

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1334

By: Boyd (Betty)

AS INTRODUCED

An Act relating to Medicaid funding reimbursement;
amending 10 O.S. 1991, Section 601.46, as last
amended by Section 4, Chapter 377, O.S.L. 1994 (10
O.S. Supp. 1994, Section 601.46), which relates to
State Plan for Special Education Related Services;
clarifying language; and providing an effective
date.

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

SECTION 1. AMENDATORY 10 O.S. 1991, Section 601.46, as
last amended by Section 4, Chapter 377, O.S.L. 1994 (10 O.S. Supp.
1994, Section 601.46), is amended to read as follows:

Section 601.46 A. The State Plan for Special Education and
Special Student Service Coordination and Assistance shall include
but not necessarily be limited to:

1. Delineation of service responsibilities and coordination of
delivery of services to the eligible population and the special
services population by the agencies subject to the provisions of
this act;

2. Guidelines for assigning responsibilities to appropriate
agencies pursuant to IEP's, and means whereby appropriate agency

personnel are involved in the development of IEP's which call for related services;

3. Establishment of service regions, and delineation of organizational structures or other means whereby coordination required by Section 601.41 et seq. of this title will be accomplished at the local and regional level;

4. Establishment for each region of a Regional Advisory Board comprised of school personnel, other agency personnel, and parents, and description of duties for said boards;

5. Procedures for monitoring and improving such service delivery on a continuing basis;

6. Methods for resolving disputes by mediation and other means; and

7. A funding and implementation plan which shall provide for the utilization of all financial resources from federal, state, local and private resources and the coordination of those resources to fund related services. The funding and implementation plan shall include but not be limited to:

- a. utilization of Special Education Assistance Fund monies pursuant to Section 13-114.1 et seq. of Title 70 of the Oklahoma Statutes and of State Aid funds to public schools provided pursuant to Section 18-200 et seq. of Title 70 of the Oklahoma Statutes for special education services to handicapped children,
- b. publicly funded personnel and programs in the State Department of Education, the State Department of Vocational and Technical Education, the State Department of Health, the Department of Human Services, the Department of Mental Health and Substance Abuse Services, and the State Department of Rehabilitation Services who are currently serving the eligible population,

- c. feasibility of utilization of federal Title V funds,
- d. modification of the Medicaid State Plan to include services for eligible children utilizing state funds for the purpose of matching federal funds, and methods of securing services and reimbursements through other third-party sources, and
- e. feasibility of application for federal funds appropriated pursuant to Chapter 1 of the Education Consolidation and Improvement Act of 1981, P.L. 89-313, as amended.

B. On or before July 1, 1994, the agencies subject to the provisions of this ~~act~~ section shall enter into interagency agreements for the purpose of implementing the State Plan and the provisions of Section 601.41 et seq. of this title. Said state and local interagency agreements shall delineate responsibility for local and regional procedural safeguards, provision of service and related issues.

C. On or before September 1 of each year, a joint funding plan shall be submitted to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives by the agencies subject to the provisions of this ~~act~~ section. The individual components of such plan as they relate to individual agencies shall be incorporated annually into each affected agency's budget request in accordance with the provisions of Section 41.29 of Title 62 of the Oklahoma Statutes.

D. The legal requirements for timely payment and reimbursement for services under contract pursuant to Sections 41.4a through 41.4d of Title 62 of the Oklahoma Statutes shall govern the services, programs and activities for the implementation of Section 601.41 et seq. of this title.

SECTION 2. This act shall become effective November 1, 1995.

45-1-5595

KSM