

ENROLLED HOUSE
BILL NO. 2742

By: Hamilton (James) and
Steidley of the House

and

Taylor and Haney of the
Senate

An Act relating to Social Services; making an appropriation to the Department of Human Services; specifying purpose; making reappropriation and redesignation; requiring certain programs be implemented; designating purposes of appropriation; providing expenditure limits; providing budgetary limitations; providing for duties and compensation of employees; setting budgetary limitations; prohibiting certain transfers; prohibiting certain finalization of certain rates; prohibiting certain changes; providing exceptions; requiring certain processes and procedures; requiring certain written explanation; making appropriation to the Department of Rehabilitation Services; specifying purpose; specifying categories and amounts for certain funds; providing expenditure limits; providing exemption from expenditure and budgetary limitations; providing for duties and compensation of employees; setting maximum salary of the director; setting budgetary limitations; providing exceptions; authorizing certain transfers; providing for effect of transfer limitations; prescribing procedures for transfer of certain funds; authorizing request by certain directions for fund transfer; and making certain appropriations nonfiscal.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

DEPARTMENT OF HUMAN SERVICES

SECTION 1. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of Nineteen Million Five Hundred Sixty-four Thousand Two Hundred Ten Dollars (\$19,564,210.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Human Services by law.

SECTION 2. REAPPROPRIATION AND REDESIGNATION The amount of Two Hundred Thousand Dollars (\$200,000.00) originally appropriated by Section 51, Chapter 117, O.S.L. 1993, as amended by Section 1, Chapter 269, O.S.L. 1993, to the Oklahoma State Department of Health from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1994, not otherwise appropriated, for the purpose of performing the duties imposed upon the Oklahoma State Department of Health by law is hereby

reappropriated to the Department of Human Services for the Medicaid program. The reappropriation made by this section shall be expended exclusively for the purpose so stated and shall not be transferrable.

SECTION 3. From the funds appropriated to the Department of Human Services, the following programs shall be implemented:

Delinquency and Youth Gang Intervention Grants	\$1,000,000.00
Military Mentor and Court Probation Sanctions	\$600,000.00
First Offender Program	\$1,400,000.00
Expansion of Secure Detention Beds	\$632,517.00
Enhanced Detention Reimbursement for Oklahoma and Tulsa Counties	\$629,308.00
Detention Transportation Program	\$606,500.00
Addition of 32 New START Beds at the Central Oklahoma Juvenile Center	\$550,000.00
Construction and Renovation of Juvenile Facilities	\$486,300.00

SECTION 4. The funds appropriated or reappropriated to the Department of Human Services in Sections 70, 71 and 72 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, Sections 15 and 16 of Enrolled House Bill No. 2761 of the 2nd Session of the 44th Oklahoma Legislature, and Sections 1 and 2 of this act shall be expended in the following amounts and categories:

1. Office of Juvenile Justice	\$ 51,757,042.00
2. Division of Child Welfare	12,252,708.00
3. Oklahoma Youth Services Agencies	12,400,661.00
4. Services for the Developmentally Disabled	53,076,743.00
5. Title XIX Medical Payments	268,586,467.00
6. AFDC Entitlements	46,613,216.00
7. AABD State Supplement Payments	40,009,346.00
8. Day Care Payments	28,368,371.00
9. Family Support Services	3,658,795.00
10. Field Operations	82,445,157.00
11. Aging Services	8,699,989.00
12. Administration, Medical Services Administration and Data Services Division	43,290,556.00
13. Office of Child Care	<u>1,935,447.00</u>
TOTAL	\$653,094,498.00

SECTION 5. From all sources of revenue during the fiscal year ending June 30, 1995, expenditures for the following categories by the Department of Human Services excluding expenditures for capital and special projects, shall not exceed:

1. Office of Juvenile Justice	\$ 81,950,638.00
2. Division of Child Welfare	45,529,850.00
3. Services for the Developmentally Disabled	132,582,463.00
4. Title XIX Medical Payments	1,161,230,537.00
5. AFDC Entitlements	165,775,148.00
6. AABD State Supplement Payments	40,009,346.00

7. Day Care Payments	65,668,197.00
8. Family Support Services	37,983,490.00
9. Field Operations	150,799,737.00
10. Child Support Enforcement	13,272,712.00
11. Aging Services	28,153,445.00
12. Administration, Medical Services Administration and Data Services Division	95,804,446.00
13. Office of Child Care	5,955,419.00
TOTAL	<u>\$2,024,715,428.00</u>

SECTION 6. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Human Services by law shall be set by the Director of Human Services. The Department of Human Services for the fiscal year ending June 30, 1995, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Average Full-time-equivalent Employees	9,016.8
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$222,579,184.00
Professional and Personal Services Contracts, Excluding the Contract with the Oklahoma Professional Review Organization for Review of Medical Services Utilization and the Contract for Medical Claims Processing	\$5,254,692.00
Lease-Purchase Agreements	\$8,997,000.00
Purchase of Equipment	\$5,994,450.00
Expenditure of Federal Funds	\$1,266,926,016.00
Total Expenditures for Operations	\$2,024,715,428.00

SECTION 7. The Department of Human Services, pursuant to the provisions of Section 41.12 of Title 62 of the Oklahoma Statutes, shall not transfer funds between the Oklahoma Youth Services Agencies line item and other line item appropriations.

SECTION 8. The Commission for Human Services, except in cases of emergency or when required by state or federal law, shall not finalize provider rates for fiscal year 1996 until the end of the regular session of the Legislature in fiscal year 1995. Further, the Commission shall not change rates for fiscal year 1995 after January 1, 1995, except in cases of emergency or when required by state or federal law. If, in the opinion of the Commission, an emergency situation or legal mandate exists, the Commission may make appropriate provider rate changes. The Commission shall make these rate changes effective not later than the effective date of any such legal requirement.

Prior to final approval of rate changes due to an emergency or legal mandate, the Director of the Department of Human Services shall provide written notification of the intended actions and reasons for such actions to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate. Following final approval of the changes by the Commission, the Director shall further provide the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate with a written explanation of the methodology and assumptions made in arriving at the emergency rate change. The provisions of this section shall be subject to the provisions of the Oklahoma

Central Purchasing Act, Section 81.5 et seq. of Title 74 of the Oklahoma Statutes.

DEPARTMENT OF REHABILITATION SERVICES

SECTION 9. There is hereby appropriated to the Department of Rehabilitation Services from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of Four Hundred Seventy-four Thousand Two Hundred Twenty-two Dollars (\$474,222.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Rehabilitation Services by law.

SECTION 10. The funds appropriated to the Department of Rehabilitation Services in Sections 74 and 75 of Enrolled Senate Bill No. 896 and Section 9 of this act shall be expended in the following amounts and categories:

1. Rehabilitative and Visual Services	\$11,940,307.00
2. School for the Blind	4,235,446.00
3. Services for the Deaf and Hearing Impaired	<u>5,451,646.00</u>

TOTAL \$21,627,399.00

SECTION 11. From all sources of revenue during the fiscal year ending June 30, 1995, expenditures for the following categories by the Department of Rehabilitation Services excluding expenditures for capital and special projects, shall not exceed:

1. Rehabilitative and Visual Services	\$46,145,450.00
2. School for the Blind	4,672,871.00
3. Services for the Deaf and Hearing Impaired	6,016,633.00

4. Disability Determination Unit 12,586,915.00
TOTAL \$69,421,869.00

SECTION 12. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Rehabilitation Services by law shall be set by the Commission for Rehabilitation Services. The salary of the Director shall not exceed Sixty-one Thousand Two Hundred Sixty-nine Dollars (\$61,269.00) per annum, payable monthly for the fiscal year ending June 30, 1995. The Department of Rehabilitation Services for the fiscal year ending June 30, 1995, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	921.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$23,864,336.00
Professional and Personal Services Contracts	\$1,230,000.00
Lease-Purchase Agreements	\$7,000.00
Purchase of Equipment	\$2,556,789.00
Expenditure of Federal Funds	\$48,653,229.00
Total Expenditures for Operations	\$69,421,869.00

SECTION 13. Receipt and expenditure of unanticipated federal funds awarded after July 1, 1994, shall be exempt from the expenditure limitations in Sections 5 and 11 of this act and from budgetary limitations provided for in Sections 6 and 12 of this act, provided that any such funds used for operations shall be included in either agency's budget work program.

SECTION 14. The limitation on the transfer of funds between accounts specified in Section 41.12 of Title 62 of the Oklahoma Statutes shall relate only to the line items specified in Sections 5 and 11 of this act, and shall not be construed to be a limitation on budgetary subdivisions included in either agency's budget work program.

SECTION 15. The Director of State Finance shall transfer monies apportioned from the General Revenue Fund to the Department of Human Services' and the Department of Rehabilitation Services' disbursing funds in the amounts and ratios requested by either agency except that the cumulative amounts transferred shall not exceed the cumulative amounts of equal monthly allotments of the appropriations from the General Revenue Fund.

Monies appropriated or collected for the fiscal year ending June 30, 1995, may be transferred to these disbursing funds for the fiscal year ending June 30, 1994, to satisfy encumbrances and obligations of said fiscal year; provided, that monies equal in amount are transferred from appropriations or collections for the fiscal year ending June 30, 1994, to the disbursing funds for the fiscal year ending June 30, 1995, to satisfy encumbrances and obligations of said fiscal year. All transfer requests shall be in writing to the Director of State Finance. The Department of Human Services and the Department of Rehabilitation Services shall maintain records of the interyear transfers.

SECTION 16. The Directors of the Department of Human Services and the Department of Rehabilitation Services may request through the Director of State Finance the early transfer by the Oklahoma Tax Commission of tax collections to the General Revenue Fund for the purpose of early allocation to either agency's disbursing funds to alleviate cash-flow problems.

SECTION 17. The appropriations made by Sections 1 and 9 and the reappropriation made by Section 2 of this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this act is approved.

Passed the House of Representatives the 19th day of May, 1994.

Speaker of the House of
Representatives

Passed the Senate the 20th day of May, 1994.

President of the Senate