

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1181

By: Sullivan (John)

AS INTRODUCED

An Act relating to poor persons; amending 56 O.S.

1991, Section 175, which relates to assistance from the Department of Human Services; prohibiting drug tests on certain applicants for assistance; requiring such tests be performed by only certain licensed laboratories; providing for refusal to grant assistance under certain conditions; providing for certain payments; requiring the promulgation of certain rules; authorizing contracts with certain laboratories; clarifying certain language; 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 230.19 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Department of Human Services shall require drug tests of any applicant for assistance pursuant to this section prior to granting such assistance.

B. The tests shall only be performed at drug testing laboratories licensed by the State Department of Health pursuant to the requirements of the Standards For Workplace Drug and Alcohol

Testing Act and the tests shall only be performed in accordance with the other procedures as required by said act.

C. The Department shall refuse to grant assistance to any applicant who refuses to take a drug test if so requested by the Department or submits to the tests and the tests reveal that the applicant is illegally using any controlled dangerous substance.

D. The Department shall pay for any drug test required of the applicant pursuant to this section.

E. The Commission for Human Services shall promulgate rules to implement the provisions of this section.

SECTION 2. AMENDATORY 56 O.S. 1991, Section 175, is amended to read as follows:

Section 175. It shall be the duty of the county department in the several respective counties in accordance with the rules ~~and regulations~~ of the Commission to take the initiative in ascertaining the need for assistance of persons eligible for assistance ~~under the provisions of subsection (c) of Section 164 of~~ pursuant to this title and report in writing on forms furnished by the Department its recommendations showing the nature of the need for assistance, the kind and amount of assistance needed in each case. The Department shall have authority to enter into agreements with physicians, nurses, hospitals, agencies, laboratories and individuals for the purpose of carrying into effect the provisions of subsection (c) of Section 164 of this title. All claims approved for payment under this section shall be drawn against the Human Services Medical and Assistance Fund and paid in the same manner as other expenditures.

SECTION 3. This act shall become effective November 1, 1997.

46-1-5697 KSM