

CS for EHB 2999

1 THE STATE SENATE  
2 Tuesday, April 11, 2006

3 Committee Substitute for  
4 ENGROSSED  
5 House Bill No. 2999

6 COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 2999 - By:  
7 WINCHESTER, McMULLEN, SMITHSON and BRANNON of the House and JOHNSON  
8 (Mike) of the Senate.

9 [ children - Youth Services Agencies - effective date ]

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

11 SECTION 1. AMENDATORY Section 4, Chapter 4, O.S.L. 2002

12 (10 O.S. Supp. 2005, Section 7302-3.6a), is amended to read as

13 follows:

14 Section 7302-3.6a A. Funds specifically appropriated to the  
15 Office of Juvenile Affairs for designated Youth Services Agency  
16 programs for both the Department of Juvenile Justice and the  
17 Department of Human Services shall be made available through  
18 contracts negotiated by the Department of Juvenile Justice, to  
19 organizations designated by the Department of Juvenile Justice as  
20 "Youth Services Agencies". Such designations shall be granted based  
21 on need, as indicated in a statewide plan for Youth Services  
22 Agencies adopted by the Office of Juvenile Affairs ~~the State Plan~~  
23 ~~for Services to Children and Youth,~~ and in accordance with criteria  
24 approved by the Board of Juvenile Affairs after full consideration

1 of any recommendations of the Department of Human Services and the  
2 Oklahoma Association of Youth Services. The criteria and rules  
3 adopted by the Board shall designate Community-Based Youth Services  
4 Agency Service Areas that will serve as primary catchment areas for  
5 designated Youth Services Agencies. Until the criteria is  
6 established by the Board, the criteria established by the Commission  
7 for Human Services shall remain in effect. The criteria for  
8 designation of Youth Services Agencies shall include but shall not  
9 be limited to:

10 1. Capability to deliver all or part of the compensable  
11 services enumerated in Section 7302-3.3 of Title 10 of the Oklahoma  
12 Statutes, if the Youth Services Agency is to provide such services;

13 2. Capability to deliver all or part of the compensable  
14 children's services that the Department of Human Services is  
15 authorized to provide for by contract with a private agency, if the  
16 Youth Services Agency is to provide such services;

17 3. Adequate and qualified staff who are available as needed,  
18 within a reasonable time after being contacted for services in each  
19 county served by the agency;

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

22 5. Financial viability; and

23 6. A documented need for the local services to be offered.

1           B. The criteria for designation of Youth Services Agencies also  
2 may include:

3           1. Successful completion of peer review processes by the  
4 Oklahoma Association of Youth Services; and

5           2. Such other criteria as the Board of Juvenile Affairs  
6 determines appropriate.

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

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

15           1. Is seriously deficient in the administration of its program;

16           2. Loses financial viability; or

17           3. Fails to successfully complete the peer review process by  
18 the Oklahoma Association of Youth Services.

19           Any applicant organization denied designation as a Youth  
20 Services Agency may request an administrative hearing from the  
21 Department. The Board of Juvenile Affairs shall establish an  
22 administrative hearing and appeal process. Until the administrative  
23 hearing and appeal process is established, the hearing and appeal

1 process established for this section by the Commission for Human  
2 Services shall remain in effect.

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

8 F. The Department of Juvenile Justice and the Department of  
9 Human Services shall enter into a cooperative agreement that  
10 establishes procedures to ensure the continuation of services  
11 provided for in paragraph 2 of subsection A of this section by Youth  
12 Services Agencies. The Department of Juvenile Justice shall consult  
13 with the Department of Human Services when assessing the capability  
14 of a Youth Services Agency to deliver services pursuant to paragraph  
15 2 of subsection A of this section.

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

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20 H. The Office of Juvenile Affairs is authorized to contract  
21 with the Oklahoma Association of Youth Services for evaluation,  
22 training and materials for the First Time Offender Program and for  
23 statewide office support, including rental of office space and

1 general technical assistance for Youth Services Agencies with which  
2 the Office of Juvenile Affairs has contracts.

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

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-5-06 - DO  
5 PASS, As Amended.