

1 ENGROSSED HOUSE
2 BILL NO. 1217

By: Miller and Martin (Scott)
of the House

3 and

4 Johnson (Mike) and Myers of
5 the Senate

6
7
8 (Department of Human Services - appropriation -
9 effective date -

10 emergency)

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12

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

14 SECTION 1. There is hereby appropriated to the Department of
15 Human Services from any monies not otherwise appropriated from the
16 General Revenue Fund of the State Treasury for the fiscal year
17 ending June 30, 2010, the sum of _____ Dollars (\$0.00) or
18 so much thereof as may be necessary to perform the duties imposed
19 upon the Department of Human Services by law.

20 SECTION 2. For the fiscal year ending June 30, 2010, the
21 Department of Human Services shall budget all appropriated funds in
22 the following categories and amounts:

23 Category Appropriation Total

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1	Children and Family		
2	Services	\$0.00	\$ 0.00
3	Division of Child Care	0.00	0.00
4	Developmental Disabilities		
5	Services	0.00	0.00
6	Temporary Assistance to		
7	Needy Families (TANF)		
8	Cash Assistance	0.00	0.00
9	Temporary Assistance to		
10	Needy Families (TANF)		
11	Work Activities	0.00	0.00
12	Aid to Aged, Blind and		
13	Disabled (ABD) State		
14	Supplemental Payments	0.00	0.00
15	Child Care Subsidy		
16	Payments	0.00	0.00
17	Family Support Services	0.00	0.00
18	Field Operations	0.00	0.00
19	Child Support Enforcement	0.00	0.00
20	Aging Services	0.00	0.00
21	Office of Faith-Based		
22	Initiatives	0.00	0.00
23	Administration and Data		
24	Services	0.00	0.00

1	Food Stamps	<u>0.00</u>	<u>0.00</u>
2	TOTAL	\$0.00	\$0.00

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, 2010, 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 3. 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, 2010, 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, except as may be authorized pursuant to the provisions of
17 Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
18 Full-time-equivalent Employees	0.0
19 Lease-Purchase Agreements	\$0.00

21 SECTION 4. 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, 2010, from the Temporary Assistance to
24 Needy Families Block Grant and the Child Care and Development Fund

1 Block Grant to meet the provisions of federal law relating to such
2 grants.

3 SECTION 5. A. The Commission for Human Services, except in
4 cases of emergency or when required by state or federal law, shall
5 not finalize provider rates for fiscal year 2011 until the end of
6 the 2nd Session of the 52nd Oklahoma Legislature.

7 B. In addition, the Commission shall not change rates for
8 fiscal year 2010 after January 1, 2010, except in cases of emergency
9 or when required by state or federal law.

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

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

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

21 2. Following final approval of the changes by the Commission,
22 the Director shall further provide the Governor, the Speaker of the
23 House of Representatives, and the President Pro Tempore of the
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1 Senate with a written explanation of the methodology and assumptions
2 made in arriving at the emergency rate change.

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

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

10 SECTION 7. A. The Director of State Finance shall transfer
11 monies appropriated from the General Revenue Fund and Tobacco
12 Settlement Fund to the Department of Human Services' disbursing
13 funds in the amounts and ratios requested by the agency except that
14 the cumulative amounts transferred shall not exceed the cumulative
15 amounts of equal monthly allotments of the appropriations from the
16 General Revenue Fund and Tobacco Settlement Fund.

17 B. Monies appropriated or collected from the fiscal year
18 ending June 30, 2010, may be transferred to these disbursing funds
19 for the fiscal year ending June 30, 2009, to satisfy encumbrances
20 and obligations of said fiscal year; provided, that monies equal in
21 amount are transferred from appropriations or collections for the
22 fiscal year ending June 30, 2009, to the disbursing funds for the
23 fiscal year ending June 30, 2010, to satisfy encumbrances and
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1 obligations of said fiscal year. All transfer requests shall be in
2 writing to the Director of State Finance.

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

5 SECTION 8. Appropriations made by this act, not including
6 appropriations made for capital outlay purposes, may be budgeted for
7 the fiscal year ending June 30, 2010 (hereafter FY-10) or may be
8 budgeted for the fiscal year ending June 30, 2011 (hereafter FY-11).
9 Funds budgeted for FY-10 may be encumbered only through June 30,
10 2010, and must be expended by November 15, 2010. Any funds
11 remaining after November 15, 2010, and not budgeted for FY-11, shall
12 lapse to the credit of the proper fund for the then current fiscal
13 year. Funds budgeted for FY-11 may be encumbered only through June
14 30, 2011. Any funds remaining after November 15, 2011, shall lapse
15 to the credit of the proper fund for the then current fiscal year.
16 These appropriations may not be budgeted in both fiscal years
17 simultaneously. Funds budgeted in FY-10, and not required to pay
18 obligations for that fiscal year, may be budgeted for FY-11, after
19 the agency to which the funds have been appropriated has prepared
20 and submitted a budget work program revision removing these funds
21 from the FY-10 budget work program and after such revision has been
22 approved by the Office of State Finance.

23 SECTION 9. This act shall become effective July 1, 2009.
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