

1 ENGROSSED HOUSE
2 BILL NO. 2255

By: Miller and Jones of the
House

3 and

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

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9 (Department of Mental Health and Substance Abuse

10 Services - appropriation - effective date -

11 emergency)

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

15 SECTION 1. There is hereby appropriated to the Department of
16 Mental Health and Substance Abuse Services from any monies not
17 otherwise appropriated from the General Revenue Fund of the State
18 Treasury for the fiscal year ending June 30, 2009, the sum of
19 _____ Dollars (\$0.00) or so much thereof as may be
20 necessary to perform the duties imposed upon the Department of
21 Mental Health and Substance Abuse Services by law.

22 SECTION 2. For the fiscal year ending June 30, 2009, the
23 Department of Mental Health and Substance Abuse Services shall
24 budget all funds in the following categories and amounts:

1	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
2	Central Administration	\$0.00	\$0.00
3	Inpatient Hospital	0.00	0.00
4	Community-based Programs	0.00	0.00
5	Substance Abuse Programs	0.00	0.00
6	Co-Occurring Programs	0.00	0.00
7	Residential Care		
8	Programs	<u>0.00</u>	<u>0.00</u>
9	TOTAL	\$0.00	\$0.00

10 SECTION 3. The duties and compensation of employees, not
11 otherwise prescribed by law, necessary to perform the duties imposed
12 upon the Department of Mental Health and Substance Abuse Services by
13 law shall be set by the Commissioner. The salary of the
14 Commissioner shall not exceed _____ Dollars (\$0.00) per annum,
15 payable biweekly for the fiscal year ending June 30, 2009. The
16 Department of Mental Health and Substance Abuse Services for the
17 fiscal year ending June 30, 2009, shall be subject to the following
18 budgetary limitations, except as may be authorized pursuant to the
19 provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

20	<u>Budgetary Limitation</u>	<u>Amount</u>
21	Full-time-equivalent Employees	0.0
22	Lease-Purchase Agreements	\$0.00

23 The Department of Mental Health and Substance Abuse Services for the
24 fiscal year ending June 30, 2009, shall set the minimum

1 reimbursement rate for residential care facilities at _____
2 Dollars (\$0.00) per mental health resident per day.

3 In order to facilitate cash management of federal grant receipts
4 and disbursements, the Director of State Finance shall transfer
5 monies between the Department of Mental Health and Substance Abuse
6 Services federal and revolving funds in amounts requested by the
7 Department of Mental Health and Substance Abuse Services.

8 Receipt and expenditures of unanticipated federal funds awarded
9 the Oklahoma Department of Mental Health and Substance Abuse
10 Services after July 1, 2008, shall be exempt from expenditure and
11 budgetary limitations, provided that any such funds used for
12 operations shall be included in the agency's budget work program.

13 SECTION 4. It is the intent of the Legislature that the
14 Department of Mental Health and Substance Abuse Services set aside a
15 minimum of _____ Dollars (\$0.00) for purchase of newer
16 generation medications. On or before April 1, 2009, the Department
17 of Mental Health and Substance Abuse Services shall prepare and
18 submit a written report to the Speaker of the House of
19 Representatives and the President Pro Tempore of the Senate
20 detailing expenditures for such medications.

21 SECTION 5. It is the intent of the Legislature that the
22 Department of Mental Health and Substance Abuse Services set aside a
23 minimum of _____ Dollars (\$0.00) for Programs for Assertive
24 Community Treatment (PACT) teams.

1 The Department of Mental Health and Substance Abuse Services
2 shall work with the Oklahoma Health Care Authority to establish and
3 submit any revisions to policies and rules needed to maximize
4 Medicaid funding for the services provided by Programs for Assertive
5 Community Treatment (PACT) teams.

6 The Department of Mental Health and Substance Abuse Services
7 shall deliver a progress and evaluation report on Programs for
8 Assertive Community Treatment (PACT) teams to the President Pro
9 Tempore of the Senate and the Speaker of the House of
10 Representatives on or before April 1, 2009.

11 SECTION 6. Full-time-equivalent employees utilized at the
12 Central Office of the Department of Mental Health and Substance
13 Abuse Services may be placed in the unclassified service. All other
14 employees of the Central Office shall be in the classified service,
15 except as provided in Section 840-5.5 of Title 74 of the Oklahoma
16 Statutes.

17 SECTION 7. Appropriations made by this act, not including
18 appropriations made for capital outlay purposes, may be budgeted for
19 the fiscal year ending June 30, 2009 (hereafter FY-09) or may be
20 budgeted for the fiscal year ending June 30, 2010 (hereafter FY-10).
21 Funds budgeted for FY-09 may be encumbered only through June 30,
22 2009, and must be expended by November 15, 2009. Any funds
23 remaining after November 15, 2009, and not budgeted for FY-10, shall
24 lapse to the credit of the proper fund for the then current fiscal

1 year. Funds budgeted for FY-10 may be encumbered only through June
2 30, 2010. Any funds remaining after November 15, 2010, shall lapse
3 to the credit of the proper fund for the then current fiscal year.
4 These appropriations may not be budgeted in both fiscal years
5 simultaneously. Funds budgeted in FY-09, and not required to pay
6 obligations for that fiscal year, may be budgeted for FY-10, after
7 the agency to which the funds have been appropriated has prepared
8 and submitted a budget work program revision removing these funds
9 from the FY-09 budget work program and after such revision has been
10 approved by the Office of State Finance.

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

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

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1 Passed the House of Representatives the 20th day of February,
2 2008.

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5 Presiding Officer of the House of
6 Representatives

7 Passed the Senate the ____ day of _____, 2008.

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10 Presiding Officer of the Senate

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