

ENROLLED HOUSE  
BILL NO. 2367

By: Miller, Martin (Scott) and  
Billy of the House

and

Johnson (Mike) and Myers of  
the Senate

An Act relating to the Department of Human Services; directing certain funds be used for the over-match of the senior nutrition program; directing certain funds to be transferred to the Child Abuse Multidisciplinary Account (CAMA); directing distribution of funds according to certain formula; making certain information and entities subject to the Oklahoma Open Records Act; appropriating certain federal monies to the Department of Human Services; stating purpose; prohibiting certain finalization or changes of certain rates until certain date; providing exceptions; providing for rate changes; requiring written notification and explanation to certain persons; making certain changes subject to The Oklahoma Central Purchasing Act; authorizing certain early transfers of certain funds for specific purposes; authorizing transfer of appropriated funds in requested amounts and ratios; specifying purposes; requiring transfer requests to be in writing; requiring certain records; authorizing certain interyear transfers; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

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

SECTION 1. From the funds appropriated and expenditures authorized to the Department of Human Services in Sections 83, 84, 85 and 86 of Enrolled Senate Bill No. 1561 of the 2nd Session of the 52nd Oklahoma Legislature, the amount of Five Million Dollars (\$5,000,000.00) shall be used to fund the state over-match in the congregate and home-delivered meals of the senior nutrition program. The appropriation made in this section shall be expended exclusively for the purpose so stated and shall not be transferable.

SECTION 2. TRANSFER From the funds appropriated to the Department of Human Services in Section 84 of Enrolled Senate Bill No. 1561 of the 2nd Session of the 52nd Oklahoma Legislature, the amount of Two Million Eight Hundred Thousand Dollars (\$2,800,000.00) shall be transferred to the Child Abuse Multidisciplinary Account (CAMA). The appropriation made in this section shall be expended exclusively for the purpose so stated and shall not be transferable.

SECTION 3. Child Abuse Multidisciplinary Account (CAMA) funds shall be distributed according to the formula described in Section 1-9-104 of Title 10A of the Oklahoma Statutes. Information and records relating to expenditures of all Child Abuse Multidisciplinary Account (CAMA) funds shall be subject to the Oklahoma Open Records Act. Any organization, entity, group, or resource with whom the Department of Human Services contracts to facilitate any part or whole of funds mentioned herein shall submit to the Oklahoma Open Records Act.

SECTION 4. There is hereby appropriated to the Department of Human Services all federal monies received by the state during the fiscal year ending June 30, 2010, from the Temporary Assistance to Needy Families Block Grant and the Child Care and Development Fund Block Grant to meet the provisions of federal law relating to such grants.

SECTION 5. A. The Commission for Human Services, except in cases of emergency or when required by state or federal law, shall not finalize provider rates for fiscal year 2012 until the end of the 1st Session of the 53rd Oklahoma Legislature.

B. In addition, the Commission shall not change rates for fiscal year 2011 after January 1, 2011, except in cases of emergency or when required by state or federal law.

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

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

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

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

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

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

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

B. Monies appropriated or collected from the fiscal year ending June 30, 2011, may be transferred to these disbursing funds for the fiscal year ending June 30, 2010, to satisfy encumbrances and obligations of said fiscal year; provided, that monies equal in amount are transferred from appropriations or collections for the fiscal year ending June 30, 2010, to the disbursing funds for the fiscal year ending June 30, 2011, to satisfy encumbrances and

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

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

SECTION 8. Appropriations made and expenditures authorized by Sections 83, 84, 85 and 86 of Enrolled Senate Bill No. 1561 of the 2nd Session of the 52nd Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2011 (hereafter FY-11) or may be budgeted for the fiscal year ending June 30, 2012 (hereafter FY-12). Funds budgeted for FY-11 may be encumbered only through June 30, 2011, and must be expended by November 15, 2011. Any funds remaining after November 15, 2011, and not budgeted for FY-12, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-12 may be encumbered only through June 30, 2012. Any funds remaining after November 15, 2012, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-11, and not required to pay obligations for that fiscal year, may be budgeted for FY-12, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-11 budget work program and after such revision has been approved by the Office of State Finance.

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

SECTION 10. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 28th day of May, 2010.

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Presiding Officer of the House of  
Representatives

Passed the Senate the 28th day of May, 2010.

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Presiding Officer of the Senate