

ENROLLED HOUSE
BILL NO. 3280

By: Lindley, Liotta, Seikel,
Covey, Easley, Collins,
Eddins and Gilbert of
the House

and

Williams, Herbert and
Fisher of the Senate

An Act relating to children; requiring the Department of Human Services to submit certain annual report; providing for contents of the report; requiring outlining of certain two-year plan and stating contents; requiring review, amendment and approval of report by the Commission for Human Services; requiring transmission of report to certain entities; requiring design and implementation of voucher waiver program subject to funds availability; requiring program to facilitate and support certain choices made by certain persons; stating contents of program; 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 1411.1 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. Beginning January 1, 1999, and on January 1 each year thereafter, the Department of Human Services shall submit to the Governor and the Legislature an annual report of the administrative activities of the Developmental Disabilities Services Division. The report shall include a clear and complete description of the administrative procedures utilized by the Developmental Disabilities Services Division including, but not limited to:

1. Accounting and budgeting practices;
2. Client statistical data gathering and management;
3. Data processing procedures;
4. Development and maintenance of program service plans;
5. Provide contracting and evaluation procedures;
6. Incorporation of advisory committee assessment

recommendations; and

7. Any other area of activity that is not related to direct delivery of services to applicants and clients.

B. The report shall also include, but not be limited to, previous year performance data on:

1. The number of clients:
 - a. who applied for service,
 - b. accepted for service,
 - c. for whom plans for service were approved or denied,
 - d. receiving services by classification of service objective, and

- e. who were provided a type of service that differed from the objective contained in the client's service plan;
- 2. The cost of services;
- 3. The total cost for clients who received services;
- 4. The average cost and percentile cost distribution of purchased services for all clients served; and
- 5. a. The average cost for all clients who received:
 - (1) at least eight hours of care,
 - (2) between eight and sixteen hours of care, and
 - (3) between sixteen and twenty-four hours of care.
- b. In determining such averages, the Department shall include, but not be limited to, the following costs:
 - (1) laboratory and x-ray services,
 - (2) dental services,
 - (3) occupational therapy,
 - (4) speech therapy,
 - (5) physical therapy,
 - (6) doctor services,
 - (7) nursing services,
 - (8) hospitalization,
 - (9) optometry services,
 - (10) housing services,
 - (11) utilities,
 - (12) food,
 - (13) transportation,
 - (14) clothing, and
 - (15) administrative costs of providing such services.

C. Beginning January 1, 1999, and on or before January 1 each year thereafter, the Department shall prepare a report outlining the Department's two-year plan for providing individualized services to clients with developmental disabilities. The report shall include any new federal mandates and an estimate of any costs associated with such mandates, and recommendations for any needed statutory or constitutional changes. The Commission for Human Services shall review, amend if necessary and approve the report. The Department shall transmit the approved report to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1411.2 of Title 10, unless there is created a duplication in numbering, reads as follows:

Subject to the availability of funds, the Developmental Disabilities Services Division (DDSD) of the Department of Human Services shall, within six (6) months of the effective date of this act, design and implement a voucher waiver program to serve persons on the DDSD waiting list. The purpose of the voucher waiver program shall be to facilitate and support the service choices made by the client and the parent or guardian of the client and shall include, but not be limited to:

- 1. A service determination process which takes into account whether services exist and are available and accessible to the client, including, but not limited to:
 - a. respite care,
 - b. physical therapy,
 - c. occupational therapy,
 - d. speech therapy,
 - e. vocational services,
 - f. habilitation training services,
 - g. dental services,
 - h. psychological services,

- i. nutritional services,
 - j. nursing services,
 - k. Early and Periodic Screening Diagnosis and Treatment (EPSDT) Services,
 - l. medical services,
 - m. transportation services, and
 - n. pharmacy services;
2. The provision of services through any public or private intermediate care facility; and
3. A system for the identification and payment of service providers, including fiscal intermediaries.

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

Passed the House of Representatives the 26th day of May, 1998.

Speaker of the House of
Representatives

Passed the Senate the 28th day of May, 1998.

President of the Senate