

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 603

By: Williams

AS INTRODUCED

An Act relating to community-based services; amending Section 13, Chapter 407, O.S.L. 1997 (56 O.S. Supp. 2000, Section 1025.3), which relates to community services worker registry; deleting obsolete language; allowing promulgation of specified rules; allowing discretion in content of rules; including verbal abuse as subject of rules; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 13, Chapter 407, O.S.L. 1997 (56 O.S. Supp. 2000, Section 1025.3), is amended to read as follows:

Section 1025.3 A. ~~Within one hundred eighty (180) days following the effective date of this act, the~~ The Commission for Human Services ~~shall~~ may promulgate rules to establish and maintain a community services worker registry. Such rules ~~will~~ may include, but shall not be limited to:

1. A procedure for notation in such registry of a final Department of Human Services investigative finding or a finding by an Administrative Law Judge of abuse, neglect, verbal abuse, or exploitation of an individual by a community services worker;

2. A procedure for notice and due process for a community services worker or applicant before the entering of such person's name in the registry as having a final Department of Human Services investigative finding or Administrative Law Judge finding of abuse, neglect, verbal abuse, or exploitation of an individual;

3. Disclosure requirements for information in the registry; and

4. Procedures for granting a waiver of the provisions of paragraph 1 of subsection F of Section ~~12~~ 1025.2 of this ~~act~~ title by the Director of Human Services.

B. The community services worker registry shall include, but not be limited to, the following information on each community services worker:

1. The individual's full name;
2. Information necessary to identify each individual;
3. The date the individual's name was placed in the registry;

and

4. Information on any final Department of Human Services investigative finding or Administrative Law Judge finding of abuse, ~~exploitation, or neglect,~~ verbal abuse or exploitation as these terms are defined in Section 10-103 of Title 43A of the Oklahoma Statutes concerning the worker.

C. A community services worker or applicant who is adversely affected by an Administrative Law Judge finding of abuse, neglect, verbal abuse or exploitation of an individual may seek judicial review under Section 318 et seq. of Title 75 of the Oklahoma Statutes. The finding of the Administrative Law Judge may be appealed to the district court in which the community services worker or applicant resides within thirty (30) days of the date of the decision. A copy of the petition shall be served by mail upon the general counsel of the Department of Human Services.

SECTION 2. 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.