

ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE
BILL NO. 2999

By: Winchester, McMullen,
Smithson and Brannon of the
House

and

Johnson (Mike) of the
Senate

(children - Department of Human Services -
cooperative agreements - repealing nine sections in
Title 10 - Department of Juvenile Justice -
codification -

effective date)

AMENDMENT NO. 1. Page 1, strike the stricken title, enacting
clause and entire bill and insert

"[children - Youth Services Agencies -

effective date]

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

SECTION 1. AMENDATORY Section 4, Chapter 4, O.S.L. 2002
(10 O.S. Supp. 2005, Section 7302-3.6a), is amended to read as
follows:

Section 7302-3.6a A. 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 a statewide plan for Youth Services
Agencies adopted by the Office of Juvenile Affairs ~~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. The criteria and rules adopted by the Board shall designate Community-Based Youth Services Agency Service Areas that will serve as primary catchment areas for designated Youth Services Agencies. 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 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;

2. 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;

3. 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;

4. Adequate services in each county in the service area served by the agency;

5. Financial viability; and

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

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

1. Is seriously deficient in the administration of its program;
2. Loses financial viability; or
3. Fails to successfully complete the peer review process by the Oklahoma Association of Youth Services.

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.

G. Funds for the support of Youth Services Agencies shall be authorized by the Office of Juvenile Affairs only on the basis of performance contracts or fee-for-service contracts.

H. The Office of Juvenile Affairs is authorized to contract with the Oklahoma Association of Youth Services for evaluation, training and materials for the First Time Offender Program and for statewide office support, including rental of office space and general technical assistance for Youth Services Agencies with which the Office of Juvenile Affairs has contracts.

SECTION 2. This act shall become effective November 1, 2006."

Passed the Senate the 20th day of April, 2006.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2006.

Presiding Officer of the House
of Representatives