

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 737

By: Robinson

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Sections 1-227, 1-227.1, 1-227.2, 1-227.3, 1-227.4, 1-227.5, 1-227.6, 1-227.7, 1-227.8, as amended Section 6, Chapter 392, O.S.L. 1998, and 1-227.9, as last amended by Section 37, Chapter 374, O.S.L. 2000 (63 O.S. Supp. 2000, Sections 1-227.8 and 1-227.9), which relate to the Child Abuse Prevention Act; deleting declaration and intent language; identifying specified priority; clarifying purposes of act; clarifying language; deleting and modifying language referring to comprehensive state plan; modifying membership of Interagency Child Abuse Prevention Task Force; modifying duties of the Interagency Child Abuse Prevention Task Force; modifying membership of district task forces; deleting obsolete language; modifying method of disbursing specified state funds; modifying specified types of proposals; establishing priority ranking and providing for review thereof; modifying duties of Director for the Office of Child Abuse Prevention; limiting funding to specified memoranda of understanding or contracts; deleting unnecessary language; modifying duties of the Child Abuse Training and Coordination Council; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-227, is amended to read as follows:

Section 1-227. A. This ~~section, Sections 1-227.1 through 1-227.8 of this title and Section 6 of this act~~ shall be known and may be cited as the "Child Abuse Prevention Act".

B. The Legislature hereby ~~declares that the increasing incidence of child abuse and its attendant human and financial cost to the citizens of Oklahoma requires that the prevention of child abuse and neglect be identified~~ identifies the prevention of child abuse and neglect as a priority within the children, youth and

family service system of this state. ~~It is the intent of the Legislature that~~ The purposes of this act are to:

1. Develop a comprehensive approach for the prevention of child abuse and neglect ~~be developed for the~~ in this state, and ~~that this planned, comprehensive approach be used as a basis for~~ to base funding of programs and services for the prevention of child abuse and neglect statewide on this planned, comprehensive approach; and

2. Make available multidisciplinary and discipline-specific training on child abuse and neglect and domestic violence ~~be made available~~ to professionals in Oklahoma with responsibilities affecting children, youth, and families, including, but not limited to:

- a. district attorneys,
- b. judges,
- c. lawyers, including public defenders,
- d. medical personnel,
- e. law enforcement officers,
- f. school personnel,
- g. child ~~welfare~~ protective services workers,
- h. youth service agencies,
- i. mental health workers, and
- j. Court Appointed Special Advocates (CASA).

~~Said~~ The training shall be ongoing and shall accommodate professionals who require extensive knowledge and those who require only general knowledge.

C. ~~For the purpose of establishing a comprehensive statewide approach towards the prevention of child abuse and neglect there is hereby created the~~ The Office of Child Abuse Prevention exists within the State Department of Health for the purpose of establishing a statewide approach to the prevention of child abuse and neglect.

SECTION 2. AMENDATORY 63 O.S. 1991, Section 1-227.1, is amended to read as follows:

Section 1-227.1 As used in the Child Abuse Prevention Act:

1. "Child abuse prevention" means services and programs designed to prevent the occurrence or recurrence of child abuse and neglect as defined in Section 845 of Title 21 of the Oklahoma Statutes but as limited by Section 844 of Title 21 of the Oklahoma Statutes. Except for the purpose of planning and coordination pursuant to the provisions of the Child Abuse Prevention Act, the services and programs of the Department of Human Services which are mandated by state law or which are a requirement for the receipt of federal funds with regard to deprived, destitute or homeless children shall not be subject to the provisions of the Child Abuse Prevention Act;

2. "Child Abuse Training and Coordination Council" or "Training Council" means the council responsible for the development of training curricula established by Section ~~6~~ 1-227.9 of this ~~act~~ title;

3. "Primary prevention" means programs and services designed to promote the general welfare of children and families;

4. "Secondary prevention" means the identification of children who are in circumstances where there is a high risk that abuse or neglect will occur, and assistance ~~is provided~~ is provided as necessary and appropriate ~~to~~ to prevent abuse or neglect from occurring;

5. "Tertiary prevention" means those services provided after abuse or neglect has occurred which are designed to prevent the recurrence of abuse or neglect;

6. "Department" means the State Department of Health;

7. "Director" means the Director of the Office of Child Abuse Prevention;

8. "District" means the local child abuse prevention planning and coordination areas established pursuant to Section 1-227.2 of this title;

9. "District task force" means the local child abuse prevention and coordination body established pursuant to the provisions of Section 1-227.5 of this title;

10. "Office" means the Office of Child Abuse Prevention;

11. "Interagency Child Abuse Prevention Task Force" means the state child abuse prevention planning and coordinating body established pursuant to the provisions of Section 1-227.4 of this title;

12. "Commission" means the Oklahoma Commission on Children and Youth; and

13. "Child Abuse Prevention Fund" means the revolving fund established pursuant to the provisions of Section 1-227.8 of this title.

SECTION 3. AMENDATORY 63 O.S. 1991, Section 1-227.2, is amended to read as follows:

Section 1-227.2 A. The Office of Child Abuse Prevention is hereby authorized and directed to:

1. Prepare and implement a comprehensive state plan for the planning and coordination of child abuse prevention programs and services and for the establishment, development and funding of such programs and services, and to revise and update ~~said~~ the plan pursuant to the provisions of Section 1-227.3 of this title; ~~and~~

2. Designate child abuse and neglect prevention planning districts and establish guidelines for ~~the establishment of~~ district child abuse prevention task forces which will ~~assure~~ ensure an opportunity for broad community participation and the representation of both urban and rural concerns in the planning process and coordinate the preparation and implementation of the district child abuse prevention plans provided for in Section 1-227.5 of this

title. ~~Said~~ The districts shall be contiguous with existing guidance service districts as designated by the State Board of Health; ~~and~~

3. Monitor, evaluate and review the development and quality of services and programs for the prevention of child abuse and neglect, publish and distribute an annual report of its findings on or before January 1 of each year to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate and to the chief administrative officer of each agency affected by the report. Such report shall include activities of the Office, recommendations for the further development and improvement of services and programs for the prevention of child abuse and neglect and budget and program needs; ~~and~~

4. Conduct or otherwise provide for or make available continuing professional education and training in the area of child abuse prevention; and

5. Assist the Training Council in the performance of its duties as requested by the Training Council and authorized by the Commissioner, ~~including,~~ but not limited to, ~~providing~~ by contract for the services of a consultant to assist the Training Council.

B. For the purpose of implementing the provisions of the Child Abuse Prevention Act the State ~~Board~~ Department of Health is authorized to:

1. Accept appropriations, gifts, loans and grants from the state and federal government and from other sources, public or private; ~~and~~

2. Enter into ~~agreements~~ memoranda of understanding or contracts for the establishment and development of:

- a. programs and services for the prevention of child abuse and neglect~~;~~
- b. training programs for the prevention of child abuse and neglect~~;~~ and

- c. multidisciplinary and discipline-specific training programs for professionals with responsibilities affecting children, youth and families; and

3. Secure necessary statistical, technical, administrative and operational services by interagency agreement or contract; and

4. ~~Promulgate rules and regulations~~ Develop policies and procedures as necessary to implement the duties and responsibilities assigned to the Office of Child Abuse Prevention.

SECTION 4. AMENDATORY 63 O.S. 1991, Section 1-227.3, is amended to read as follows:

Section 1-227.3 A. ~~The Oklahoma Commission on Children and Youth shall review and approve the comprehensive state plan and any subsequent revisions of said plan, prior to the submission of the plan as provided in this section.~~

B. ~~On or before January 1, 1986, the Oklahoma Commission on Children and Youth shall deliver the comprehensive state plan for the prevention of child abuse and neglect to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives. Said plan shall include but not be limited to:~~

1. ~~The components, on a statewide basis, required for district plans pursuant to the provisions of subsection E of Section 6 of this act; and~~

2. ~~A summary of each district plan and an analysis of variations of service and program needs based upon population or geographic areas; and~~

3. ~~Specific proposals for the implementation of the comprehensive state plan which would promote the efficient use of staff, funds and other resources on the state level and improve the coordination and integration of state goals, activities and funds for the prevention of child abuse and neglect, particularly with regard to primary and secondary prevention of child abuse and neglect.~~

~~C. The Office of Child Abuse Prevention and the Oklahoma Commission on Children and Youth shall at least biennially review the state plan and make any necessary revisions based on changing needs and program evaluation results. Any such revisions shall be delivered to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate no later than January 1, 1988, and by January 1 of alternate years thereafter in consultation with the State Interagency Child Abuse Prevention Task Force and the district child abuse prevention task forces, shall:~~

1. Prepare the comprehensive state plan and any subsequent revisions of the plan; and

2. Review the state plan every five (5) years and make any necessary revisions based on changing needs and program evaluation results. Any such revisions shall be delivered to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives by January 1, 2002, and every five (5) years thereafter.

B. The Comprehensive state plan for the prevention of child abuse shall:

1. Include, but not be limited to, specific proposals for the implementation of a comprehensive state plan that promotes efficient and effective use of staff, funds and other resources at the state level, and that improves the coordination and integration of state goals, activities and funds for the prevention of child abuse and neglect. Primary and secondary prevention activities are the intended focus of the Child Abuse Prevention Fund; and

2. Provide adequate opportunities for appropriate private and public agencies, organizations, private citizens and consumer participation in the development of the state plan at the local level.

SECTION 5. AMENDATORY 63 O.S. 1991, Section 1-227.4, is amended to read as follows:

Section 1-227.4 A. The Commission on Children and Youth shall appoint an Interagency Child Abuse Prevention Task Force which shall be composed of ~~sixteen (16)~~ seventeen (17) members, ~~two of whom~~ as follows:

1. Two members shall be representatives of ~~the child welfare protective services~~ of within the Department of Human Services, ~~one of whom;~~

2. Two members shall be ~~a representative~~ representatives of the maternal and child health services ~~of~~ within the State Department of Health, ~~one of whom;~~

3. One member shall be a representative of the ~~child guidance services of the State Department of Health,~~ ~~one of whom shall be a representative of the Department of Education,~~ ~~one of whom;~~

4. One member shall be a representative of the Department of Mental Health and Substance Abuse, ~~one of whom~~ Services;

5. One member shall be a representative of the ~~Office of the Chief Medical Examiner,~~ ~~one of whom~~ Child Death Review Board;

6. One member shall be a representative of the judiciary, legal or law enforcement profession;

7. One member shall be a representative of the Oklahoma State Medical Association, provided the representative shall also be a member of the Oklahoma Chapter of the American Academy of Pediatrics, ~~one of whom;~~ and

8. Eight members, as follows, shall be ~~a representative~~ representatives of agencies, organizations or programs that provide child abuse and neglect prevention, intervention or treatment services:

~~of the judiciary, the legal profession, or law enforcement, and seven of whom shall be persons having expertise in the identification and treatment of families at risk of child abuse and~~

~~neglect and who shall be representatives of private agencies, programs and services for the prevention of child abuse and neglect. One of the seven shall be a licensed psychologist.~~

- ~~a. two shall be consumers of services, one of whom shall be a parent or child care giver,~~
- ~~b. one shall be a representative of the business community,~~
- ~~c. one shall be a licensed mental health professional,~~
- ~~d. one shall be a representative of a district child abuse prevention task force,~~
- ~~e. one shall be a representative of the faith community,
and~~
- ~~f. two shall be members at large.~~

~~B. The Office of Child Abuse Prevention and the interagency child abuse prevention task force of the Oklahoma Commission on Children and Youth shall prepare the comprehensive state plan for prevention of child abuse and neglect for the approval of the Commission. The development and preparation of said plan shall include but not be limited to:~~

~~1. Adequate opportunity for appropriate local private and public agencies and organizations and private citizens to participate in the development of the state plan at the local level. Appropriate local groups shall include but not be limited to community mental health centers, district attorney's offices, courts having juvenile docket responsibility, school boards, private or public programs with recognized expertise in working with families at risk of child abuse and neglect, voluntary self-help abuse prevention and treatment programs, day care centers, law enforcement and private or public programs with expertise in maternal and infant health care; and~~

~~2. Guidelines for the formation of the district child abuse prevention task forces provided for in Section 1-227.5 of this title~~

~~and establishment of a basic format to be utilized by the district task forces in the preparation of district plans, the provision of technical assistance to district task forces as requested and review of the district plans in order to determine compliance with the provisions of subsection E of Section 1-227.5 of this title; and~~

~~3. Incorporation of the district plans and information provided by district task forces and public and private agencies into the comprehensive state plan.~~

~~C. The interagency child abuse prevention task force and the Office of Child Abuse Prevention shall review and evaluate all proposals submitted for grants or contracts for child abuse prevention programs and services. Upon completion of such review and evaluation, the interagency child abuse prevention task force and the Office of Child Abuse Prevention shall make the final recommendations as to which proposals should be funded pursuant to the provisions of the Child Abuse Prevention Act, Section 1-227 et seq. of this title, and shall submit its findings to the Oklahoma Commission on Children and Youth. The Commission shall review the findings of the interagency child abuse prevention task force and the Office of Child Abuse Prevention for compliance of such approved proposals with the comprehensive state plan and district plans prepared pursuant to the provisions of the Child Abuse Prevention Act. Upon ascertaining compliance with said plans, the Commission shall deliver the findings of the interagency child abuse prevention task force and the Office of Child Abuse Prevention to the Commissioner of Health. The Commissioner shall authorize the Office of Child Abuse Prevention to use the Child Abuse Prevention Fund, provided for in Section 1-227.8 of this title, to fund such grants or contracts for child abuse prevention programs and services which are approved by the Commissioner. Whenever the Commissioner approves a grant or contract which was not recommended by the interagency task force and the Office of Child Abuse Prevention, the~~

~~Commissioner shall state in writing the reason for such decision~~
Interagency Child Abuse Prevention Task Force shall:

1. Develop bylaws which shall include a written statement clearly identifying its operating purpose procedures, overall responsibilities and methods of meeting those responsibilities;

2. Elect a chair or co-chairs from among its members in accordance with the established bylaws. The term of office for the chair shall be in accordance with established bylaws;

3. Provide consultation to the Office of Child Abuse Prevention regarding the development of a comprehensive state plan for the prevention of child abuse;

4. Assist the Office of Child Abuse Prevention in implementing the comprehensive state plan for the prevention of child abuse; and

5. Conduct business in accordance with the provisions of the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

SECTION 6. AMENDATORY 63 O.S. 1991, Section 1-227.5, is amended to read as follows:

Section 1-227.5 A. There are hereby created district child abuse prevention task forces which shall be composed of representatives of public and private agencies and organizations, representatives of local health departments and private individuals in accordance with the guidelines established by the ~~interagency child abuse prevention task force and the~~ Office of Child Abuse Prevention within the State Department of Health. Each district task force shall include, but not be limited to, representatives of:

1. The local county office of the Department of Human Services,
~~the State Department of Health, the Department of Mental Health,~~

2. The local county health department;

3. The local mental health and substance abuse services agency
~~local;~~

4. Local school districts and representatives;

5. Representatives of private child abuse prevention services and programs;

6. Consumers of services who are parents or child care givers;

7. The business community;

8. The faith community within the district; and

9. Representation for each county in the district.

~~After January 1, 1987, members B. Membership shall be appointed determined in accordance with the bylaws of the district child abuse prevention task force from a list of nominees submitted by the district coordinator of that district. The members of each district task force shall be appointed to serve for a two-year term and may be reappointed.~~

~~B. Prior to January 1, 1986, the Commission, with the assistance of the Office of Child Abuse Prevention and the interagency child abuse prevention task force, shall select and appoint a coordinator for each district task force and shall appoint successors for said coordinators if vacancies should occur. After January 1, 1986, each district task force shall elect a coordinator from among its membership. The elected coordinators shall serve two-year terms and may be reelected. The director of the child guidance center within each district shall provide administrative support and assistance to the coordinator for the district task force of the district.~~

~~C. Each district child abuse prevention task force shall prepare and implement a district plan for the prevention of child abuse and neglect within its district pursuant to the provisions of the Child Abuse Prevention Act.~~

~~D. Each district task force shall develop a written statement clearly identifying its operating procedures, purpose, overall responsibilities and method of meeting those responsibilities.~~

~~E. The district plan shall include, but not be limited to:~~

~~1. Documentation of the magnitude of the problem of child abuse, including sexual abuse, physical abuse, emotional abuse, neglect and failure to thrive in its geographic area; and~~

~~2. A description of programs currently serving abused and neglected children and their families and child abuse and neglect prevention programs, including information on impact of programs, cost effectiveness and sources of funding; and~~

~~3. A continuum of programs and services which would be necessary for a comprehensive approach to prevention as well as a brief description of such programs and services; and~~

~~4. A description, documentation and priority ranking of primary, secondary and tertiary prevention service and program needs related to child abuse prevention based upon the continuum; and~~

~~5. A plan for steps to be taken in meeting identified needs, including the coordination and integration of services to avoid unnecessary duplication and cost, and alternative funding strategies for meeting needs through the reallocation of existing resources, utilization of volunteers, contracting with local universities and local government or private agency funding; and~~

~~6. A description of barriers to the accomplishment of a comprehensive approach to child abuse and neglect prevention; and~~

~~7. Recommendations for any necessary changes that can be accomplished administratively or which may require legislative action:~~

1. Develop bylaws which shall include a written statement clearly identifying its operating purpose, procedures, overall responsibilities and methods of meeting those responsibilities;

2. Elect a coordinator or co-coordinators from among its members in accordance with established bylaws. The term of office for the coordinator shall be in accordance with established bylaws;

3. Provide consultation to the Office of Child Abuse Prevention regarding the development of a comprehensive state plan for the prevention of child abuse;

4. Assist the Office of Child Abuse Prevention in implementing the comprehensive state plan for the prevention of child abuse at the local level, and to conduct community-based child abuse prevention activities; and

5. Conduct business in accordance with the provisions of the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

SECTION 7. AMENDATORY 63 O.S. 1991, Section 1-227.6, is amended to read as follows:

Section 1-227.6 A. The State Department of Health, in its annual budget requests, shall identify the amount of funds requested for the implementation of the Child Abuse Prevention Act.

B. From state monies appropriated ~~or otherwise available~~ to the State Department of Health, the Office of Child Abuse Prevention ~~through state, federal or private resources the Commissioner of Health~~ shall implement the provisions of the Child Abuse Prevention Act and shall disburse such monies in the following manner:

1. The State Department of Health shall authorize the Office of Child Abuse Prevention to use the Child Abuse Prevention Fund, provided for in Section 1-227.8 of this title, to fund memoranda of understanding or contracts for child abuse prevention programs and services which are approved by the Department of Central Services procurement process;

2. The State Commissioner of Health shall establish a formula for the distribution of funds for the establishment, development or improvement of both public and private programs and services for the prevention of child abuse and neglect which shall provide for the allocation of funds to each district based upon the percentage of the total state ~~reported~~ confirmed cases of abuse and neglect ~~reported~~ in the district ~~and,~~ and the percentage of the total state

population in the district under the age of eighteen (18) years, and ~~upon the child abuse prevention service and program needs of the district as identified in the district plan and, after January 1, 1986,~~ the comprehensive state plan;

~~2. After July 1, 1985, the allocation of any funds available to each district shall be contingent upon the completion of the plan for the prevention of child abuse and neglect for the district as required in the Child Abuse Prevention Act, and the acceptance of the plan as being complete by the Office of Child Abuse Prevention and the interagency child abuse prevention task force.~~

3. Any allocated funds which are not utilized within a district shall be reallocated to the remaining districts in accordance with the formula required by paragraph ~~±~~ 2 of this subsection; and

~~3.~~ 4. For the continuing development and establishment of child abuse prevention training programs and multidisciplinary and discipline-specific training programs for professionals with responsibilities affecting children, youth and families.

C. ~~Appropriations~~ State appropriations made for distribution by the Office for ~~grants~~ memoranda of understanding or contracts for child abuse prevention programs and services shall be deposited in the Child Abuse Prevention Fund.

D. 1. The Office shall develop and publish requests for proposals for ~~grants~~ memoranda of understanding or contracts for community-based child abuse prevention programs and services which shall require no less than a ten percent (10%) cash or in-kind match by an agency or organization ~~receiving a grant~~ entering into a memoranda of agreement or contract, and which are designed to meet identified priority needs.

~~1. After July 1, 1985, said priorities shall be based upon information contained in the district child abuse prevention plans and after January 1, 1986, shall also be based upon the comprehensive state child abuse prevention plan; and~~

2. A priority ranking shall be made based upon the extent to which a proposal meets identified needs, criteria for cost effectiveness, provision for ~~an~~ complying with the evaluation ~~component providing outcome data~~ design designated by the Office of Child Abuse Prevention, and a determination that the proposal provides a mechanism for coordinating and integrating these preventive services with other services deemed necessary for working effectively with families who are at risk of child abuse or neglect; and

~~3. Each district child abuse prevention task force shall review the proposals submitted to the Office from within its district and shall forward a copy of a report of such review together with any recommendations to the Office and the interagency child abuse prevention task force prior to the letting of grants or contracts pursuant to each request for proposals.~~

~~E. On or before November 1, 1984, the Oklahoma Commission on Children and Youth shall transfer to the Office of Child Abuse Prevention the administration of all existing grants or contracts which have been let by said Commission pursuant to appropriations made to said Commission for the purpose of letting grants or contracts for child abuse prevention programs and shall also transfer to the Office any unexpended or unencumbered monies which have been appropriated to said Commission for such purpose. The Office shall administer the existing grants or contracts for child abuse prevention programs which are transferred to it by the Oklahoma Commission on Children and Youth in accordance with the policies and conditions pursuant to which such grants or contracts were let and the provisions of any contracts between said Commission and any agency or organization receiving such grants or contracts.~~

~~F. On and after January 1, 1986, all All budget requests submitted by any public agency to the Legislature for the funding of programs ~~related to~~ specifically for child abuse and neglect~~

prevention shall conform to the comprehensive state plan and any subsequent updates or revisions of ~~said~~ the plan developed pursuant to the provisions of the Child Abuse Prevention Act. Except for the purposes of planning and coordination pursuant to the provisions of the Child Abuse Prevention Act, the services and programs of the Department of Human Services which are mandated by state law or which are a requirement for the receipt of federal funds with regard to deprived, destitute or homeless children shall not be subject to the provisions of this subsection.

SECTION 8. AMENDATORY 63 O.S. 1991, Section 1-227.7, is amended to read as follows:

Section 1-227.7 A. The State ~~Board~~ Department of Health shall ~~direct the Commissioner of Health to~~ employ, appoint or otherwise designate a Director for the Office of Child Abuse Prevention. The Director shall:

1. ~~Prepare the annual report required pursuant to the provisions of paragraph 3 of subsection A of Section 1-227.2 of this title and the annual budget of the Office of Child Abuse Prevention for the approval of the Board; and~~

2. ~~Formulate and recommend rules and regulations pertaining to the implementation of the provisions of the Child Abuse Prevention Act, Sections 1-227 to 1-227.7 of this title, for approval or rejection by the Board; and~~

Provide leadership and advocacy for child abuse and neglect prevention activities and services statewide;

2. As authorized, act as agent for the ~~Board~~ Department in the performance of ~~its~~ duties pertaining to the implementation of the provisions of the Child Abuse Prevention Act;

3. Attend Interagency Child Abuse Prevention Task Force meetings;

4. Ensure that the annual report is prepared as required by paragraph 3 of subsection A of Section 1-227.2 of this title, and

that the annual budget of the Office of Child Abuse Prevention is submitted for approval by the State Commissioner of Health; and

5. Ensure developed policies and procedures pertain to the implementation of the provisions of the Child Abuse Prevention Act for approval by the Commissioner.

B. ~~The guidance centers and services of the~~ State Department of Health shall provide staff support and services to the Office of Child Abuse Prevention ~~and to the district task forces.~~ The Department of Human Services, the Department of Mental Health and Substance Abuse Services, the State Department of Education and the Oklahoma Commission on Children and Youth shall participate and fully cooperate in the development and implementation of the state plan at both the state and local level.

SECTION 9. AMENDATORY 63 O.S. 1991, Section 1-227.8, as amended by Section 6, Chapter 392, O.S.L. 1998 (63 O.S. Supp. 2000, Section 1-227.8), is amended to read as follows:

Section 1-227.8 A. There is hereby created in the State Treasury a revolving fund for the State ~~Board~~ Department of Health to be designated the "Child Abuse Prevention Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received pursuant to the provisions of ~~Section~~ Sections 1-227 and 1-227.6 of Title 63 of the Oklahoma Statutes, ~~Section 5 of this act~~ this title, and such other sources as the Legislature may provide.

B. The Child Abuse Prevention Fund shall be used by the Office of Child Abuse Prevention for funding ~~grants and~~ memoranda of understanding or contracts for child abuse and neglect prevention programs and services as provided for in Section 1-227.6 of ~~Title 63 of the Oklahoma Statutes~~ this title. The Office shall use the Child Abuse Prevention Fund to fund only ~~those grants~~ memoranda of understanding and contracts ~~approved by the State Board of Health,~~ utilizing the Department of Central Services' procurement process,

pursuant to the provisions of ~~subsection C of~~ Section 1-227.4 of ~~Title 63 of the Oklahoma Statutes~~ this title, and which comply with the comprehensive state plan ~~and district plans~~ prepared pursuant to the provisions of the Child Abuse Prevention Act, and for no other purpose. The Child Abuse Prevention Fund shall not be used for the costs of the Office incurred in administering such ~~grants~~ memoranda of understanding and contracts.

C. All projects funded through the Child Abuse Prevention Fund shall provide quarterly caseload and programmatic information to the Office of Child Abuse Prevention.

SECTION 10. AMENDATORY 63 O.S. 1991, Section 1-227.9, as last amended by Section 37, Chapter 374, O.S.L. 2000 (63 O.S. Supp. 2000, Section 1-227.9), is amended to read as follows:

Section 1-227.9 A. There is hereby created the Child Abuse Training and Coordination Council.

B. The Oklahoma Commission on Children and Youth shall appoint a Child Abuse Training and Coordination Council which shall be composed of twenty-one (21) members, ~~as follows~~ who shall represent the following entities:

1. ~~One member shall be a representative of child welfare~~ Child protective services within the Department of Human Services;

2. ~~One member shall be a representative of juvenile~~ Juvenile services within the ~~Department of Human Services~~ Office of Juvenile Affairs;

3. ~~One member shall be a representative of maternal and child~~ Child health services within the State Department of Health;

4. ~~One member shall be a representative of the~~ The State Department of Health;

5. ~~One member shall be a representative of the~~ The State Department of Education;

6. ~~One member shall be a representative of the~~ The Department of Mental Health and Substance Abuse Services;

7. ~~One member shall be a representative of the~~ The Oklahoma State Medical Association ~~and, provided the representative shall also~~ be a member of the Oklahoma Chapter of the American Academy of Pediatrics;

8. ~~One member shall be a representative of the~~ The judiciary;

9. ~~One member shall be a representative of the~~ The Oklahoma Osteopathic Association ~~and, provided the representative shall also~~ be a pediatric osteopathic physician;

10. ~~One member shall be a representative of the~~ The Oklahoma Coalition on Domestic Violence and Sexual Assault;

11. ~~One member shall be a representative of the~~ The District Attorney's Council;

12. ~~One member shall be a representative of the~~ The Council on Law Enforcement, Education and Training;

13. ~~One member shall be a representative of the~~ The Department of Corrections;

14. ~~One member shall be a representative of~~ Court Appointed Special Advocates;

15. ~~One member shall be a representative of the~~ The Oklahoma Bar Association;

16. ~~One member shall be a representative of the~~ The Oklahoma Psychological Association;

17. ~~One member shall be a representative of the~~ The Oklahoma Chapter of the National Association of Social Workers;

18. ~~One member shall be a representative of the~~ The Oklahoma Association of Youth Services;

19. ~~One member shall be a representative of the~~ The Indian Child Welfare Association;

20. ~~One member shall be a representative of the~~ The Advisory Task Force on Child Abuse and Neglect, appointed by the Governor;
and

21. ~~One member shall be a representative of the~~ The
Postadjudication Review Board Program.

C. The appointed members shall be persons having expertise in the dynamics, identification and treatment of child abuse and neglect and child sexual abuse.

D. The Training and Coordination Council shall:

1. Establish objective criteria and guidelines for multidisciplinary and, as appropriate for each discipline, discipline-specific training on child abuse and neglect for professionals with responsibilities affecting children, youth and families;

2. Review curricula and make recommendations to state agencies ~~and,~~ professional organizations and associations regarding available curricula and curricula having high standards of professional merit;

3. Review curricula regarding child abuse and neglect used in law enforcement officer training by the Oklahoma Council on Law Enforcement Education and Training (CLEET), and make recommendations regarding the curricula to CLEET;

4. Cooperate with and assist professional organizations and associations in the development and implementation of ongoing training programs and strategies to encourage professionals to participate in such training programs;

5. ~~Make reports and recommendations regarding the continued development and improvement of such training programs to the State Commissioner of Health, the Oklahoma Commission on Children and Youth, and each affected agency, organization and association;~~

~~6.~~ Prepare and issue a model protocol for multidisciplinary teams regarding the investigation and prosecution of child sexual abuse, child physical abuse and neglect cases;

~~7.~~ 6. Review and approve protocols prepared by the local multidisciplinary teams;

~~8.~~ 7. Advise multidisciplinary teams on team development;

~~9.~~ 8. Collect data on the operation and cases reviewed by the multidisciplinary teams;

~~10.~~ 9. Issue annual reports; and

~~11.~~ 10. Annually approve the list of functioning multidisciplinary teams in the state.

SECTION 11. This act shall become effective November 1, 2001.

48-1-773

CJ

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