

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1243

By: Benge and Miller of the
House

7 and

8 Crutchfield, Johnson
(Mike), Adelson and Myers
of the Senate

9
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to the Department of Human Services;
12 requiring the budgeting of appropriated funds in
13 certain categories and amounts; requiring certain
14 performance measures; providing for exemptions from
15 certain expenditure limitations; providing for
16 minimum expenditures; requiring certain funds to be
17 used to establish certain 2-1-1 Call Centers;
18 requiring the Oklahoma 2-1-1 Advisory Collaborative
19 to administer the appropriation; specifying criteria
20 for allocations of appropriation; limiting charge for
21 certain administrative costs; requiring certain funds
22 to be used for rate increase of certain group homes;
23 requiring certain funds to be used for certain
24 purchases and certain expenses; requiring certain
funds be budgeted and expended for certain fund;
specifying use of funds; requiring certain funds be
budgeted and expended for certain project; requiring
certain report for project; requiring certain
proposal under certain circumstances; specifying
distribution of certain appropriated funds; providing
for duties and compensation of employees; limiting
the number of full-time-equivalent employees;
providing for budgetary limitations on certain
expenditures; appropriating all federal funds from
certain grants to the Department; stating purpose;
providing time restriction for finalizing certain

1 rates; providing for limitations on changing certain
2 rates; requiring certain written notification and
3 explanation to certain persons when changing rates;
4 subjecting certain provisions to The Oklahoma Central
5 Purchasing Act; authorizing certain requests relating
6 to early transfers; requiring the Director of State
7 Finance to transfer certain monies from certain funds
8 to agency; providing limitation; specifying purpose
9 of transfer; requiring recordkeeping; authorizing
10 certain interyear transfers; providing lapse dates;
11 requiring and prohibiting certain budget procedures;
12 providing an effective date; and declaring an
13 emergency.

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

15 SECTION 1. For the fiscal year ending June 30, 2008, the
16 Department of Human Services shall budget all appropriated funds in
17 the following categories and amounts:

18	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
19	Children and Family		
20	Services	\$ 89,862,146.00	\$ 183,307,441.00
21	Division of Child Care	2,197,474.00	38,662,734.00
22	Developmental Disabilities		
23	Services	138,183,224.00	279,528,038.00
24	Temporary Assistance to		
	Needy Families (TANF)		
	Cash Assistance	32,299,319.00	44,231,141.00

1	Temporary Assistance to		
2	Needy Families (TANF)		
3	Work Activities	10,482,142.00	32,787,833.00
4	Aid to Aged, Blind and		
5	Disabled (ABD) State		
6	Supplemental Payments	38,609,346.00	40,609,346.00
7	Child Care Subsidy		
8	Payments	46,071,005.00	151,000,189.00
9	Family Support Services	2,868,463.00	52,584,813.00
10	Field Operations	78,692,334.00	251,930,677.00
11	Child Support Enforcement	7,533,820.00	63,870,119.00
12	Aging Services	80,897,232.00	129,543,668.00
13	Office of Faith-Based		
14	Initiatives	100,000.00	250,000.00
15	Administration and Data		
16	Services	29,310,685.00	123,114,803.00
17	Food Stamps	<u>0.00</u>	<u>471,600,000.00</u>
18	TOTAL	\$557,107,190.00	\$1,863,020,802.00

19 The agency shall develop outcome-based performance measures for
20 each budget category.

21 Receipt and expenditure of unanticipated federal funds awarded
22 the Department of Human Services after July 1, 2007, shall be exempt
23 from expenditure limitations, provided that any such funds used for
24 operations shall be included in the agency's budget work program.

1 SECTION 2. From the funds appropriated to the Department of
2 Human Services in Sections 73 and 74 of Enrolled Senate Bill No. 334
3 of the 1st Session of the 51st Oklahoma Legislature, in the
4 following categories and amounts, no less than the following amounts
5 shall be expended:

6 Advantage Care in the
7 Aging Services Division \$61,033,461.00

8 Family Foster Care in the
9 Children and Family
10 Services Division 36,151,843.00

11 Adoption Assistance in the
12 Children and Family
13 Services Division 37,489,723.00

14 SECTION 3. From the funds appropriated to the Department of
15 Human Services in Sections 73 and 74 of Enrolled Senate Bill No. 334
16 of the 1st Session of the 51st Oklahoma Legislature, the amount of
17 One Hundred Thirty Thousand Dollars (\$130,000.00) shall be used for
18 purposes of establishing additional 2-1-1 Call Centers. These
19 centers will provide a single central repository for individuals
20 needing assistance to all community services, both public and
21 private, available to assist them in their time of need. The
22 Oklahoma 2-1-1 Advisory Collaborative shall administer the
23 appropriation in this section for the purpose of the establishment,
24 implementation, and maintenance of 2-1-1 telephone services call

1 centers in Enid and Ponca City, Oklahoma, if feasible. The
2 allocations shall be based on each call center's total area
3 population. The Department of Human Services shall not charge more
4 than eight percent (8%) administrative costs to the Collaborative
5 for indirect costs of services provided by the Department.

6 SECTION 4. From the funds appropriated to the Department of
7 Human Services in Sections 73 and 74 of Enrolled Senate Bill No. 334
8 of the 1st Session of the 51st Oklahoma Legislature, the amount of
9 One Hundred Fifty Thousand Dollars (\$150,000.00) shall be used to
10 provide a rate increase for Level C group homes.

11 SECTION 5. From the funds appropriated to the Department of
12 Human Services in Sections 73 and 74 of Enrolled Senate Bill No. 334
13 of the 1st Session of the 51st Oklahoma Legislature, the amount of
14 One Hundred Sixty-seven Thousand Dollars (\$167,000.00) shall be
15 budgeted and expended for the purchase of additional Level C beds.

16 SECTION 6. From the funds appropriated to the Department of
17 Human Services in Sections 73 and 74 of Enrolled Senate Bill No. 334
18 of the 1st Session of the 51st Oklahoma Legislature, the amount of
19 Two Hundred Forty Thousand Eight Hundred Twenty Dollars
20 (\$240,820.00) shall be budgeted and expended to cover travel
21 reimbursement expenses for participants in the Senior Volunteer
22 Program.

23 SECTION 7. From the funds appropriated to the Department of
24 Human Services in Sections 73 and 74 of Enrolled Senate Bill No. 334

1 of the 1st Session of the 51st Oklahoma Legislature, the amount of
2 One Hundred Thousand Dollars (\$100,000.00) shall be budgeted and
3 expended in the Reintegration of Inmates Revolving Fund administered
4 by the Office of Faith-Based Initiatives. This fund is a continuing
5 fund, not subject to fiscal year limitations and shall be used for
6 grants to volunteer organizations including, but not limited to,
7 faith-based organizations which provide health, educational or
8 vocational training and programs that assist the reintegration
9 efforts of the Reentry Policy Council.

10 SECTION 8. From the funds appropriated to the Department of
11 Human Services in Sections 73 and 74 of Enrolled Senate Bill No. 334
12 of the 1st Session of the 51st Oklahoma Legislature, the amount of
13 Three Hundred Thousand Dollars (\$300,000.00) shall be budgeted and
14 expended to support providing clinical services, conducting ongoing
15 training and for evaluation and research related to the urban High-
16 Risk Child Abuse Project. The contractor providing evaluation and
17 research services, in conjunction with the Department of Human
18 Services, shall recommend in a report to the Governor, Speaker of
19 the House of Representatives, President Pro Tempore and the Co-
20 President Pro Tempore of the Senate by no later than October 1,
21 2008, whether continued high-risk child abuse clinical services are
22 warranted. If services are warranted, the Department of Human
23 Services shall include a proposal for providing services within its
24 FY-10 Budget Request.

1 SECTION 9. The duties and compensation of employees, not
2 otherwise prescribed by law, necessary to perform the duties imposed
3 upon the Department of Human Services by law shall be set by the
4 Director of Human Services. The Department of Human Services for
5 the fiscal year ending June 30, 2008, shall be subject to the
6 following budgetary limitations on full-time-equivalent employees
7 and expenditures excluding expenditures for capital and special
8 projects, outstationed medical workers and school-based social
9 workers, except as may be authorized pursuant to the provisions of
10 Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	7,804.0
Lease-Purchase Agreements	\$4,000,000.00

14 SECTION 10. There is hereby appropriated to the Department of
15 Human Services all federal monies received by the state during the
16 fiscal year ending June 30, 2008, from the Temporary Assistance to
17 Needy Families Block Grant and the Child Care and Development Fund
18 Block Grant to meet the provisions of federal law relating to such
19 grants.

20 SECTION 11. A. The Commission for Human Services, except in
21 cases of emergency or when required by state or federal law, shall
22 not finalize provider rates for fiscal year 2009 until the end of
23 the 2nd Session of the 51st Oklahoma Legislature.

24

1 B. In addition, the Commission shall not change rates for
2 fiscal year 2008 after January 1, 2008, except in cases of emergency
3 or when required by state or federal law.

4 C. If, in the opinion of the Commission, an emergency situation
5 or legal mandate exists, the Commission may make appropriate
6 provider rate changes.

7 D. The Commission shall make the rate changes effective on the
8 effective date of any such legal requirement.

9 E. 1. Prior to final approval of rate changes due to an
10 emergency or legal mandate, the Director of the Department of Human
11 Services shall provide written notification of the intended actions
12 and reasons for such actions to the Governor, the Speaker of the
13 House of Representatives, the President Pro Tempore and the Co-
14 President Pro Tempore of the Senate.

15 2. Following final approval of the changes by the Commission,
16 the Director shall further provide the Governor, the Speaker of the
17 House of Representatives, the President Pro Tempore and the Co-
18 President Pro Tempore of the Senate with a written explanation of
19 the methodology and assumptions made in arriving at the emergency
20 rate change.

21 F. The provisions of this section shall be subject to the
22 provisions of The Oklahoma Central Purchasing Act.

23 SECTION 12. The Director of the Department of Human Services
24 may request through the Director of State Finance the early transfer

1 by the Oklahoma Tax Commission of tax collection to the General
2 Revenue Fund for the purpose of early allocation to the Department's
3 disbursing funds to alleviate cash-flow problems.

4 SECTION 13. A. The Director of State Finance shall transfer
5 monies appropriated from the General Revenue Fund to the Department
6 of Human Services' disbursing funds in the amounts and ratios
7 requested by the agency except that the cumulative amounts
8 transferred shall not exceed the cumulative amounts of equal monthly
9 allotments of the appropriations from the General Revenue Fund.

10 B. Monies appropriated or collected from the fiscal year ending
11 June 30, 2008, may be transferred to these disbursing funds for the
12 fiscal year ending June 30, 2007, to satisfy encumbrances and
13 obligations of said fiscal year; provided, that monies equal in
14 amount are transferred from appropriations or collections for the
15 fiscal year ending June 30, 2007, to the disbursing funds for the
16 fiscal year ending June 30, 2008, to satisfy encumbrances and
17 obligations of said fiscal year. All transfer requests shall be in
18 writing to the Director of State Finance.

19 C. The Department of Human Services shall maintain records of
20 the interyear transfers.

21 SECTION 14. Appropriations made by Sections 73 and 74 of
22 Enrolled Senate Bill No. 334 of the 1st Session of the 51st Oklahoma
23 Legislature, not including appropriations made for capital outlay
24 purposes, may be budgeted for the fiscal year ending June 30, 2008

1 (hereafter FY-08) or may be budgeted for the fiscal year ending June
2 30, 2009 (hereafter FY-09). Funds budgeted for FY-08 may be
3 encumbered only through June 30, 2008, and must be expended by
4 November 15, 2008. Any funds remaining after November 15, 2008, and
5 not budgeted for FY-09, shall lapse to the credit of the proper fund
6 for the then current fiscal year. Funds budgeted for FY-09 may be
7 encumbered only through June 30, 2009. Any funds remaining after
8 November 15, 2009, shall lapse to the credit of the proper fund for
9 the then current fiscal year. These appropriations may not be
10 budgeted in both fiscal years simultaneously. Funds budgeted in FY-
11 08, and not required to pay obligations for that fiscal year, may be
12 budgeted for FY-09, after the agency to which the funds have been
13 appropriated has prepared and submitted a budget work program
14 revision removing these funds from the FY-08 budget work program and
15 after such revision has been approved by the Office of State
16 Finance.

17 SECTION 15. This act shall become effective July 1, 2007.

18 SECTION 16. It being immediately necessary for the preservation
19 of the public peace, health and safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

22

23 51-1-15336 DL 05/18/07

24