ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE BILL NO. 2231

By: Voskuhl and Boyd (Laura) of the House

and

Williams (Penny) of the Senate

(children - Family Centered and Community Designed Services Act - amending 10 O.S., Sections 601.7, 601.42 and 601.44 - codification - effective date)

AUTHOR: Add the following Senate Coauthor: Long (Ed)

AMENDMENT NO. 1. Page 1, strike the title, enacting clause and entire bill and insert

[children - Family Centered and Community Designed Services Act - amending 10 O.S., Sections 601.7, 601.42 and 601.44 - codification - effective date]

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 601.71 of Title 10, unless there is created a duplication in numbering, reads as follows:

Sections 1 through 7 of this act shall be known and may be cited as the "Family Centered and Community Designed Services Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 601.72 of Title 10, unless there is created a duplication in numbering, reads as follows:

As used in the Family Centered and Community Designed Services Act:

1. "Community services" means services designed and implemented at the local level including, but not limited to:

a. child abuse prevention,

b. other violence prevention,

c. family support and preservation,

d. literacy,

e. peer support,

f. job skills education,

g. employment,

h. health education,

i. health care,

j. parenting,

k. respite care,

l. child care,

m. child development,

n. housing, and

o. transportation services;

The methods of delivery of community services shall include, but not be limited to, family resource centers, voluntary home visitation, case management, wrap-around services, and co-location of services. Except as otherwise required by law with regard to child abuse or neglect or as ordered by a court, the services shall be provided on a voluntary basis and the consent of the parent or legal guardian of a child shall be required for the delivery of services to a child or the child's family;

2. "Local management team" means the locally appointed body responsible for the design and implementation of a local service system pursuant to the Family Centered and Community Designed Services Act;

3. "Local service system" means a collaborative system of programs, community services and service delivery designed and implemented to:

a. meet the needs of local communities,

b. fill service gaps within the community, and

c. provide for wrap-around services to individual children and families within the community who require such services;

4. "Service gaps" means specific programs, community services, or methods of service delivery that do not currently exist within a community and that are necessary or desirable for a comprehensive local service system;

5. "State Management Team" means the body established pursuant to Section 5 of this act that is responsible for preparing proposed interagency agreements related to policies and procedures to be implemented by state agencies for the purpose of removing barriers to effective service delivery and wrap-around services listed in Section 3 of this act and for the preparation of any subsequent amendments to the interagency agreements; and

6. "Wrap-around services" means the delivery of services specifically tailored to the individual needs of a child or family or to ensure continuity of service delivery and unnecessary duplication among agencies. Wrap-around services are provided for by multiagency sharing in the costs of providing such services including, but not limited to, methods of reimbursement between agencies for the delivery of the services.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 601.73 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma State Legislature finds that the most frequently identified problems experienced by families seeking or receiving services for their children are:

1. Difficulty in identifying appropriate service providers;

2. Completing multiple applications and procedures, most of which require substantially similar information, when services are provided by more than one agency;

3. Confusing series of referrals from one service provider to another;

4. Confusing, and occasionally contradictory, duplications in the delivery of services when services are received through more than one agency or service provider;

5. The delivery of services based upon those services that are available rather than the delivery of services based upon the needs of the child or family; and

6. Limitations imposed by categorical funding methods that preclude or inhibit the use of flexible or integrated funding strategies which would allow fiscal support for the delivery of services specifically coordinated to meet the specific needs of a child or family.

B. It is therefore the intent of the Legislature and the purpose of the Family Centered and Community Designed Services Act:

1. To engage businesses, service providers, volunteers, educators and families in planning, policy and priority setting, community development and serving families in their own communities and, through such community partnerships, ensure that there is a coordinated effort among agencies, groups and organizations within the community to identify and fill service gaps within their community, provide for a collaborative system of community services and provide for the delivery of wrap-around services to children and families that require such services;

2. That the State Management Team shall implement policies and procedures through interagency agreements which:

a. reduce or eliminate the barriers to effective service delivery listed in subsection A of this section, and

b. provide support to local management teams and their planning for and implementation of the local service systems;

3. That the Oklahoma Planning and Coordination Council for Services to Children and Youth shall:

a. serve as an advisory body to the State Management Team and review and make recommendations regarding the interagency agreements, and

b. develop criteria for the selection of pilot sites for demonstration programs and for evaluation of the demonstration programs, and review and make recommendations regarding applications for technical assistance and other assistance for the development and implementation of local community service systems; and

4. That the Oklahoma Commission on Children and Youth, which includes the directors of the state agencies primarily responsible for the delivery of services to children and their families and representatives of statewide organizations whose members provide services to children and families, shall be responsible for the coordinated implementation of the Family Centered and Community Designed Services Act.

C. It is further the intent of the Legislature that nothing in the Family Centered and Community Designed Services Act shall operate to inhibit or preclude the development and implementation of programs and services relating to children and families through local initiatives not provided for by the Family Centered and Community Designed Services Act.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 601.74 of Title 10, unless there is created a duplication in numbering, reads as follows:

The following state agencies shall be responsible for implementation of the requirements of the Family Centered and Community Designed Services Act:

1. The Oklahoma Commission on Children and Youth;

2. The Department of Human Services;

3. The State Department of Health;

4. The Department of Rehabilitation Services;

5. The State Department of Education;

6. The Department of Mental Health and Substance Abuse Services;

7. The Oklahoma Health Care Authority;

8. The Department of Corrections;

9. The Office of Juvenile Affairs; and

10. The Oklahoma Indian Affairs Commission.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 601.75 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. On or before July 1, 1997, the State Management Team shall prepare and submit to the Oklahoma Planning and Coordination Council for Services to Children and Youth proposed interagency agreements to reduce or eliminate barriers to effective wrap-around services and effective service delivery listed in subsection A of Section 3 of this act and to provide support to local management teams. The proposed interagency agreements shall include but not be limited to:

1. The interagency program and fiscal policies necessary for implementation;

2. The adoption of common service priorities across program lines. The service priorities shall incorporate to the maximum extent possible the goals and recommendations of the State Plan for Children and Youth and the State Plan for the Prevention of Child Abuse;

3. The use of common service application forms and, to the maximum extent possible, eligibility determination forms and criteria;

4. Information sharing and a shared, computerized data base. The shared data base may be phased in over time, provided that the interagency agreements shall include a schedule for implementing the shared data base;

5. The sharing of confidential information in accordance with state and federal law; and

6. The method for providing information, technical assistance, skills development, support and facilitation to local management teams, including but not limited to the identification of state agency funds or other resources to be applied for this purpose through the site selection and application processes approved by the Oklahoma Commission on Children and Youth.

B. In preparing the proposed interagency agreements, the State Management Team shall utilize and incorporate the plans, recommendations, information and resources available through other existing interagency entities related to services to children and families including, but not limited to, interagency task forces, committees and advisory bodies established pursuant to state or federal law, and shall recognize and incorporate to the maximum extent possible existing local service design and coordination activities.

C. Upon the approval of the proposed interagency agreements by the Commission, the agencies responsible for the implementation of the Family Centered and Community Designed Services Act shall execute and implement the interagency agreements.

D. Subsequent modifications to the interagency agreements shall be submitted to the Council for review and recommendations and approved by the Commission.

E. The State Management Team shall be composed of not less than four persons appointed by the Commission from the membership of the Council and a representative of each of the state agencies responsible for the implementation of the Family Centered and Community Designed Services Act. At least four of the persons appointed by the Commission shall be lay persons who are not service providers. The state agency representatives may also be members of the Council.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 601.76 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. On or before November 1, 1997, the Oklahoma Planning and Coordination Council for Services to Children and Youth shall:

1. Review the proposed interagency agreements required by the Family Centered and Community Designed Services Act and make recommendations regarding those agreements to the State Management Team and the Oklahoma Commission on Children and Youth;

2. Submit proposed criteria for the selection of pilot sites to receive technical and other assistance for the implementation of a local service system and an application process for technical and other assistance. The selection of pilot sites shall be primarily based on objective criteria, including but not limited to the incidence of child abuse, other forms of violence, and other recognized risk factors; and

3. Submit proposed criteria for the evaluation of demonstration programs to the Commission.

B. The Council shall review applications for technical or other assistance for the planning and implementation of local service systems and make recommendations to the Commission regarding the approval of the applications.

C. The Council shall monitor the implementation of the Family Centered and Community Designed Services Act and make reports and

recommendations to the State Management Team, the Commission and the Joint Legislative Committee for Review of Coordination of Services to Children and Youth as appropriate and necessary.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 601.77 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. On or before January 1, 1998, the Oklahoma Commission on Children and Youth shall:

1. Review and approve the proposed interagency agreements submitted by the State Management Team and the proposed pilot site selection criteria and application processes; and

2. Select not more than six pilot sites as demonstration projects for the implementation of local service systems.

B. After evaluation of the demonstration projects and any necessary modifications to the interagency agreements, technical assistance application process and evaluation criteria, the Commission shall, within the limitations of funds and other resources for that purpose, provide for statewide availability of technical and other assistance to local communities for the development and implementation of local service systems.

C. The Commission shall provide meeting space and support services as necessary to facilitate the implementation of the requirements of the Family Centered and Community Designed Services Act.

D. The Commission shall submit to the Governor, the President Pro Tempore of the State Senate, the Speaker of the Oklahoma House of Representatives, and the chairpersons of the appropriate legislative committees regular, but not less than annually, periodic reports regarding progress toward implementation of the Family Centered and Community Designed Services Act.

E. Representatives of the State Management Team and the Oklahoma Planning and Coordinating Council for Services to Children

and Youth shall meet regularly with the Joint Legislative Committee for Review of Coordination of Services to Children and Youth, as directed by the Committee, and shall submit to the Committee progress reports, plans, interagency agreements and other information related to the design and implementation of the service system required by the Family Centered and Community Designed Services Act as appropriate or as directed by the Committee.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 601.78 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. Local management teams shall be composed of representatives of local businesses and civic organizations, child and family services consumers, other citizens, and local service providers appointed by the governing body of the city or municipality. At least sixty percent (60%) of the local management team shall be nonservice providers. A local management team may be appointed to develop a local service system for the community as a whole or for a specific neighborhood or area within a city or municipality. When the local management team is for a specific neighborhood or area within a city or municipality, the majority of the members of the local management team shall be residents within the neighborhood or area.

B. The local management team shall be responsible for the design and implementation of the local service system. The planning for and implementation of the local service system shall include but not be limited to:

1. The participation of area residents and the development of community, business, governmental, education and other partnerships in achieving the goals of the local service system;

2. Identification of specific and measurable objectives;

3. Incorporation of comprehensive and focused strategies that utilize existing local programs and resources, and state programs

and resources, in accordance with the interagency agreements required by the Family Centered and Community Designed Services Act;

4. Incorporation of approaches to service delivery and the prevention of child abuse and other forms of violence that have been proven or are most likely to be effective;

5. The coordinated referral and delivery of services to children and their families;

6. Local interagency collaboration and program and fiscal policies necessary for the delivery of wrap-around services to children and families;

7. Methods of identifying service gaps and implementing community services to fill service gaps;

8. Methods of providing support for the operational requirements of the local service system;

9. The sharing of confidential information in accordance with state and federal law; and

10. Focus, at least initially, on:

a. services to children and their families having multiple needs,

b. the early identification of children and their families who are at risk,

c. services to prevent problems before they develop, intensify or escalate into crisis situations,

d. case management to reduce duplication and provide quality services through comprehensive interagency planning, and

e. information and referral services.

C. The local representatives of the agencies responsible for the implementation of the Family Centered and Community Designed Services Act shall provide support and information and data related to services delivered to children and their families to the local

management teams in accordance with the provisions of the interagency agreements.

D. The governing body of a city or municipality may apply for technical and other assistance for the local management team and the planning for and implementation of a local service system in accordance with the application process adopted by the Oklahoma Commission on Children and Youth.

SECTION 9. AMENDATORY 10 O.S. 1991, Section 601.7, as last amended by Section 186, Chapter 352, O.S.L. 1995 (10 O.S. Supp. 1995, Section 601.7), is amended to read as follows:

Section 601.7 A. There is hereby created the Oklahoma Planning and Coordinating Council for Services to Children and Youth which shall consist of a minimum of twenty-five (25) and a maximum of fifty (50) members, appointed by the Oklahoma Commission on Children and Youth~~. In appointing persons to serve as members of the Oklahoma Planning and Coordinating Council for Services to Children and Youth, the Commission shall adhere to the following guidelines~~ as follows:

1. ~~Persons holding the following positions or such persons' designee, shall be requested to serve as members of the Council:~~

~~a. the Directors of the Oklahoma Department of Corrections, the Oklahoma State Bureau of Investigation, the Department of Commerce, the Employment Security Commission, and the Indian Affairs Commission;~~

~~b. the Chiefs of Guidance Services, Maternal and Child Health Service and Women, Infants and Childrens Service of the State Department of Health;~~

~~c. the Coordinators for Children and Youth Services and Substance Abuse Services of the Department of Mental Health and Substance Abuse Services;~~

~~d. the Supervisors of Child Welfare and Community-Based Youth Services of the Division of Children and Youth Services of the Department of Human Services and Representatives of each of the following Divisions of the Department of Human Services: Medical Services; Family Support Services; Field Services; Rehabilitative Services; and Developmentally Disabled Services;~~

~~e. the Executive Director of the Office of Juvenile Affairs or the Deputy Director for the Department of Juvenile Justice, as determined by the Executive Director and the Supervisors of Institutional Services, Youth Services, and Juvenile Services of successor divisions of the Department of Juvenile Justice;~~

~~f. the Administrators of the Special Education Services, Gifted and Talented Services, and Guidance and Counseling Services and Research and Testing Services of the State Department of Education;~~

~~g. the State Board of Regents for Higher Education and the State Board of Vocational and Technical Education; and~~

~~h. the President, Chairman, or Director, as appropriate, of professional and civic organizations related to children, youth and family services, including, but not limited to: the Oklahoma Education Association; the Oklahoma Association of Children's Institutions and Agencies; the Oklahoma Association of Youth Services; the Oklahoma Health and Welfare Association; the Oklahoma Public Health Association; the Oklahoma Chapter of the National Association of Social Workers; the Oklahoma Sheriffs and Peace Officers Association;~~

~~the Oklahoma Chamber of Commerce and the Academy for State Goals.~~

~~2. The elected representatives of each of the regional planning and coordinating boards for children and youth services.~~

~~3. There shall be additional members appointed from among the following groups: business; judiciary; labor; law enforcement; media; parents; volunteer service organizations; child care facilities; community-based services to children, youth and families; community mental health services; inpatient mental health services; common education, local entities; higher education; and vocational-technical education.~~

~~4. Additional members may be appointed at the discretion of the Commission.~~

The elected representatives of each of the regional planning and coordinating boards for children and youth;

2. The president, chair, or director, as appropriate, of statewide professional or civic organizations related to services to children, youth and families;

3. Members representing:

a. business,

b. industry,

c. labor,

d. local governmental entities,

e. law enforcement,

f. volunteer service organizations, and

g. consumers; and

4. Representatives of the following state agencies:

a. Department of Human Services,

b. State Department of Health,

c. Department of Mental Health and Substance Abuse Services,

d. Office of Juvenile Affairs,

e. State Department of Education,

f. Oklahoma Employment Securities Commission,

g. Department of Corrections,

h. Oklahoma Indian Affairs Commission,

i. Department of Commerce,

j. Oklahoma State Regents for Higher Education,

k. State Department of Vocational and Technical Education,

l. Oklahoma Health Care Authority, and

m. Department of Rehabilitation Services.

The Commission may, at its discretion, reconstitute the membership of the Council on a phased-in basis as the terms of membership on the Council expire.

B. Members of the Oklahoma Planning and Coordinating Council for Services to Children and Youth shall serve for a term of two (2) years, and may be reappointed.

C. Members ~~of the Oklahoma Planning and Coordinating Council for Services to Children and Youth~~ shall serve without compensation but may be reimbursed in accordance with the provisions of the State Travel Reimbursement Act.

~~D. Staff assistance for the Oklahoma Planning and Coordinating Council for Services to Children and Youth shall be provided by the Oklahoma Commission on Children and Youth through interagency agreement or contract with the Department of Human Services and other state agencies as necessary.~~

SECTION 10. AMENDATORY 10 O.S. 1991, Section 601.42, is amended to read as follows:

Section 601.42 As used in the Act for Coordination of Special Services to Children and Youth, Section 601.41 et seq. of this title:

1. "Committee" means the Joint Legislative Committee for Review of ~~Special~~ Coordination of Services to Children and Youth;

2. "Commission" means the Commission on Children and Youth;

3. "Coordinating Council" means the Interagency Coordinating Council for Special Services to Children and Youth appointed pursuant to Section 601.45 of this title;

4. "Eligible population" means children and youth three (3) to twenty-one (21) years of age who are identified as eligible for related services pursuant to an ~~IEP~~ Individualized Education Program (IEP);

5. "IEP" means an Individualized Education Program developed in accordance with the Education of All Handicapped Children Act of 1975, P.L. No. 94-142, as amended;

6. "Local education agency" means a dependent, independent, or area school district or other entity so defined by the Code of Federal Regulations, 34 C.F.R. Section 300.8;

7. "Related services" means services so defined by 34 C.F.R. Section 300.13;

8. "Special services population" means children and youth who are not part of the eligible population as defined herein but who are being served by or are eligible to be served by a school district pursuant to subsection B, C, D, E, F, or G of Section 1-113 of Title 70 of the Oklahoma Statutes or subsection D, E, or F of Section 18-110 of Title 70 of the Oklahoma Statutes; and

9. "State Plan" means the State Plan for Special Education and Special Student Service Coordination and Assistance developed pursuant to Section 601.46 of this title.

SECTION 11. AMENDATORY 10 O.S. 1991, Section 601.44, as amended by Section 2, Chapter 377, O.S.L. 1994 (10 O.S. Supp. 1995, Section 601.44), is amended to read as follows:

Section 601.44 A. There is hereby created the Joint Legislative Committee for Review of ~~Special~~ Coordination of Services to Children and Youth, which shall review, monitor and make recommendations regarding the implementation of:

1. ~~Meet with the Coordinating Council, and with other state officials and employees responsible for the implementation of Section 601.41 et seq. of this title at regular intervals as established by the committee and whenever otherwise necessary to ensure that the purposes of Section 601.41 et seq. of this title are accomplished promptly and thoroughly;~~

~~2. Recommend changes in proposed interagency agreements and the State Plan as deemed advisable;~~

~~3. Review said interagency agreements and State Plan and review subsequent revisions of said agreements and State Plan;~~

~~4. Hold hearings regarding any matters related to Section 601.41 et seq. of this title;~~

~~5. Monitor the implementation of Section 601.41 et seq. of this title; and~~

~~6. Recommend legislation to correct statutory provisions that interfere with interagency agreements or coordination or delivery of services or that is otherwise necessary for the implementation of Section 601.41 et seq. of this title, giving particular attention to Sections 1-113, 13-101 et seq. and 13-114.1 et seq. of Title 70 of the Oklahoma Statutes and to court orders, consent decrees, and policies of state and local agencies which affect the placement of children and youth of the eligible and special services populations.~~

The Act for the Coordination of Special Services to Children and Youth; and

2. The Family Centered and Community Designed Services Act.

B. The Committee shall, with regard to the acts listed in subsection A of this section:

1. Meet with the entities responsible for the planning and implementation of the acts at regular intervals as established by the Committee and whenever otherwise necessary to ensure that the purposes of the acts are accomplished promptly and thoroughly;

2. Review interagency agreements, plans, system or program designs and other similar documents or reports related to the coordinated planning and implementation of the acts, and subsequent revisions to such documents or reports, and recommend changes as necessary or advisable;

3. Hold hearings regarding any matters related to the acts as necessary or advisable; and

4. Recommend legislation to revise statutory provisions that relate to interagency agreements or coordination or delivery of services pursuant to the acts, or that is otherwise necessary for the implementation of the acts. With regard to the Act for the Coordination of Special Services to Children and Youth, the Committee shall give particular attention to Section 1-113, Sections 13-101 et seq. and 13-114.1 et seq. of Title 70 of the Oklahoma Statutes and to court orders, consent decrees, and policies of state and local agencies which affect the placement of children and youth.

~~B.~~ C. The Joint Legislative Committee for Review of ~~Special~~ Coordination of Services to Children and Youth shall have fourteen (14) members who shall be legislators and who shall serve at the pleasure of the appointing authority. Seven members shall be appointed by the President Pro Tempore of the Senate and seven members shall be appointed by the Speaker of the House of Representatives. The chair shall be appointed by the President Pro Tempore for odd-numbered calendar years from among the legislators appointed by the President Pro Tempore and by the Speaker for even-numbered calendar years from among the legislators appointed by the Speaker. The vice-chair shall be appointed by the Speaker for odd-numbered calendar years from among the legislators appointed by the Speaker and by the President Pro Tempore on even-numbered calendar years from among the legislators appointed by the President Pro Tempore. No quorum shall be required for a meeting, but no motion shall have effect unless at least four members appointed by the

President Pro Tempore and four members appointed by the Speaker are present and cast affirmative votes for such motion. Staff support services required by the Committee shall be provided by the Legislative Service Bureau and, as requested by the Committee, the Oklahoma Commission on Children and Youth.

SECTION 12. This act shall become effective November 1, 1996."

Passed the Senate the 8th day of April, 1996.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1996.

Speaker of the House of Representatives