

SHORT TITLE: Oklahoma Cerebral Palsy Commission; expanding authority and power; effective date; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 521

By: Hobson

AS INTRODUCED

An Act relating to spastic paralysis; amending 63 O.S. 1991, Section 485.3, as last amended by Section 2, Chapter 262, O.S.L. 1995 (63 O.S. Supp. 1996, Section 485.3), which relates to the Oklahoma Cerebral Palsy Commission; expanding authority and power of the Commission; clarifying statutory references; deleting obsolete references; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 485.3, as last amended by Section 2, Chapter 262, O.S.L. 1995 (63 O.S. Supp. 1996, Section 485.3) is amended to read as follows:

Section 485.3 A. The Oklahoma Cerebral Palsy Commission is hereby authorized and empowered to:

1. Establish and maintain the J.D. McCarty Center for Children with Developmental Disabilities, to provide care, maintenance, training, treatment, habilitation and rehabilitation of persons afflicted with cerebral palsy and other developmental disabilities within ~~said~~ such institute;

2. Set fees and charges for patient services;

3. Provide care, maintenance, training, treatment and rehabilitation services to children not afflicted with cerebral palsy or developmental disabilities but who may benefit from the

services available from the J.D. McCarty Center for Children with Developmental Disabilities;

4. Provide services to any adults who may benefit from services available from the J.D. McCarty Center for Children with Developmental Disabilities, as determined to be practicable by the Oklahoma Cerebral Palsy Commission; provided, that services to adults shall not diminish any services available to children;

5. Enter into contracts for the purchase of real estate or other property and to buy or sell real estate, personal property and equipment necessary or incidental to the carrying out of the provisions of Section 485.1 et seq. of this act title; and

~~3.~~ 6. Enter into contracts with the ~~Oklahoma Public Welfare Commission~~ for Human Services and with other agencies of the state and of the counties in furtherance of the provisions of this act~~;~~; provided, the Oklahoma Cerebral Palsy Commission shall receive from the ~~Oklahoma Public Welfare Commission~~ for Human Services payments aggregating a minimum of One Hundred Thousand Dollars (\$100,000.00) annually from funds set aside in the Children with Special Health Care Needs Program~~;~~; and provided further, the Oklahoma Cerebral Palsy Commission may negotiate with the ~~Oklahoma Public Welfare Commission~~ for Human Services or its successors for additional payments above One Hundred Thousand Dollars (\$100,000.00) from ~~said~~ such funds.

B. The Commission shall be charged with the duties of management and control of the J.D. McCarty Center for Children with Developmental Disabilities and shall:

1. Have power to sue or be sued in its own name; and

2. Obtain and pay for an annual audit of the books and records of the J.D. McCarty Center for Children with Developmental Disabilities, conducted by the Office of the State Auditor and Inspector or by a qualified, independent auditor in conformance with

standards and guidelines established by the State Auditor and Inspector.

C. The Attorney General shall furnish the Commission with legal representation. The Commission shall not contract for private legal counsel except for extraordinary situations other than normal day-to-day situations, and when approved by the Attorney General.

SECTION 2. This act shall become effective July 1, 1997.

SECTION 3. 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.

46-1-1001

CJ