

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE

FOR ENGROSSED SENATE

JOINT RESOLUTION NO. 14

By: Rozell of the Senate

and

Settle of the House

COMMITTEE SUBSTITUTE

A Joint Resolution directing the Commission for Human Services to study, consider and analyze the effect of certain transfers and the desirability of certain placements; directing the Commission to avail itself of available legal procedures to protect certain interests; directing distribution; and declaring an emergency.

WHEREAS, the State of Oklahoma and all agencies of this state have an obligation to act in the best interest of all citizens of this state; and

WHEREAS, the State of Oklahoma has a special obligation to provide certain services to its citizens with developmental disabilities; and

WHEREAS, recent independent professional studies have indicated that group homes provide the highest level of consumer satisfaction of all types of placements and may be the most appropriate living arrangement for some citizens with developmental disabilities; and

WHEREAS, the State of Oklahoma has limited resources and a constitutional obligation to act within certain budgetary limitations and therefore must carefully consider the fiscal impact of its policies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 44TH OKLAHOMA LEGISLATURE:

SECTION 1. A. The Commission for Human Services is directed to carefully study, consider and analyze both positive and negative effects of transferring medically fragile residents of the Hisson Memorial Center into the community to determine interventions that facilitate best practices, inclusion over segregation, independence over dependence, while inherently responding first to the interests of individuals with developmental disabilities who are medically fragile. The Commission shall also carefully study, consider and analyze the long-term benefits and costs of transferring medically fragile persons to a system of community-based supports as opposed to keeping institutional services that are not licensed to provide technical medical support on-site.

B. The Commission for Human Services is directed to carefully study, consider and analyze the desirability of increased utilization of less costly community-based options such as foster care, adult companion care and, if necessary, group home care in the range of care provided to citizens with developmental disabilities and specifically to Hisson class members.

C. The Commission is directed to ensure that, as required in the Hisson Consent Decree, the aggregate total costs of placements in the community do not exceed the aggregate cost of placement in Hisson and if this is not possible the Commission is directed to avail itself of all available legal procedures to protect the interests of its citizens with developmental disabilities, including Hisson class members, and to protect the fiscal interests of the state, including cuts not limited to seeking the modification of any consent decree which hinders or prevents the protection of such interests.

SECTION 2. The Secretary of State is hereby directed to distribute copies of this resolution to all members of the Commission for Human Services.

SECTION 3. 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 resolution

shall take effect and be in full force from and after its passage and approval.

44-1-6854            KSM