

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 3217

By: Glover and Satterfield of
the House

and

Helton of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to poor persons; directing the

Department of Human Services to establish a certain identity verification system for certain purposes; specifying utilization of finger imaging; requiring certain compliance by certain persons; providing for penalties; limiting access to and use of certain information; requiring the promulgation of certain rules; providing for certain exceptions; amending 56 O.S. 1991, Section 241, as last amended by Section 30, Chapter 87, O.S.L. 1994 (56 O.S. Supp. 1997, Section 241), which relates to food stamp program; removing responsibility of county to participate in food stamp program; requiring Department of Human Services to implement program; authorizing certain contracts; providing for codification; and providing an 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 1009 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Department of Human Services shall establish and implement an identity verification system utilizing finger imaging for the purpose of preventing the duplicate participation by an individual in public assistance programs, reducing fraud and maintaining program identity.

B. On and after the implementation of a finger imaging system, every applicant for public assistance, including but not limited to the Temporary Assistance for Needy Families and Medicaid programs, shall be required to be finger imaged as a condition of eligibility for assistance. Refusal or failure to comply with this requirement shall result in ineligibility for assistance.

C. The Department shall promulgate rules setting forth the finger imaging requirements, and may provide for exceptions to the requirements due to physical or other impairments.

D. Finger imaging obtained pursuant to this section shall be used only for the purposes of determining eligibility for and reducing fraud in public assistance programs and shall not be accessed by any other agency or used for any other purpose.

E. The Department may negotiate compacts or reciprocal agreements with the federal government or any state, or any department or agency of either the federal government or any state, for the purpose of implementing and carrying out the provisions of this section.

SECTION 2. AMENDATORY 56 O.S. 1991, Section 241, as last amended by Section 30, Chapter 87, O.S.L. 1994 (56 O.S. Supp. 1997, Section 241), is amended to read as follows:

Section 241. A. It shall be the ~~mandatory~~ duty of the ~~board of county commissioners of any county in this state~~ Department of Human Services to participate in the food stamp program under the Food Stamp Act of 1977, as amended, ~~and to enter into an agreement for such purpose with the Commission for Human Services.~~

B. ~~The board of county commissioners of any county in this state may have federal food stamps issued to eligible recipients of the county in pursuance of an agreement for such purpose entered into by the board with the Commission for Human Services.~~

~~C.~~ The cost of distributing the food stamps shall be paid by the county Department. ~~Except as provided in subsection D of this section, the board of county commissioners shall be required to pay the estimated cost in advance on the calendar quarter basis, with an adjustment within thirty (30) days after the end of the quarter to reflect actual cost payable by the county. If the county fails to make such payment at least fifteen (15) days prior to the first day of the first month of a quarter, the agreement between the board of county commissioners and the Commission for Human Services may terminate and the Commission may discontinue the issuance of food stamps in the county at the beginning of such quarter.~~

~~D.~~ C. 1. ~~The board of county commissioners~~ Department may, at its option, operate the program of distributing food stamps to families, certified as eligible by the Commission for Human Services, within the ~~county~~ counties of this state.

2. ~~The board of county commissioners~~ Department may also contract with private or public entities to provide for the distribution of food stamps.

~~3.~~ Any program for food stamps or coupon distribution operated pursuant to the provisions of this ~~subsection~~ paragraph shall provide:

- a. adequate qualified personnel, suitable facilities for storing and issuing stamps, any bonding of personnel,

and insurance that may be required by the Commission for Human Services, and

- b. that such sale, distribution and accounting of food stamps shall be in compliance with all federal and state regulations applicable thereto.

~~E. If the distribution of food stamps within the county is to be handled by the Commission for Human Services, at its election, the food~~ 3. Food stamps may be distributed through one or more issuing offices, or through local banks, or through other means. ~~The board of county commissioners shall be required to reimburse the Commission for a prorated share of the total cost of such distribution, based upon the number of persons participating in the county.~~

~~F. If the county initially funds one hundred percent (100%) of the cost of food stamp distribution and is required to file for reimbursement for fifty percent (50%) of the amount expended, the county shall be allowed to utilize reimbursement procedures as specified in Section 335 of Title 62 of the Oklahoma Statutes.~~

SECTION 3. This act shall become effective November 1, 1998.

46-2-11781 KSM