

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

HOUSE BILL HB2356

By: Lindley

AS INTRODUCED

An Act relating to persons with disabilities; creating the Complaint Review System Task Force for Persons with Disabilities; requiring cooperation; providing membership, appointments, qualifications, and setting certain time limits; providing for appointments of cochairs; providing for vacancies; providing for meetings; providing for certain duties and responsibilities; requiring a report; providing for termination; providing for staffing; providing for travel reimbursement; 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. The Legislature hereby establishes the Complaint Review System Task Force for Persons with Disabilities and directs the Task Force to undertake a thorough review and study to determine how complaints regarding access to programs and services for persons with disabilities are handled and resolved by various state entities in Oklahoma.

B. All departments, officers, agencies and employees of this state shall cooperate with the Complaint Review System Task Force for Persons with Disabilities in carrying out its duties and responsibilities, including providing any information, records and reports as may be 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 Complaint Review System Task Force for Persons with Disabilities shall consist of the following twenty (20) members:

1. One member who is the Chair of the Human Services Committee of the Oklahoma House of Representatives, or a designee;

2. One member who is 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 Client Assistance Program, or a designee;

13. An individual with an acquired severe disability, to be appointed by the Governor;

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

15. The Chair of the Advisory Council on Traumatic Spinal Cord and Traumatic Brain Injury, or a designee;

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

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

18. A representative from the Adult Protective Services Program of the Department of Human Services to be appointed by the Director of the Department of Human Services; and

19. The Chair of the Statewide Independent Living Council of Oklahoma, 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 Complaint Review System Task Force for Persons with Disabilities to serve as cochairs who shall serve until June 30, 2001. Cochairs shall be appointed by August 15, 2000. If a vacancy occurs in such office, a new cochair shall be appointed from the Task Force in the same manner as the original appointment. A majority of the members present shall constitute a quorum, and a majority present may act for the Task Force.

2. The cochairs shall convene and preside over the first meeting of the Task Force no later than September 8, 2000. Thereafter, the Task Force may meet at least one time per month and at such other times set by the cochairs.

C. Task Force members 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 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 Handicapped Concerns in accordance with the State Travel Reimbursement Act.

D. Members of the Task Force shall serve until June 30, 2001. Any vacancies in the membership of the Task Force shall be filled for the unexpired term in the same manner as the original appointment.

E. The Task Force may divide into subcommittees in furtherance of its purposes.

F. 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:

A. The purposes of the Complaint Review System Task Force for Persons with Disabilities shall be to conduct a systematic review and study of all policies and procedures concerning the client/consumer complaint system for persons with disabling conditions. The duties of the Task Force in preparing recommendations shall include, but not be limited to, the following:

1. To review the existing review complaint process system used by state entities for persons with disabilities;

2. To examine and assess the current grievance and hearing processes utilized by state entities and review the number of complaints, types and nature of complaints, and client/consumer satisfaction with regard to the current hearing and grievance process;

3. To modify existing policies, rules, guidelines and procedures concerning the complaint system regarding access to

services by persons with disabilities in order to enhance the program/service delivery systems;

4. To identify and assess gaps and barriers related to access of services and to review the complaint process system for persons with disabilities in Oklahoma; and

5. To recommend actions to improve the review complaint process system concerning access to program and services used by state entities for persons with disabling conditions.

B. The Complaint Review System Task Force for Persons with Disabilities shall cease to exist June 30, 2001.

C. The Oklahoma House of Representatives and the Oklahoma State Senate shall provide, as may be necessary, staff assistance to the Complaint Review System Task Force for Persons with Disabilities as necessary to assist the Task Force in the performance of its duties.

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.

47-2-8465          ASK          6/12/15