

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE JOINT
RESOLUTION NO. 1044

BY: MAXEY, JOHNSON (Glen),
THOMAS, MITCHELL and
VOSKUHL

AS INTRODUCED

A JOINT RESOLUTION CREATING THE TASK FORCE TO STUDY OKLAHOMA'S DEVELOPMENTAL DISABILITIES SERVICES; PROVIDING FOR MEMBERSHIP AND APPOINTMENT OF MEMBERS; SPECIFYING DUTIES OF COMMISSION; PROVIDING FOR OFFICERS OF TASK FORCE; PROVIDING FOR REIMBURSEMENT; PROVIDING FOR STAFF ASSISTANCE AND EMPLOYMENT OF ADDITIONAL STAFF AND CONSULTANTS FOR TASK FORCE; REQUIRING REPORT; DIRECTING DISTRIBUTION; AND DECLARING AN EMERGENCY.

WHEREAS, persons with developmental disabilities have a right to appropriate treatment, services and habilitation for such disabilities; and

WHEREAS, treatment, services and habilitation for persons with developmental disabilities should be coordinated to the maximum extent possible so that eligible persons can access services through a comprehensive service delivery system in a quick and non-discriminatory manner, equitably throughout the State of Oklahoma; and

WHEREAS, the Developmental Disabilities Services Division of the Department of Human Services is the primary agency responsible for coordinating and rendering services to persons in this state who have developmental disabilities; and

WHEREAS, it appears that obstacles currently exist within the Developmental Disabilities Services Division of the Department of Human Services which are preventing citizens eligible for certain services from accessing these services.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 43RD OKLAHOMA LEGISLATURE:

SECTION 1. There is hereby created, to continue until February 1, 1992, the Task Force to Study Oklahoma's Developmental Disabilities Services. The Task Force shall be composed of twenty-two (22) members to be appointed as follows:

1. The Speaker of the House of Representatives shall appoint seven (7) members as follows:

- a. two members from the Oklahoma House of Representatives;
- b. one member who is an administrator, program supervisor, board member or staff member of a Sheltered Workshop;
- c. one member from the Oklahoma Nursing Home Association;
- d. one member from the Developmental Disabilities Services Division of the Department of Human Services;
- e. one member who is an administrator, program supervisor, board member or staff member of a publicly funded Intermediate Care Facility for the Mentally Retarded; and
- f. one member who is a representative of the State Council on Developmental Disabilities who is not a state employee.

2. The President Pro Tempore of the Senate shall appoint seven (7) members as follows:

- a. two members from the Oklahoma Senate;
- b. one member from the Department of Mental Health and Substance Abuse Services;

- c. one member who is a member of the Advisory Committee on Mental Retardation Services;
- d. one member from the Long Term Care Division of the Department of Human Services;
- e. one member who is an administrator, program supervisor, board member or staff member of a private proprietary Intermediate Care Facility for the Mentally Retarded; and
- f. one member who is a representative of United Cerebral Palsy of Oklahoma.

3. The Governor shall appoint eight (8) members as follows:

- a. one member who shall be a representative of the Oklahoma Community Providers;
- b. two members who are group home administrators, supervisors, board members or staff members;
- c. one member from the Budget Division of the Department of Human Services;
- d. one member who is an administrator, supervisor, board member or staff member of a nonprofit Intermediate Care Facility for the Mentally Retarded; and
- e. three members who shall be parents of consumers of services, one of whom is the parent of a person receiving services in a group home or sheltered workshop, one of whom is a parent of a physically handicapped person confined to a wheelchair, and one of whom is a parent of a client receiving services from an Intermediate Care Facility.

SECTION 2. The Task Force to Study Oklahoma's Developmental Disabilities Services shall be charged with the following responsibilities:

1. To study the barriers to the delivery of services, both public and private, to persons with developmental disabilities that currently exist in Oklahoma. Such study shall include:

- a. a detailed review of the current funding and future funding needs of the Developmental Disabilities Services Division (D.D.S.D.) of the Department of Human Services;
- b. a detailed review of the past and current expenditures of the Developmental Disabilities Services Division;
- c. a review of programs and services offered by the D.D.S.D. and an analysis of the programs and services insofar as overlap with other private and state-supported programs and services;
- d. a review of the services available to and received by persons affected by the Hisson consent decree and a finding of whether the consent decree and court order dictate a preference in D.D.S.D. services for those persons above the needs of other eligible persons;
- e. a review of contracts and contract provisions used by the D.D.S.D. in contracting with community service providers;
- f. a thorough review of the eligibility requirements placed upon D.D.S.D. programs and services; and
- g. any other facet of the organization, service delivery system, programs or procedures used by the Developmental Disabilities Services Division.

2. To make recommendations, before February 1, 1992, to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor, concerning the findings of the Task Force.

SECTION 3. The chairperson and vice-chairperson of the Task Force shall be chosen by the Speaker of the House of Representatives

and the President Pro Tempore of the Senate jointly and shall be one of the twenty-two members. The Task Force shall meet at least one time per month and at such other times as may be set by the chairperson of the Task Force.

SECTION 4. Members of the Task Force shall receive no salary. However, all members of the Task Force shall be reimbursed for actual and necessary travel expenses as follows:

1. Legislative members of the Task Force shall receive reimbursement from the House in which they serve as provided in the State Travel Reimbursement Act, except when the Legislature is in session and the meeting is held in Oklahoma City.

2. Nonlegislative committee members employed by the state shall be reimbursed by their respective employing agency pursuant to the State Travel Reimbursement Act.

3. Any other committee member shall receive reimbursement pursuant to the State Travel Reimbursement Act from funds of the Legislative Service Bureau.

SECTION 5. The Oklahoma State Senate and the Oklahoma House of Representatives may provide staff assistance to the Task Force to Study Oklahoma's Developmental Disabilities Services as necessary to assist the Task Force in the performance of its duties. In addition, the Legislative Service Bureau, subject to the approval of the Joint Committee on Fiscal Operations, may employ necessary additional staff to assist the Task Force in the performance of its duties. The term of employment for any staff so employed pursuant to this provision shall not exceed a period ending February 1, 1992. At the direction of the Joint Committee on Fiscal Operations, the Legislative Service Bureau may contract for the services of appropriate consultants or consulting firms expert in the field of services to developmentally disabled persons to assist the Task Force in the performance of its duties and responsibilities. The Joint Committee on Fiscal Operations shall select consultants on the

basis of a request for proposal which shall be developed by the Joint Committee on Fiscal Operations with the advice of the Task Force.

SECTION 6. Copies of this resolution shall be directed to the Commissioner of Health, the Director of the Department of Human Services and the Commissioner of the Department of Mental Health and Substance Abuse Services.

SECTION 7. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-1-5452

KVR