

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

CONFERENCE COMMITTEE
SUBSTITUTE FOR ENGROSSED
HOUSE BILL NO. 1115

By: Lindley and Gilbert of the
House

and

Robinson of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to mental health; stating legislative findings; providing for study by certain agencies; providing for report; continuing certain pilot projects; stating requirements; providing for funding; defining term; amending Section 1 of Enrolled Senate Bill No. 708 of the 1st Session of the 48th Oklahoma Legislature, which relates to the Task Force on the Promotion of Children's Health; modifying membership of task force; providing for noncodification; 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 not to be codified in the Oklahoma Statutes reads as follows:

A. The Oklahoma Legislature recognizes that a small but significant group of children and youth who are dually diagnosed as having mental disorders as well as developmental delays are inadequately served by the State of Oklahoma. The Department of Human Services is mandated to serve children and youth with developmental disabilities and the Department of Mental Health and Substance Abuse Services is mandated to serve children and youth with mental disorders; however, neither agency alone is able to adequately serve children and youth who are dually diagnosed.

The Legislature further recognizes that providing appropriate services to this population will take significant cooperation and coordination between the involved state agencies.

B. The Oklahoma Department of Human Services, the Oklahoma Department of Mental Health and Substance Abuse Services and the Oklahoma Health Care Authority shall conduct a study regarding how to provide appropriate treatment and services to dually diagnosed children and youth and shall develop a proposal for establishing a full continuum of care for this population. The previously listed agencies shall submit a report of the findings of their study to the Speaker of the House of Representatives, the President Pro Tempore of the Senate and the Governor by December 1, 2001.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5-521 of Title 43A, unless there is created a duplication in numbering, reads as follows:

A. The Department of Mental Health and Substance Abuse Services shall continue pilot projects previously established for the delivery of mental health services to children and adolescents through a community-based system of care, contingent upon the availability of funds. Pilot projects shall include, but not be limited to, requirements for:

1. The active participation and assistance of:

- a. local public agencies and private child-serving agencies receiving state funds through contracts with state agencies,
- b. local offices of state agencies having health, mental health or social or other service responsibilities related to children and adolescents, and
- c. the local school district;

2. The use of comprehensive treatment plans that cross individual agency boundaries;

3. Case managers responsible for the coordination of service delivery;

4. Flexible funding to provide traditional or nontraditional services for which no other source of funding is available;

5. A coordinated database for children receiving services through the pilot project; and

6. Outcome measures to evaluate the service and cost effectiveness of the project.

B. Community-based system of care for mental health services for children and adolescents shall be funded through available agency funds, federal grants, and private grants or other funds. Each state agency required by this act to participate in the continuation of pilot projects shall also assist with funding, including any required state matches to federal funds.

As used in this section, "community-based system of care" means a consortium of public and private agencies within a community that establishes a coordinated team approach for the delivery of services to children and adolescents who require mental health services and their families. Services provided under a community-based system of care may include, but shall not be limited to, case management and service coordination, counseling, day treatment, special education services, family support, health services, homebound services, respite care, residential care, transitional services, psychiatric consultation, medication, transportation and wrap-around or nontraditional services.

SECTION 3. AMENDATORY Section 1 of Enrolled Senate Bill No. 708 of the 1st Session of the 48th Oklahoma Legislature, is amended to read as follows:

Section 1. A. There is hereby created the Task Force on the Promotion of Children's Health.

B. The Task Force shall consist of ~~twelve (12)~~ sixteen (16) members to be appointed by July 1, 2001, as follows:

1. The President Pro Tempore of the Senate shall appoint ~~four~~ five members as follows:

- a. a representative from the Women, Infants and Children (WIC) Program ~~of~~ within the ~~Department of Human Services~~ Oklahoma State Department of Health,
- b. a college professor in the area of allied nutrition,
- c. a representative from the Department of Mental Health and Substance Abuse Services, ~~and~~
- d. a pediatrician, and
- e. a representative from the Child and Adolescent Health Division within the State Department of Health;

2. The Speaker of the House of Representatives shall appoint ~~four~~ five members as follows:

- a. a representative from an urban Indian health clinic,
- b. a pediatric endocrinologist,
- c. a child advocate representing Hispanic children, ~~and~~
- d. a representative of the Department of Education, and
- e. the adolescent health program coordinator of the State Department of Health;

3. The Governor shall appoint ~~four~~ six members as follows:

- a. a Doctor of Pharmacy,
- b. a physical therapist or exercise therapist,
- c. a child advocate representing African-American children, ~~and~~
- d. a school counselor,
- e. a representative from the Governor's Council on Physical Fitness and Sports, and
- f. the Project Director of Schools for Healthy Lifestyles.

C. The task force shall elect from among its members a chair and vice-chair.

D. The task force shall hold an initial meeting not later than September 1, 2001 and, thereafter, shall meet at such times and places as it deems necessary to perform its duties as specified in this section. Meetings shall be held at the call of the chair. A majority of the members serving on the task force shall constitute a quorum.

E. Members of the task force shall be reimbursed by their appointing authorities for necessary travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

F. The Oklahoma State Senate and the House of Representatives shall provide such staff support as is required by the task force.

G. It shall be the duty of the task force to:

1. Study the ability of various entities, including the Governor, to raise public awareness of the problems surrounding the incidence of obesity in children;

2. Investigate the feasibility of the State Board of Education creating and promoting a healthy schools initiative with awards for performance and results;

3. Analyze the success of best practices models, such as "Schools for Healthy Lifestyles" program in the Oklahoma City Public Schools;

4. Ascertain quantifiable local and statewide data;

5. Promote better use of various facilities, such as utilization of physical activity facilities after hours;

6. Consider the feasibility of all schools participating in the Youth Risk Behaviors Survey (YRBS), and assistance to YRBS schools in developing nutrition and physical activity plans;

7. Determine ways to encourage schools to offer nutritious snacks in soft drink and snack vending machines;

8. Examine avenues to work with school cafeteria personnel on service of more appetizing nutritious foods; and

9. Determine ways to encourage community-based groups or coalitions to support healthy eating and physical activity.

H. The task force shall develop recommendations relating to the promotion of children's health by reducing obesity through nutrition and physical activity and shall make recommendations for any resulting legislation. The task force shall be terminated as of January 1, 2002.

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.

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