

1 ENGROSSED SENATE  
2 BILL NO. 292

By: Anderson of the Senate

3 and

4 Peters of the House

5  
6 [ poor persons - Temporary Assistance for Needy

7 Families (TANF) - vouchers - Legislative Intent -

8 repealer - codification -

9 effective date ]

10

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

12 SECTION 1. AMENDATORY 56 O.S. 2001, Section 230.65, is  
13 amended to read as follows:

14 Section 230.65 A. 1. The Department of Human Services shall  
15 conduct an employability assessment of the education, training,  
16 skills, prior work experience and supportive service needs of  
17 individuals applying for and receiving assistance pursuant to the  
18 Temporary Assistance for Needy Families (TANF) program.

19 2. The Department shall arrange for administration of a  
20 recognized literacy screening for individuals who have not obtained  
21 a high school diploma or General Equivalency Degree (GED) and have  
22 exhibited a lack of literacy skills. If, in the opinion of the  
23 Department, the applicant or recipient who has obtained a high  
24 school diploma or GED lacks reading skills to the extent that such

1 insufficiency limits the applicant's or recipient's ability to  
2 become self-supporting, the Department shall refer the individual  
3 for a literacy assessment.

4 3. The Department shall utilize existing community resources,  
5 including, but not limited to, volunteer literacy groups and adult  
6 basic education programs, when arranging for literacy assessments  
7 and remediation of clients who lack sufficient reading skills.

8 B. The Department of Human Services shall require services to  
9 be provided to each applicant or recipient of benefits in any  
10 program according to a written personal responsibility agreement.  
11 The agreement shall reflect the education, training, skills, prior  
12 work experience and supportive service needs of the applicant or  
13 recipient and shall be:

14 1. Written in English, or translated into Spanish or other  
15 language, according to the applicant's or recipient's needs;

16 2. Signed by the applicant or recipient;

17 3. Signed by the parent of the applicant or recipient if the  
18 applicant or recipient is under eighteen (18) years of age;

19 4. Signed by the case manager; and

20 5. Reviewed by both the applicant or recipient and the case  
21 manager at least once a year. The agreement may be revised from  
22 time to time according to the needs of the recipient, the  
23 recipient's family and the program.

24

1 C. The personal responsibility agreement shall set forth the  
2 specific responsibilities of the recipient, at a minimum, to:

3 1. Develop a detailed plan for achieving self-sufficiency;

4 2. Participate in any educational or training program required  
5 by the Department pursuant to the results of the employability and  
6 literacy assessments;

7 3. Participate in life-skills training including, but not  
8 limited to, financial management classes, conflict resolution  
9 training, and social skills development;

10 4. Be available for and actively seek and maintain employment,  
11 and accept any reasonable employment as soon as it becomes available  
12 as required by the TANF program;

13 5. Participate in a community service, public works or private  
14 sector job pursuant to the requirements of the Statewide Temporary  
15 Assistance Responsibility System and the results of the  
16 employability and literacy assessments;

17 ~~6. Acknowledge that additional benefits pursuant to the~~  
18 ~~Temporary Assistance for Needy Families (TANF) program will be paid~~  
19 ~~for a child born more than ten (10) months after the recipient~~  
20 ~~qualifies for assistance only pursuant to a voucher system;~~

21 ~~7.~~ If the recipient is a minor parent, live in a supervised  
22 adult setting;

1       ~~8.~~ 7. Accept responsibility for ensuring that the recipient's  
2 child complies with the attendance requirements of the local school  
3 district and attends school until the child of the recipient either:

4           a. graduates from high school or attains a high school  
5                equivalency certificate, or

6           b. becomes nineteen (19) years of age,

7 whichever occurs first;

8       ~~9.~~ 8. Accept responsibility for attending any classes required  
9 by a program at least ninety percent (90%) of the time;

10       ~~10.~~ 9. Immunize the recipients' minor children pursuant to the  
11 State Department of Health's immunization schedule; and

12       ~~11.~~

13       10. a. Undergo a literacy skills assessment utilizing a  
14                testing instrument which measures whether such  
15                recipient is reading at a minimum of an eighth grade  
16                reading level, where the recipient has the capacity to  
17                read at such level or, regardless of reading level,  
18                which indicates that the recipient would benefit from  
19                compulsory participation in a literacy skills  
20                improvement program.

21           b. Based on the results of the assessment, the recipient  
22                shall agree to enroll and actively participate in a  
23                literacy skills improvement program and provide  
24                documentation of substantial quantifiable literacy

1 improvement. Any recipient who is reading at less  
2 than an eighth grade level shall be required to  
3 continue to substantially and quantifiably improve his  
4 or her reading skills until such recipient  
5 demonstrates a level of reading proficiency that is at  
6 least equal to an eighth grade reading level.

7 c. On or before December 31 of each year, the Department  
8 of Human Services shall annually provide to the  
9 Governor, the President Pro Tempore of the Senate and  
10 the Speaker of the House of Representatives a written  
11 report outlining by age the number of recipients:

- 12 (1) assessed for literacy skills,
- 13 (2) who failed to demonstrate eighth grade reading  
14 level proficiency,
- 15 (3) who agreed to enroll and participate in a  
16 literacy skills improvement program, and
- 17 (4) who either provided documentation of substantial  
18 quantifiable literacy skills improvement or whose  
19 case was closed prior to completion.

20 D. The Department may sanction or impose financial penalties on  
21 a recipient for failure to comply with the provisions of the  
22 personal responsibility agreement.

1           SECTION 2.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3200 of Title 56, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. It is the intent of the Legislature to test the  
5 effectiveness of a pilot program for a comprehensive health system  
6 for the uninsured.

7           B. The Oklahoma Health Care Authority shall establish a three-  
8 year pilot program for a comprehensive health system for the  
9 uninsured in which the Oklahoma Health Care Authority will act as  
10 the plan administrator.

11           C. The Oklahoma Health Care Authority shall select from a group  
12 of applicants a pilot county in which to operate the pilot program.

13           D. Health care providers located in the pilot county may  
14 voluntarily participate in the pilot program if the following  
15 conditions are met:

16           1. The health care provider is eligible for Medicare  
17 reimbursement;

18           2. The health care provider relinquishes all monies received in  
19 excess of Medicare reimbursement from other sources including, but  
20 not limited to, commercial insurance payers; and

21           3. The relinquished monies pursuant to paragraph 2 of this  
22 subsection are used by the Oklahoma Health Care Authority for the  
23 purposes of this pilot program.

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1 E. Participating health care providers shall provide all  
2 necessary medical services for any uninsured person within the  
3 capability of such providers. Health care costs accrued from such  
4 uninsured person shall be directly billed at the Medicare fee  
5 schedule set forth by the Centers for Medicare and Medicaid Services  
6 or at a negotiated rate.

7 F. The health care provider shall collect twenty percent (20%)  
8 of such health care costs from the uninsured person. The remaining  
9 eighty percent (80%) shall be paid by the Oklahoma Health Care  
10 Authority from:

11 1. Monies received from the Health Employee and Economy  
12 Improvement Act (HEEIA) Revolving Fund; and

13 2. Monies collected from participating providers pursuant to  
14 paragraph 2 of subsection D of this section.

15 G. The Oklahoma Health Care Authority shall promulgate rules as  
16 necessary to implement this pilot program.

17 H. The Oklahoma Health Care Authority shall provide an annual  
18 report to the Legislature on or before November 1 of each year which  
19 shall include, but not be limited to:

20 1. The net cost of the program;

21 2. Health services provided for the uninsured; and

22 3. Health care provider payment collection success rate.

23 I. The participating health care providers shall be covered  
24 under The Governmental Tort Claims Act.

1 SECTION 3. REPEALER 56 O.S. 2001, Section 230.58, is  
2 hereby repealed.

3 SECTION 4. This act shall become effective November 1, 2009.  
4 Passed the Senate the 9th day of March, 2009.

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\_\_\_\_\_  
Presiding Officer of the Senate

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8 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
9 2009.

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Presiding Officer of the House  
of Representatives

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