

1 ENGROSSED HOUSE  
2 BILL NO. 2444

By: Miller and Martin (Scott)  
of the House

3 and

4 Johnson (Mike) and Myers  
5 of the Senate

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7  
8 ( Department of Mental Health and Substance Abuse  
9 Services - appropriation - effective date -  
10 emergency )

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

14 SECTION 1. There is hereby appropriated to the Department of  
15 Mental Health and Substance Abuse Services from any monies not  
16 otherwise appropriated from the General Revenue Fund of the State  
17 Treasury for the fiscal year ending June 30, 2011, the sum of  
18 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be  
19 necessary to perform the duties imposed upon the Department of  
20 Mental Health and Substance Abuse Services by law.

21 SECTION 2. The Department of Mental Health and Substance Abuse  
22 Services is hereby authorized to expend from the American Recovery  
23 and Reinvestment Act Fund ("490 Fund"), the sum of \_\_\_\_\_ Dollars  
24 (\$0.00) or so much thereof as may be necessary to perform the duties

1 imposed upon the Department of Mental Health and Substance Abuse  
2 Services by law.

3 SECTION 3. For the fiscal year ending June 30, 2011, the  
4 Department of Mental Health and Substance Abuse Services shall  
5 budget all funds in the following categories and amounts:

6	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
7	Central Administration	\$0.00	\$0.00
8	Inpatient Hospital	0.00	0.00
9	Community-based Programs	0.00	0.00
10	Substance Abuse Programs	0.00	0.00
11	Co-Occurring Programs	0.00	0.00
12	Residential Care		
13	Programs	<u>0.00</u>	<u>0.00</u>
14	TOTAL	\$0.00	\$0.00

15 SECTION 4. The duties and compensation of employees, not  
16 otherwise prescribed by law, necessary to perform the duties imposed  
17 upon the Department of Mental Health and Substance Abuse Services by  
18 law shall be set by the Commissioner. The salary of the  
19 Commissioner shall not exceed \_\_\_\_\_ Dollars (\$0.00) per annum,  
20 payable biweekly for the fiscal year ending June 30, 2011. The  
21 Department of Mental Health and Substance Abuse Services for the  
22 fiscal year ending June 30, 2011, shall be subject to the following  
23 budgetary limitations, except as may be authorized pursuant to the  
24 provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

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

The Department of Mental Health and Substance Abuse Services for the fiscal year ending June 30, 2011, shall set the minimum reimbursement rate for residential care facilities at \_\_\_\_\_ Dollars (\$0.00) per mental health resident per day.

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

Receipt and expenditures of unanticipated federal funds awarded the Oklahoma Department of Mental Health and Substance Abuse Services after July 1, 2010, shall be exempt from expenditure and budgetary limitations, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 5. It is the intent of the Legislature that the Department of Mental Health and Substance Abuse Services set aside a minimum of \_\_\_\_\_ Dollars (\$0.00) for purchase of newer generation medications. On or before April 1, 2011, the Department of Mental Health and Substance Abuse Services shall prepare and submit a written report to the Speaker of the House of

1 Representatives and the President Pro Tempore of the Senate  
2 detailing expenditures for such medications.

3 SECTION 6. It is the intent of the Legislature that the  
4 Department of Mental Health and Substance Abuse Services set aside a  
5 minimum of \_\_\_\_\_ Dollars (\$0.00) for Programs for Assertive  
6 Community Treatment (PACT) teams.

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

12 The Department of Mental Health and Substance Abuse Services  
13 shall deliver a progress and evaluation report on Programs for  
14 Assertive Community Treatment (PACT) teams to the President Pro  
15 Tempore of the Senate and the Speaker of the House of  
16 Representatives on or before April 1, 2011.

17 SECTION 7. Full-time-equivalent employees utilized at the  
18 Central Office of the Department of Mental Health and Substance  
19 Abuse Services may be placed in the unclassified service. All other  
20 employees of the Central Office shall be in the classified service,  
21 except as provided in Section 840-5.5 of Title 74 of the Oklahoma  
22 Statutes.

23 SECTION 8. Appropriations made by this act, not including  
24 appropriations made for capital outlay purposes, may be budgeted for

1 the fiscal year ending June 30, 2011 (hereafter FY-11) or may be  
2 budgeted for the fiscal year ending June 30, 2012 (hereafter FY-12).  
3 Funds budgeted for FY-11 may be encumbered only through June 30,  
4 2011, and must be expended by November 15, 2011. Any funds  
5 remaining after November 15, 2011, and not budgeted for FY-12, shall  
6 lapse to the credit of the proper fund for the then current fiscal  
7 year. Funds budgeted for FY-12 may be encumbered only through June  
8 30, 2012. Any funds remaining after November 15, 2012, shall lapse  
9 to the credit of the proper fund for the then current fiscal year.  
10 These appropriations may not be budgeted in both fiscal years  
11 simultaneously. Funds budgeted in FY-11, and not required to pay  
12 obligations for that fiscal year, may be budgeted for FY-12, after  
13 the agency to which the funds have been appropriated has prepared  
14 and submitted a budget work program revision removing these funds  
15 from the FY-11 budget work program and after such revision has been  
16 approved by the Office of State Finance.

17 SECTION 9. This act shall become effective July 1, 2010.

18 SECTION 10. 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.  
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1 Passed the House of Representatives the 4th day of February,  
2 2010.

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5 Presiding Officer of the House of  
6 Representatives

7 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2010.

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10 Presiding Officer of the Senate

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