disclosure is authorized by law.~~

~~(3) Each person shall have access to his or her own records in TUH unless it is against the law [51:24A.7(C)].~~

~~(e) TUH staff shall only charge fees that are consistent with Section 24A.5 of Title 51 of the Oklahoma statutes.~~

752:1-1-8. Forms and instructions [REVOKED]

~~Other Chapters in this Title contain references to forms and instructions TUH requires. People may contact TUH to request blank forms and general information about completing and submitting them.~~

SUBCHAPTER 3. GENERAL OPERATIONS OF THE UNIVERSITY HOSPITALS

752:1-3-1. Official office [REVOKED]

~~—The Office of the Authority as well as TUH, is 800 N.E. 13th Street, Oklahoma City, Oklahoma 73104. The telephone number is 271-5911. The office hours are from 8:30 a.m. to 5:00 p.m. Central Time, Monday through Friday, except legal holidays.~~

752:1-3-2. Meetings of the Authority

~~The Authority follows the Oklahoma Open Meetings Act. The Authority shall file a schedule of regular meetings for the succeeding year with the Oklahoma Secretary of State by December 15th of each year. Special meetings may be called from time to time by the Chairman of the Authority, or the Vice Chairman in his or her absence, with the required notice specified in the Oklahoma Meetings Act.~~

752:1-3-3. Executive sessions [REVOKED]

~~—The Authority may hold executive sessions at such meetings as is permitted by the Oklahoma Open Meeting Act, and for the purpose of discussing material which may be kept confidential pursuant to §3207 (1) of Title 63.~~

752:1-3-4. Notice of meeting [REVOKED]

~~Notice of regular and special meetings will be given in accordance with the provisions of the Oklahoma Meeting Act, supra.~~

752:1-3-5. Agenda items [REVOKED]

~~The CEO prepares an agenda on behalf of the Authority for each meeting of the Authority. The agenda is filed and posted in accordance with the Oklahoma Open Meetings Act. Members of the public may request the Authority to place matters on the agenda for a meeting, and the CEO may use his or her discretion in placing such matters on the agenda.~~

SUBCHAPTER 5. ADMINISTRATIVE RULES

752:1-5-2. Requests for declaratory rulings [REVOKED]

~~(a) Any interested person or entity may petition the Authority for a declaratory ruling as to the applicability of any rule of the Authority.~~

~~(b) The petition must identify the rule questioned, the date on which such rule became effective, and shall summarize the contents of the rule. The petition shall contain a brief statement of the issue or issues raised by the rule which cause such a request to be made, and a statement of the petitioner's personal interest in the ruling of the Authority and how a ruling of the Authority would affect those interests.~~

~~(c) Upon receipt of the petition for declaratory ruling the Authority shall consider the petition and within a reasonable time following receipt thereof, either deny the petition in writing, stating its reasons for denial, or issue a declaratory ruling on the matter(s) contained in the petition.~~

SUBCHAPTER 7. FORMAL AND INFORMAL PROCEDURES

752:1-7-1. Purpose

~~Other Chapters in this Title describe informal procedures that apply specifically to individual programs under the TUH's authority. The rules in this Subchapter describe general formal and informal procedures TUH the Authority uses to take action and make decisions:~~

752:1-7-3. Complaints [REVOKED]

~~(a) Anyone may complain to the CEO about any matter under the CEO's authority. A complaint shall be in writing, and it shall include the following information:~~

~~(1) The name, address and telephone number of the person making the complaint;~~

~~(2) The name, address and telephone number of the organization the person represents, if applicable;~~

~~(3) The name, address, telephone number and title of any representative of the person filing the complaint;~~

~~(4) A brief, clear description of each charge, problem or issue that is the basis for the complaint including names, dates, places and actions;~~

~~(5) The numbers and headings of the laws and rules that may apply;~~

~~(6) The remedy, if any, the person making the complaint seeks;~~

~~(7) The signature of the person making the complaint; and~~

~~(8) The date.~~

~~(b) If the complaint is repetitive, concerns a matter that has already been resolved, or a matter outside the CEO's authority, the CEO may reject the complaint.~~

~~(c) The CEO may provide others with written notice of the complaint and give them an opportunity to respond in writing within 15 days. The response must contain all of the following information:~~

- ~~(1) The name, address and telephone number of the person responding;~~
- ~~(2) The name, address and telephone number of the organization the person represents, if applicable;~~
- ~~(3) The name, address, telephone number and title of any representative of the person responding~~
- ~~(4) A specific admission, denial or explanation of each charge;~~
- ~~(5) A brief, clear description of the facts including names, dates, places and actions;~~
- ~~(6) A brief, clear explanation of the reasons for the action (or inaction) that is the basis for the complaint if the person admits to any charge;~~
- ~~(7) The numbers and headings of the laws and rules that may apply;~~
- ~~(8) The signature of the person responding; and~~
- ~~(9) The date.~~

~~(d) The CEO may refer complaints to informal procedures, such as telephone calls, letters, meetings, mediation, investigations or other appropriate procedures.~~

~~(e) The CEO shall make a decision about a complaint within 60 days after its receipt, unless the CEO needs more time. In that case, TUH shall notify the person filing the complaint and persons filing any responses to the complaint.~~

752:1-7-4. Representation [REVOKED]

~~— In any administrative review or appeal authorized by this Title, any party has the right to have an attorney who is a member of the Oklahoma Bar Association. The attorney shall act for and bind the party he or she represents. After a party names an attorney, TUH shall communicate with the attorney and not with the party. It shall be the responsibility of the party's attorney to communicate with the party.~~