

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1101

By: Mitchell

AS INTRODUCED

An Act relating to children, amending 10 O.S. 1991, Section 609, as last amended by Section 82, Chapter 352, O.S.L. 1995, and as renumbered by Section 199, Chapter 352, O.S.L. 1995 (10 O.S. Supp. 2000, Section 7302-3.6), which relates to youth service agencies; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 1991, Section 609, as last amended by Section 82, Chapter 352, O.S.L. 1995, and as renumbered by Section 199, Chapter 352, O.S.L. 1995 (10 O.S. Supp. 2000, Section 7302-3.6), is amended to read as follows:

Section 7302-3.6 A. 1. Funds specifically appropriated to the Office of Juvenile Affairs for designated Youth Services Agency programs for both the Department of Juvenile Justice and the Department of Human Services shall be made available through contracts negotiated by the Department of Juvenile Justice, to organizations designated by the Department of Juvenile Justice as "Youth Services Agencies". Such designations shall be granted based on need, as indicated in the State Plan for Services to Children and Youth, and in accordance with criteria approved by the Board of Juvenile Affairs after full consideration of any recommendations of the Department of Human Services and the Oklahoma Association of Youth Services.

2. Until the criteria is established by the Board, the criteria established by the Commission for Human Services shall remain in

effect. The criteria for designation of Youth Services agencies shall include but shall not be limited to:

~~1. Capability~~

- a. capability to deliver all or part of the compensable services enumerated in Section 7302-3.3 of Title 10 of the Oklahoma Statutes, if the Youth Services Agency is to provide such services~~†, 1~~

~~2. Capability~~

- b. capability to deliver all or part of the compensable children's services that the Department of Human Services is authorized to provide for by contract with a private agency, if the Youth Services Agency is to provide such services~~†, 1~~

~~3. Adequate~~

- c. adequate and qualified staff who are available as needed, within a reasonable time after being contacted for services in each county served by the agency~~†, 1~~

~~4. Adequate~~

- d. adequate services in each county served by the agency~~†, 1~~

~~5. Financial~~

- e. financial viability~~†, 1~~ and

~~6. A~~

- f. a documented need for the local services to be offered.

B. The criteria for designation of Youth Services agencies also may include:

1. Successful completion of peer review processes by the Oklahoma Association of Youth Services; and
2. Such other criteria as the Board of Juvenile Affairs determines appropriate.

C. Each youth service agency receiving, by grant or contract from the Department of Human Services on June 30, 1995, state funds specifically appropriated for community-based youth service programs, is hereby automatically designated a "Youth Services Agency".

D. 1. The Department of Juvenile Justice, after the opportunity for an administrative hearing, may terminate the designation of a Youth Services Agency that:

~~1. Is~~

a. is seriously deficient in the administration of its program~~;~~

~~2. Loses~~

b. loses financial viability~~;~~ or

~~3. Fails~~

c. fails to successfully complete the peer review process by the Oklahoma Association of Youth Services~~;~~ and

2. Any applicant organization denied designation as a Youth Services Agency may request an administrative hearing from the Department. The Board of Juvenile Affairs shall establish an administrative hearing and appeal process. Until the administrative hearing and appeal process is established, the hearing and appeal process established for this section by the Commission for Human Services shall remain in effect.

E. The Department of Juvenile Justice shall be the sole administrator of Youth Services Agency contracts. Any contracting procedure shall include a procedure for converting all contracts to a system of payment which will be structured in a manner that will allow for the receipt of all available federal funds.

F. The Department of Juvenile Justice and the Department of Human Services shall enter into a cooperative agreement that establishes procedures to ensure the continuation of services provided for in paragraph 2 of subsection A of this section by Youth

Services Agencies. The Department of Juvenile Justice shall consult with the Department of Human Services when assessing the capability of a Youth Services Agency to deliver services pursuant to paragraph 2 of subsection A of this section.

SECTION 2. This act shall become effective November 1, 2001.

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