

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 3285

By: Mitchell

AS INTRODUCED

An Act relating to persons with developmental disabilities; stating legislative intent; prohibiting closure of certain state-administered resource centers; providing for codification; and declaring an emergency.

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 3050 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. It is the intent of the Legislature to:

1. Recognize and support individuals with developmental disabilities by treating them with dignity, respect and consideration as productive members of our society in Oklahoma;
2. Acknowledge their contributions as productive citizens in the state and the useful work they perform in their local communities;
3. Support the service delivery system for individuals with developmental disabilities, ensuring that programs and services be retained that are designed to encourage their development of self-

esteem and self-worth, regardless of the severity of developmental disability; and

4. Support and respect decisions made by these individuals, their parents and guardians as to the type of care and treatment they need and desire.

B. 1. The Legislature recognizes that the best interests of an individual with developmental disabilities should be the paramount consideration when placing that individual in a full-time residential care facility, community-based programs, or any other appropriate placement or service that benefits the needs and well-being of the person.

2. As such the Legislature also recognizes that individuals with developmental disabilities have the right to remain at state-administered residential resource centers and be provided the care and services established at these state-administered resource centers.

C. Therefore, the Department of Human Services shall not close state-administered resource centers that provide full-time residential care and services to persons with developmental disabilities or prohibit full-time residential care or services at state-administered resource centers until otherwise provided by the Legislature.

D. The Department of Human Services shall accept clients with developmental disabilities for whom it has been determined that full-time residential care and services are needed at state-administered resource centers.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

