

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 1277

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

6 and

7 Miller and Jones of the
8 House

9
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to the Department of Human Services;
12 requiring budgeting in certain categories and
13 amounts; requiring certain performance measures;
14 providing for exemptions from certain expenditure
15 limitations; providing for duties and compensation of
16 employees; limiting the number of full-time-
17 equivalent employees; providing for budgetary
18 limitations on certain expenditures; appropriating
19 certain federal monies to the Department; stating
20 purpose; providing time restriction for finalizing
21 certain rates; providing for limitations on changing
22 certain rates; requiring certain written notification
23 and explanation to certain persons when changing
24 rates; subjecting certain provisions to The Oklahoma
Central Purchasing Act; authorizing certain requests
relating to early transfers; requiring the Director
of the Office of State Finance to transfer certain
monies from certain funds to agency; providing
limitation; specifying purpose of transfer; requiring
recordkeeping; authorizing certain interyear
transfers; providing lapse dates; requiring and
prohibiting certain budget procedures; providing an
effective date; and declaring an emergency.

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

1 SECTION 1. For the fiscal year ending June 30, 2009, the
 2 Department of Human Services shall budget all appropriated funds in
 3 the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Children and Family Services	\$ 89,862,146.00	\$ 183,307,441.00
Division of Child Care	2,197,474.00	38,662,734.00
Developmental Disabilities		
Services	138,183,224.00	279,528,038.00
Temporary Assistance to Needy		
Families (TANF) Cash		
Assistance	32,299,319.00	44,231,141.00
Temporary Assistance to Needy		
Families (TANF) Work		
Activities	10,482,142.00	32,787,833.00
Aid to Aged, Blind and Disabled		
(ABD) State Supplemental		
Payments	38,609,346.00	40,609,346.00
Child Care Subsidy Payments	46,071,005.00	151,000,189.00
Family Support Services	2,868,463.00	52,584,813.00
Field Operations	78,692,334.00	251,930,677.00
Child Support Enforcement	7,533,820.00	63,870,119.00
Aging Services	80,897,232.00	129,543,668.00
Administration and Data		
Services	29,410,685.00	123,364,803.00

1	Food Stamps	0.00	471,600,000.00
2	TOTAL	\$557,107,190.00	\$1,863,020,802.00

3 The agency shall develop outcome-based performance measures for
4 each budget category.

5 Receipt and expenditure of unanticipated federal funds awarded
6 the Department of Human Services after July 1, 2008, shall be exempt
7 from expenditure limitations, provided that any such funds used for
8 operations shall be included in the agency's budget work program.

9 SECTION 2. The duties and compensation of employees, not
10 otherwise prescribed by law, necessary to perform the duties imposed
11 upon the Department of Human Services by law shall be set by the
12 Director of Human Services. The Department of Human Services for
13 the fiscal year ending June 30, 2009, shall be subject to the
14 following budgetary limitations on full-time-equivalent employees
15 and expenditures excluding expenditures for capital and special
16 projects, outstationed medical workers and school-based social
17 service specialists, except as may be authorized pursuant to the
18 provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
19 Full-time-equivalent Employees	7,919.0
20 Lease-Purchase Agreements	\$4,000,000.00

21 SECTION 3. There is hereby appropriated to the Department of
22 Human Services all federal monies received by the state during the
23 fiscal year ending June 30, 2009, from the Temporary Assistance to
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1 Needy Families Block Grant and the Child Care and Development Fund
2 Block Grant to meet the provisions of federal law relating to such
3 grants.

4 SECTION 4. A. The Commission for Human Services, except in
5 cases of emergency or when required by state or federal law, shall
6 not finalize provider rates for fiscal year 2010 until the end of
7 the 1st Session of the 52nd Oklahoma Legislature.

8 B. In addition, the Commission shall not change rates for
9 fiscal year 2009 after January 1, 2009, except in cases of emergency
10 or when required by state or federal law.

11 C. If, in the opinion of the Commission, an emergency situation
12 or legal mandate exists, the Commission may make appropriate
13 provider rate changes.

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

16 E. 1. Prior to final approval of rate changes due to an
17 emergency or legal mandate, the Director of the Department of Human
18 Services shall provide written notification of the intended actions
19 and reasons for such actions to the Governor, the Speaker of the
20 House of Representatives, the President Pro Tempore and the Co-
21 President Pro Tempore of the Senate.

22 2. Following final approval of the changes by the Commission,
23 the Director shall further provide the Governor, the Speaker of the
24 House of Representatives, the President Pro Tempore and the Co-

1 President Pro Tempore of the Senate with a written explanation of
2 the methodology and assumptions made in arriving at the emergency
3 rate change.

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

6 SECTION 5. The Director of the Department of Human Services may
7 request through the Director of the Office of State Finance the
8 early transfer by the Oklahoma Tax Commission of tax collection to
9 the General Revenue Fund for the purpose of early allocation to the
10 Department's disbursing funds to alleviate cash-flow problems.

11 SECTION 6. A. The Director of the Office of State Finance
12 shall transfer monies appropriated from the General Revenue Fund to
13 the Department of Human Services' disbursing funds in the amounts
14 and ratios requested by the agency except that the cumulative
15 amounts transferred shall not exceed the cumulative amounts of equal
16 monthly allotments of the appropriations from the General Revenue
17 Fund.

18 B. Monies appropriated or collected from the fiscal year ending
19 June 30, 2009, may be transferred to these disbursing funds for the
20 fiscal year ending June 30, 2008, to satisfy encumbrances and
21 obligations of said fiscal year; provided, that monies equal in
22 amount are transferred from appropriations or collections for the
23 fiscal year ending June 30, 2008, to the disbursing funds for the
24 fiscal year ending June 30, 2009, to satisfy encumbrances and

1 obligations of said fiscal year. All transfer requests shall be in
2 writing to the Director of the Office of State Finance.

3 C. The Department of Human Services shall maintain records of
4 the interyear transfers.

5 SECTION 7. Appropriations made by Sections 80, 81 and 82 of
6 Enrolled House Bill No. 2276 of the 2nd Session of the 51st Oklahoma
7 Legislature, not including appropriations made for capital outlay
8 purposes, may be budgeted for the fiscal year ending June 30, 2009
9 (hereafter FY-09), or may be budgeted for the fiscal year ending
10 June 30, 2010 (hereafter FY-10). Funds budgeted for FY-09 may be
11 encumbered only through June 30, 2009, and must be expended by
12 November 15, 2009. Any funds remaining after November 15, 2009, and
13 not budgeted for FY-10, shall lapse to the credit of the proper fund
14 for the then current fiscal year. Funds budgeted for FY-10 may be
15 encumbered only through June 30, 2010. Any funds remaining after
16 November 15, 2010, shall lapse to the credit of the proper fund for
17 the then current fiscal year. These appropriations may not be
18 budgeted in both fiscal years simultaneously. Funds budgeted in FY-
19 09, and not required to pay obligations for that fiscal year, may be
20 budgeted for FY-10, after the agency to which the funds have been
21 appropriated has prepared and submitted a budget work program
22 revision removing these funds from the FY-09 budget work program and
23 after such revision has been approved by the Office of State
24 Finance.

1 SECTION 8. This act shall become effective July 1, 2008.

2 SECTION 9. It being immediately necessary for the preservation
3 of the public peace, health and safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.

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