

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1865

By: Seikel, Boyd (Laura),
Blackburn and Voskuhl of
the House

and

Monson of the Senate

COMMITTEE SUBSTITUTE

(children - Early Identification and Service Support for
Children and Families Act - amending sections in Titles
10 and 63 - 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 601.70 of Title 10, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Early
Identification and Service Support for Children and Families Act".

SECTION 2. 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:

A. The State Department of Health, the Oklahoma Healthcare
Authority, the Oklahoma Commission on Children and Youth, the
Department of Human Services, the State Department of Rehabilitation

Services, the State Department of Education, the Department of Mental Health and Substance Abuse Services, the Office of Juvenile Affairs, the Oklahoma Indian Affairs Commission, and other appropriate public and private agencies shall:

1. Jointly design and implement a system for:
 - a. the early identification of children and their families, including, but not limited to, identification at or prior to the birth of a child, who may require or benefit from services available through the state, whether such services are administered directly by the state, a governmental subdivision of the state, or by contract with a private agency or organization, and
 - b. a program of home visitation to such children and their families for the purpose of offering information, outreach, referral and follow-up to appropriate service resources, case-management or other necessary and appropriate services and assistance; and

2. Meet regularly with the Joint Legislative Committee for Review of Special Services to Children and Youth, as directed by the Committee, and submit to the Committee progress reports, plans, interagency agreements and other information as appropriate or directed by the Committee.

B. The design and implementation of the service system required pursuant to the Early Identification and Service Support for Children and Families Act shall be based upon coordination of existing health and social support programs and services and utilization of collaborative funding mechanisms.

C. The State Department of Health shall be the lead agency for completing the design and implementation of the system required by this section and shall be responsible for convening meetings, and

providing meeting space and administrative, staff, and other necessary support services. The agencies listed in subsection C of this section shall be responsible for providing information and staff and other assistance as necessary to implement the provisions of the Early Identification and Service Support for Children and Families Act.

D. Except as otherwise required by law with regard to child abuse and neglect, the consent of the parent or legal guardian of a child identified pursuant to the Early Identification and Service Support for Children and Families Act shall be required for the provision of services delivered pursuant to the provisions of this section.

SECTION 3. AMENDATORY 10 O.S. 1991, Section 601.44, as amended by Section 2, Chapter 377, O.S.L. 1994 (10 O.S. Supp. 1994, 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 Services to Children and Youth, which shall review, monitor and make recommendations regarding the implementation of the Act for the Coordination of Special Services to Children and Youth and the Early Identification and Service Support for Children and Families Act, and shall:

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~~ the Act for the Coordination of Special Services to Children and Youth and the Early Identification and Service Support for Children and Families Act, at regular intervals as established by the ~~committee~~ Committee and whenever otherwise necessary to ensure that the purposes of ~~Section 601.41 et seq. of this title~~ the Act for the Coordination of Special Services to Children and Youth and the Early Identification and Service Support for Children and Families Act are accomplished promptly and thoroughly;

2. Recommend changes in proposed interagency agreements ~~and,~~ the State Plan and the system and program required by the Early Identification and Service Support for Children and Families Act as deemed advisable;

3. Review ~~said~~ interagency agreements ~~and,~~ the State Plan and the system and program required by the Early Identification and Service Support for Children and Families Act, and review subsequent revisions ~~of said~~ to such agreements ~~and,~~ the State Plan and the system and program required by the Early Identification and Service Support for Children and Families Act;

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~~ the Act for the Coordination of Special Services to Children and Youth and the Early Identification and Service Support for Children and Families Act; and

~~6.~~ 5. 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:~~

- a. the Act for the Coordination of Special Services to Children and Youth, 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, and
- b. the Early Identification and Service Support for Children and Families Act.

B. The Joint Legislative Committee for Review of Special 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 4. AMENDATORY 63 O.S. 1991, Section 1-543, is amended to read as follows:

Section 1-543. A screening procedure for the detection of hearing impairments and for the early identification of children and their families who require or will benefit from health or social support services offered or provided through a program of home visitation pursuant to the Early Identification and Service Support for Children and Families Act shall be required for all infants. Such screening procedures shall be administered by a physician, audiologist, registered nurse or other qualified person. The State Board of Health shall develop procedures and guidelines for the administration of screening procedures ~~for the detection of hearing impairments~~ pursuant to this section.

SECTION 5. AMENDATORY 63 O.S. 1991, Section 1-544, is amended to read as follows:

Section 1-544. A. The results of the screening procedures, conducted pursuant to Section ~~1~~ 1-543 of this ~~act~~ title, shall be reported to the State Department of Health in accordance with procedures adopted by the State Board of Health.

B. The results of the screening procedures for the early identification of children and their families who may require health or other services shall be referred to the appropriate agency or organization in accordance with the system designed and implemented pursuant to the Early Identification and Service Support for Children and Families Act.

SECTION 6. AMENDATORY 63 O.S. 1991, Section 1-545, is amended to read as follows:

Section 1-545. A. The State Commissioner of Health shall compile and publish annually the results of the infant screening procedures using the information reported to the Department. The Commissioner may authorize the release of information concerning children who are found to have hearing impairments to the appropriate agencies and departments so that such children may receive the necessary care and education.

B. The results of the screening procedures for the early identification of children and their families who may require health or other services shall be compiled and published at least annually in accordance with the system designed and implemented pursuant to the Early Identification and Service Support for Children and Families Act.

SECTION 7. This act shall become effective November 1, 1995.

45-1-1096 CJ