ENROLLED SENATE
BILL NO. 146

By: Haney and Hobson of the Senate

and

Settle and Begley of the House

An Act relating to various Human Services agencies; making an appropriation to the Department of Human Services; stating purposes; requiring budgeting in certain categories and amounts; requiring performance measures for budget categories; providing for exemptions from certain expenditures limitations; providing for duties and compensation of employees; limiting the number of full-time-equivalent employees; providing budgetary limitation on lease-purchase agreements; appropriating certain federal monies to the Department of Human Services; stating purpose; prohibiting certain finalization or changes of certain rates; providing exception; requiring written notification and explanation; authorizing certain early transfers of tax collections for specific purpose; making an appropriation to the State Department of Rehabilitation Services; stating purpose; requiring budgeting in certain categories and amounts; requiring performance measures for budget categories; providing for exemptions from certain expenditures limitations; providing for duties and compensation of employees; limiting the salary of the Director and the number of full-time-equivalent employees; providing budgetary limitation on lease-purchase agreements; making certain employee positions exempt from FTE limitations; authorizing certain early transfers of tax collections for specific purpose; making an appropriation to the Office of Juvenile Affairs; stating purpose; directing expenditures of certain appropriation; requiring budgeting in certain categories and amounts; requiring performance measures for budget categories; providing for duties and compensation of employees; limiting the salary of the Director and the number of full-time-equivalent employees; authorizing certain attorney position; providing budgetary limitation on lease-purchase agreements; requiring certain expenditures; prohibiting certain finalization of changes of certain rates; providing exception; requiring written notice and explanation; authorizing certain requests for exemptions from expenditure limitations and budgetary limitations; requiring certain procedures; requiring certain filings; requiring certain approvals; requiring

written notice; making an appropriation to the State Department of Health; stating purpose; amending Section 9 of Enrolled House Bill No. 1523 of the 1st Session of the 47th Oklahoma Legislature; requiring budgeting in certain amounts; requiring performance measures for budget categories; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; and providing an effective date.

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

THE DEPARTMENT OF HUMAN SERVICES

SECTION 1. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of One Million Eight Hundred Four Thousand Six Hundred Fifty-eight Dollars ($1,804,658.00) or so much thereof as may be necessary for Child Welfare Services.

SECTION 2. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Sixty-five Thousand Dollars ($65,000.00) or so much thereof as may be necessary for the Prater Willie program.

SECTION 3. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of One Million Five Hundred Thousand Dollars ($1,500,000.00) or so much thereof as may be necessary to provide case management, personal care and skilled nursing services to Oklahoma's elderly senior citizens.

SECTION 4. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Two Million Dollars ($2,000,000.00) or so much thereof as may be necessary for senior nutrition services for the senior citizens of Oklahoma.

SECTION 5. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Two Million Dollars ($2,000,000.00) or so much thereof as may be necessary to provide Non-technical Medical Care (NTMC) services to the frail elderly citizens of Oklahoma.

SECTION 6. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Five Hundred Thousand Dollars ($500,000.00) or so much thereof as may be

necessary for geriatric day care services to the senior citizens of Oklahoma.

SECTION 7. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Two Million Dollars ($2,000,000.00) or so much thereof as may be necessary for to provide services to children and adults with developmental disabilities in Oklahoma.

SECTION 8. For the fiscal year ending June 30, 2000, the Department of Human Services shall budget all appropriated funds in the following categories and amounts:

Category	Appropriation
Child and Family Services	$55,518,709.00
Developmental Disabilities Services	90,966,824.00
TANF Cash Assistance	32,288,353.00
Work Activities	15,990,868.00
AABD State Supplemental Payments	32,138,023.00
Office of Child Care	263,785.00
Day Care Payments	12,748,507.00
Family Support Services	2,678,255.00
Field Operations	57,767,519.00
Child Support Enforcement	2,346,175.00
Aging Services	32,351,082.00
Administration and Data Services	27,637,558.00
TOTAL	$362,695,658.00

For the fiscal year ending June 30, 2000, the Department of Human Services, excluding expenditures for capital and special projects, shall budget all funds in the following categories and amounts:

Category	Total
Child and Family Services	$110,724,088.00
Developmental Disabilities Services	199,720,380.00
TANF Cash Assistance	53,392,320.00
Work Activities	39,033,002.00

AABD State Supplemental Payments	38,609,346.00
Office of Child Care	25,132,055.00
Day Care Payments	93,242,163.00
Family Support Services	27,348,693.00
Field Operations	180,966,986.00
Child Support Enforcement	34,081,633.00
Aging Services	65,598,729.00
Administration and Data Services	79,359,359.00
Electronic Benefits Transfer	237,000,000.00
TOTAL	$1,184,208,754.00

The agency shall develop outcome-based performance measures for each budget category.

Receipt and expenditure of unanticipated federal funds awarded the Department of Human Services after July 1, 1999, shall be exempt from expenditure limitations, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 9. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Human Services by law shall be set by the Director of Human Services. The Department of Human Services for the fiscal year ending June 30, 2000, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
Full-time-equivalent Employees	8,023.0
Lease-Purchase Agreements	$4,000,000.00

SECTION 10. There is hereby appropriated to the Department of Human Services all federal monies received by the state during the fiscal year ending June 30, 2000, from the Temporary Assistance to Needy Families Block Grant and the Child Care and Development Fund Block Grant to meet the provisions of federal law relating to such grants.

SECTION 11. The Commission for Human Services, except in cases of emergency or when required by state or federal law, shall not finalize provider rates for fiscal year 2001 until the end of the 2nd Session of the 47th Oklahoma Legislature. Further, the Commission shall not change rates for fiscal year 2000 after January 1, 2000, except in cases of emergency or when required by state or

federal law. If, in the opinion of the Commission, an emergency situation or legal mandate exists, the Commission may make appropriate provider rate changes. The Commission shall make these rate changes effective on the effective date of any such legal requirement.

Prior to final approval of rate changes due to an emergency or legal mandate, the Director of the Department of Human Services shall provide written notification of the intended actions and reasons for such actions to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate. Following final approval of the changes by the Commission, the Director shall further provide the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate with a written explanation of the methodology and assumptions made in arriving at the emergency rate change. The provisions of this section shall be subject to the provisions of the Oklahoma Central Purchasing Act.

SECTION 12. The Director of the Department of Human Services may request through the Director of State Finance the early transfer by the Oklahoma Tax Commission of tax collection to the Special Cash Fund for the purpose of early allocation to the Department's disbursing funds to alleviate cash-flow problems.

STATE DEPARTMENT OF REHABILITATION SERVICES

SECTION 13. There is hereby appropriated to the State Department of Rehabilitation Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Three Hundred Fifty-eight Thousand Eight Hundred Sixty-four Dollars ($358,864.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Rehabilitation Services by law.

SECTION 14. For the fiscal year ending June 30, 2000, the State Department of Rehabilitation Services shall budget all appropriated funds in the following categories and amounts:

Category	Appropriation
Vocational Rehabilitation and Visual Services	$12,061,689.00
Oklahoma School for the Blind	5,008,004.00
Oklahoma School for the Deaf	6,334,171.00
Disability Determination Division	0.00
TOTAL	$23,403,864.00

For the fiscal year ending June 30, 2000, the Department of Rehabilitation Services shall budget all funds in the following categories and amounts:

Category	Total

Vocational Rehabilitation and Visual Services	$52,000,000.00
Oklahoma School for the Blind	5,800,000.00
Oklahoma School for the Deaf	7,000,000.00
Disability Determination Division	20,000,000.00
TOTAL	$84,800,000.00

The agency shall develop outcome based performance measures for each budget category.

Receipt and expenditure of unanticipated federal funds awarded the Department of Rehabilitation Services after July 1, 1999, shall be exempt from expenditure limitations, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 15. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Department of Rehabilitation Services by law shall be set by the Commission for Rehabilitation Services. The salary of the Director shall not exceed Sixty-seven Thousand Dollars ($67,000.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The State Department of Rehabilitation Services for the fiscal year ending June 30, 2000, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
Full-time-equivalent Employees	784.0
Lease-Purchase Agreements	$100,000.00

SECTION 16. Any employees of the Disability Determination Unit in the Department of Rehabilitation Services whose salaries are funded in whole by federal funds shall be exempted from the agency FTE limit.

SECTION 17. The Director of the Department of Rehabilitation Services may request through the Director of State Finance the early transfer by the Oklahoma Tax Commission of tax collection to the General Revenue Fund for the purpose of early allocation to the Department's disbursing funds to alleviate cash-flow problems.

OFFICE OF JUVENILE AFFAIRS

SECTION 18. There is hereby appropriated to the Office of Juvenile Affairs from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of One Million Eight Hundred Ninety-seven Thousand One Hundred Forty-one Dollars ($1,897,141.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of Juvenile Affairs by law.

SECTION 19. Of the funds appropriated in Section 18 of this act and Section 78 of Enrolled Senate Bill 161 of the 1st Session of the 47th Oklahoma Legislature, The Office of Juvenile Affairs shall expend Seven Hundred Twenty-eight Thousand Eighty-two Dollars ($728,082.00) to provide services to medium and high risk youth for the fiscal year ending June 30, 2000. In order to provide these services, the Office of Juvenile Affairs shall contract directly with two private nonprofit community mental health centers who serve youth. One private nonprofit community mental health center shall serve youth in Central Oklahoma in an urban area with a population of more than five hundred thousand (500,000) people and have had a contract to provide services to youth within the past five (5) years with the Office of Juvenile Affairs. One private nonprofit community mental health center shall serve youth in North Central Oklahoma and have had a contract for the past five (5) years, serving youth in rural areas, with the Office of Juvenile Affairs. Services provided to youth under the Office of Juvenile Affairs with Title XIX, Medicaid federal funds shall also be accounted for in this contract. A performance evaluation of services will be conducted during the fiscal year ending June 30, 2000. Such contracts shall provide that if the Office of Juvenile Affairs determines that services provided by the community mental health centers are unsatisfactory the agency may terminate the contract provided they give the centers thirty (30) days notice. In the event such contracts are terminated, funds referred to in this section may be expended to perform the duties imposed upon the State Office of Juvenile Affairs.

SECTION 20. For the fiscal year ending June 30, 2000, the Office of Juvenile Affairs shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administration	$5,593,685.00	$5,793,685.00
Santa Claus	0.00	16,252.00
OJJDP	86,301.00	1,691,549.00
Residential Services	40,738,099.00	50,489,002.00
Nonresidential Services	34,485,440.00	39,724,353.00
Juvenile Accountability		
Incentive Block Grant	0.00	3,317,749.00
Welfare to Work	0.00	1,011,228.00
Community Youth Service Agencies	17,643,822.00	17,643,822.00
TOTAL	$98,547,347.00	$119,687,640.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 21. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of Juvenile Affairs by law shall be set by the Director. The salary of the Director shall not exceed Sixty-nine Thousand Dollars ($69,000.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The Office of Juvenile Affairs is hereby authorized one (1) FTE for an attorney position. This shall be in addition to the position of General Counsel. The Office of Juvenile Affairs for the fiscal year ending June 30, 2000, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
Full-time-equivalent Employees	1206.5
Lease-Purchase Agreements	$50,000.00

SECTION 22. Of the funds appropriated in Section 18 of this act and Section 78 of Enrolled Senate Bill 161 of the 1st Session of the 47th Oklahoma Legislature, the Office of Juvenile Affairs shall expend Four Hundred Thirty-one Thousand Six Hundred Sixty-six Dollars ($431,666.00) for the state match for the federal Violent Offender and Truth in Sentencing Act.

SECTION 23. Of the funds appropriated in Section 18 of this act and Section 78 of Enrolled Senate Bill 161 of the 1st Session of the 47th Oklahoma Legislature, the Office of Juvenile Affairs shall expend no more than Eight Hundred Ten Thousand Dollars ($810,000.00) for private medium secure beds for adjudicated delinquents. No other appropriated state funds may be expended for such beds in a privately owned facility.

SECTION 24. Of the funds appropriated in Section 18 of this act and Section 78 of Enrolled Senate Bill 161 of the 1st Session of the 47th Oklahoma Legislature, the Office of Juvenile Affairs shall expend One Million Four Hundred Thousand Dollars ($1,400,000.00) for the Delinquency and Youth Gang Intervention Program.

SECTION 25. The Office of Juvenile Affairs, except in cases of emergency or when required by state or federal law, shall not finalize provider rates for fiscal year 2001 until the end of the 2nd Session of the 47th Oklahoma Legislature. Further, the Board of Juvenile Affairs shall not change rates for fiscal year 2000 after January 1, 2000, except in cases of emergency or when required by state or federal law. If, in the opinion of the Board, an emergency situation or legal mandate exists, the Board may make appropriate provider rate changes. The Board shall make these rate changes effective on the effective date of any such legal requirement.

Prior to final approval of rate changes due to an emergency or legal mandate, the Director of the Office of Juvenile Affairs shall provide written notification of the intended actions and reasons for such actions to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate. Following final approval of the changes by the Board of Juvenile Affairs, the Director shall further provide the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate with a written explanation of the methodology and assumptions made in arriving at the emergency rate change. The provisions of this section shall be subject to the provisions of the Oklahoma Central Purchasing Act.

SECTION 26. A. The Director of the Office of Juvenile Affairs may request that receipt and expenditure of unanticipated federal funds awarded after July 1, 1999, be exempt from expenditure limitations and from budgetary limitations.

1. The Director shall make a request for exemption to the Director of State Finance in writing and file a revised budget work program.

2. The Director shall also file copies of the request for exemption and budget work program revisions with the Joint Legislative Committee on Budget and Program Oversight created by Section 41.47 of Title 62 of the Oklahoma Statutes. The Committee shall notify the Director of State Finance of any noncompliance of the request with legislative intent within twelve (12) calendar days of the Committee's receipt of the exemption request.

B. The Director of State Finance shall approve the request for exemption unless both the Chair and Vice Chair of the Joint Legislative Committee on Budget and Program Oversight provide written notification to the Director of State Finance within twelve (12) calendar days of the Committee's receipt of the exemption request that the exemption subverts the intention and objectives of the Legislature in establishing the original limit. The Director of State Finance shall give written notice of approval or disapproval of each exemption to the agency, the Governor and the Chair and Vice Chair of the Joint Legislative Committee on Program and Budget Oversight within eighteen (18) calendar days of receiving the request.

THE STATE DEPARTMENT OF HEALTH

SECTION 27. There is hereby appropriated to the State Department of Health from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of One Hundred Eighty-five Thousand Dollars ($185,000.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Health by law.

SECTION 28. AMENDATORY Section 9 of Enrolled House Bill No. 1523 of the 1st Session of the 47th Oklahoma Legislature is amended to read as follows:

Category	Appropriation	Total

Support	$1,911,009.00	$15,440,351.00
Family Health	33,960,057.00	114,372,717.00
Communicable Disease	4,245,689.00	15,414,028.00
Chronic Disease	689,785.00	4,279,706.00
Local Health	~~2,570,855.00~~ 2,720,855.00	~~27,937,353.00~~ 28,087,353.00
Consumer Protection	2,053,671.00	13,813,903.00
Eldercare	6,911,700.00	8,196,669.00
Health Promotion and Policy Analysis	~~3,261,037.00~~ 3,296,037.00	~~7,485,265.00~~ 7,520,265.00
TOTAL	~~$65,603,803.00~~ $65,788,803.00	~~$206,939,992.00~~ $207,124,992.00

SECTION 29. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2000 (hereafter FY-00) or may be budgeted for the fiscal year ending June 30, 2001 (hereafter FY-01). Funds budgeted for FY-00 may be encumbered only through June 30, 2000, and must be expended by November 15, 2000. Any funds remaining after November 15, 2000, and not budgeted for FY-01, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-01 may be encumbered only through June 30, 2001. Any funds remaining after November 15, 2001, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-00, and not required to pay obligations for that fiscal year, may be budgeted for FY-01, after the agency to which the funds have been appropriated has prepared and submitted a budgeted work program revision removing these funds from the FY-00 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 30. This act shall become effective September 1, 1999.

Passed the Senate the 26th day of May, 1999.

President of the Senate

Passed the House of Representatives the 26th day of May, 1999.

Speaker of the House of Representatives