

ENROLLED HOUSE
BILL NO. 2356

By: Lindley, Greenwood, Webb,
Wright, Adkins, Ostrander,
Piatt, Culver, Glover, Cox,
Coleman, Vaughn, Calvey,
Claunch, Collins, Gilbert,
Hefner, Liotta, Mass,
Seikel, Sellers,
Thornbrugh, Wells,
Braddock, McCarter, Covey,
Turner and Easley of the
House

and

Cain of the Senate

An Act relating to state government; creating the Task Force to Review the Complaint System for Persons with Disabilities; requiring cooperation; providing membership, appointments, qualifications, and setting certain time limits; providing for appointment of cochairs; providing for vacancies; providing for meetings; providing for travel reimbursement; providing for staffing; requiring a report; providing for duties; 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 169.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created, to continue until June 30, 2001, the Task Force to Review the Complaint System for Persons with Disabilities. The Task Force shall conduct a thorough review of the procedures for reporting and resolving complaints regarding access to programs and services by persons with disabilities within various governmental entities in Oklahoma and shall recommend any changes necessary to improve the system based on its findings.

B. All departments, officers, agencies and employees of this state shall cooperate with the Task Force in fulfilling its duties and responsibilities including, but not limited to, providing any information, records or reports requested by the Task Force.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 169.2a of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Task Force to Review the Complaint System for Persons with Disabilities shall be composed of twenty-two (22) members as follows:

1. The Chair of the Human Services Committee of the Oklahoma House of Representatives, or a designee;

2. The Chair of the Human Resources Committee of the Oklahoma State Senate, or a designee;

3. The Director of the Department of Human Services, or a designee;

4. The State Commissioner of Health, or a designee;

5. The Commissioner of Mental Health and Substance Abuse Services, or a designee;

6. The Chief Executive Officer of the Oklahoma Health Care Authority, or a designee;

7. The Director of the State Department of Rehabilitation Services, or a designee;

8. The Director of the Office of Handicapped Concerns, or a designee;

9. The State Superintendent of Public Instruction, or a designee;

10. The Chancellor of the Oklahoma State Regents for Higher Education, or a designee;

11. The State Director of the Oklahoma Department of Vocational and Technical Education, or a designee;

12. The Director of the Oklahoma Commission on Children and Youth, or a designee;

13. The Director of the Oklahoma Client Assistance Program, or a designee;

14. An individual, appointed by the Governor, with an acquired severe disability;

15. Two individuals, appointed by the Director of the State Department of Rehabilitation Services, representing advocacy organizations for persons with severe disabilities;

16. The Chair of the Oklahoma Traumatic Neurological Injury Advisory Council, or a designee;

17. The Executive Director of the Oklahoma Housing Finance Agency, or a designee;

18. The Director of Oklahoma ABLE Tech, or a designee;

19. A representative from the Adult Protective Services Program within the Department of Human Services, appointed by the Director of Human Services;

20. The Chair of the Statewide Independent Living Council of Oklahoma, or a designee; and

21. The Chair of the Cerebral Palsy Commission, or a designee.

B. 1. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each appoint one member of the Task Force to serve as a cochair until June 30, 2001. A vacancy in such office shall be filled in the same manner as the original appointment. A majority of the members of the Task Force shall constitute a quorum to transact business, but no vacancy shall impair the right of the remaining members to exercise all of the powers of the Task Force. A vacancy on the Task Force shall be filled for the unexpired term in the same manner as the original appointment.

2. Appointments to the Task Force shall be made as soon as reasonably possible after the effective date of this act. The cochairs shall convene and preside over the first meeting as soon as reasonably possible after their appointment. Thereafter, the Task Force may meet once each month and at such other times as set by the cochairs.

3. The proceedings of all meetings of the Task Force shall comply with the provisions of the Oklahoma Open Meeting Act.

C. Members of the Task Force shall receive no compensation for serving on the Task Force, but shall receive travel reimbursement as follows:

1. Legislative members of the Task Force shall be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with the provisions of Section 456 of Title 74 of the Oklahoma Statutes;

2. Nonlegislative members of the Task Force shall be reimbursed by their respective agencies for their necessary travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act; and

3. Members of the Task Force who are not otherwise officers or employees of the state shall be reimbursed by the Office of the Governor in accordance with the State Travel Reimbursement Act.

D. The Task Force may divide into subcommittees in furtherance of its purposes. The Department of Human Services and the State Department of Rehabilitation Services shall jointly provide such staff support as is required by the Task Force or any of its subcommittees.

E. The Task Force shall issue a report of its findings and recommendations to the Legislature and the Governor on or before January 15, 2001.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 169.2b of Title 74, unless there is created a duplication in numbering, reads as follows:

The Task Force to Review the Complaint System for Persons with Disabilities shall have the power and authority to:

1. Examine and assess current grievance procedures and hearing processes utilized by governmental entities with regard to complaints filed by or on behalf of persons with disabilities;

2. Review the number, types and nature of such complaints;

3. Evaluate the response time of governmental entities to such complaints, and the time period for resolution of such complaints or grievances;

4. Assess client/consumer satisfaction with regard to current grievance procedures and hearing processes;

5. Identify and assess gaps and barriers to access to services for persons with disabilities in this state;

6. Recommend improvements to complaint system procedures used by governmental entities for persons with disabilities including, but not limited to, modification of existing policies, rules, guidelines and procedures governing the complaint system; and

7. Perform all other tasks necessary to accomplish the purposes of this act.

SECTION 4. 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.

Passed the House of Representatives the 27th day of April, 2000.

Speaker of the House of
Representatives

Passed the Senate the 5th day of April, 2000.

President of the Senate