

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2638

By: McCullough

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5  
6 AS INTRODUCED

7 An Act relating to mental health; creating the  
8 Prevention Services Consolidation Act of 2010;  
9 stating legislative findings and intent; defining  
10 term; providing that Department of Mental Health and  
11 Substance Abuse Services shall be coordinating  
12 agency; establishing responsibilities of Department  
13 of Mental Health and Substance Abuse Services;  
14 requiring certain plan; requiring certain annual  
15 report; requiring certain cost savings from program;  
16 authorizing the modification of certain programs;  
17 providing for exceptions; specifying certain  
18 exclusions from report; specifying authority of  
19 Department of Mental Health and Substance Abuse  
20 Services; creating Citizens Advisory Board for  
21 Prevention Services; stating purpose; requiring  
22 creation of certain plan; requiring submission of  
23 certain plan by certain date; providing for selection  
24 of membership of Board; providing for terms of Board;  
providing duties and responsibilities of Board;  
providing for a quorum of Board; providing for  
meetings of Board; requiring compliance with Oklahoma  
Open Meeting Act; allowing for subcommittees of  
Board; providing for travel reimbursement; requiring  
cooperation of state agencies with Department of  
Mental Health and Substance Abuse Services and Board;  
providing for codification; and providing an  
effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 12-500 of Title 43A, unless  
3 there is created a duplication in numbering, reads as follows:

4 A. This act shall be known and may be cited as the "Prevention  
5 Services Consolidation Act of 2010".

6 B. The Legislature finds that the increasing fragmentation of  
7 Oklahoma families and its attendant human and financial cost to the  
8 citizens of Oklahoma requires that the prevention of family  
9 fragmentation be identified as a priority within and among state  
10 governmental agencies. It is the intent of the Legislature that a  
11 comprehensive approach for the prevention of family fragmentation be  
12 developed for the state, and that this planned, comprehensive  
13 approach be adopted among the various state agencies responsible for  
14 the delivery of services which help to support and strengthen  
15 families.

16 SECTION 2. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 12-501 of Title 43A, unless  
18 there is created a duplication in numbering, reads as follows:

19 A. As used in the Prevention Services Consolidation Act of  
20 2010, "prevention services" includes, but is not limited to the  
21 following:

- 22 1. Department of Human Services programs, including:
  - 23 a. Safe Care,
  - 24 b. Parental Assistance Services,

- c. Sexual Abuse Treatment Services,
- d. Latino Community Development Agency (Parent Aid),
- e. Oklahoma Children's Services, to include:
  - (1) Parent Aid,
  - (2) Comprehensive Home-Based Services,
  - (3) Preventive child care, and
  - (4) Substance abuse services,
- f. Oklahoma Marriage Initiative,
- g. Family Start,
- h. OKDHS Practice Model,
- i. Oklahoma Child Support Enforcement Services,
- j. Post Adoption Services, and
- k. Faith-based and Community Initiatives;

2. Department of Mental Health and Substance Abuse Services

programs, including:

- a. Substance Abuse Prevention and Treatment Block grant,
- b. Substance Abuse Services,
- c. Oklahoma Prevention Partnership Initiative,
- d. Youth Suicide Prevention and Early Intervention Initiative,
- f. Methamphetamine Prevention Initiative,
- g. Enforcing Underage Drinking Laws, and
- h. Strategic Prevention Framework State Incentive Grant (SPFSIG);

1       3. State Department of Health programs, including:

2           a. Children First,

3           b. Start Right,

4           c. Child Abuse Training and Coordination Program, and

5           d. Child Guidance; and

6       4. The Office of Juvenile Affairs programs, including;

7           a. State Advisory Grant, and

8           b. Title V.

9       B. The Department of Mental Health and Substance Abuse Services  
10 shall act as the coordinating agency in implementing the provisions  
11 of the Prevention Services Consolidation Act.

12       C. The Department shall have primary responsibility for  
13 evaluating the effectiveness of prevention services provided in the  
14 state. The Department shall be responsible for reporting the  
15 results of the Prevention Services Consolidation Act of 2010  
16 efforts, to include the plan developed to coordinate services as  
17 well as the results of the implementation of the plan. The  
18 Department shall provide an annual report including all of the  
19 information required under the Prevention Services Consolidation Act  
20 of 2010 to the Governor, the Speaker of the House of  
21 Representatives, the President Pro Tempore of the Senate. In  
22 addition, the Department shall demonstrate a cost savings of five  
23 percent (5%) to the state within three (3) years.

1 D. The Department shall have extensive authority to modify the  
2 programs provided for in subsection A of this section unless the  
3 requirements of a particular program are specifically controlled by  
4 the federal government and allow for no modification. Such programs  
5 shall be identified and, if appropriate, shall be excluded from cost  
6 saving requirements.

7 E. The Department's authority includes, but is not limited to:

8 1. Shifting funding to programs with a high return on  
9 investment ratio;

10 2. Restructuring existing programs;

11 3. Consolidating or eliminating programs;

12 4. Maximizing the amount of federal matching funds available  
13 for each program; and

14 5. Examining programs for outcome data.

15 SECTION 3. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 12-502 of Title 43A, unless  
17 there is created a duplication in numbering, reads as follows:

18 A. 1. There is hereby created a Citizens Advisory Board for  
19 Prevention Services.

20 2. The purpose of the Board shall be to advise and make  
21 recommendations to the Department of Mental Health and Substance  
22 Abuse Services in order to:

23 a. develop a strategy for the consolidation of all  
24 prevention services in the state,

- 1           b.    develop a specific plan which shall achieve the goals  
2                   of the Prevention Services Consolidation Act of 2010  
3                   as provided in subsection C of Section 2 of this act.  
4           The Board shall submit the plan to the Department no  
5           later than December 31, 2010,
- 6           c.    implement the provisions of the Prevention Services  
7                   Consolidation Act of 2010, and
- 8           d.    assist agencies in coordinating services and  
9                   developing more effective ways of delivering services  
10                  and maximizing the receipt of federal dollars for  
11                  prevention programs.

12           B.    The Citizens Advisory Board for Prevention Services shall be  
13 composed of the following members:

14           1.    The Commissioner of Mental Health and Substance Abuse  
15 Services or a designee;

16           2.    The Director of the Department of Human Services or a  
17 designee;

18           3.    The State Commissioner of Health or a designee;

19           4.    The Executive Director of the Office of Juvenile Affairs or  
20 a designee;

21           5.    Four representatives from different state agencies, boards,  
22 commissions or authorities to be appointed by the Governor;

23           6.    Two members who are not state government employees to be  
24 appointed by the Speaker of the House of Representatives; and

1           7. Two members who are not state government employees to be  
2 appointed by the President Pro Tempores of the Senate.

3           C. Members of the Board shall serve for terms of two (2) years.  
4 The Board shall select a chair from among its members.

5           D. Members of the Board shall not receive compensation for  
6 serving on the Board, but shall be reimbursed for travel expenses  
7 incurred in the performance of their duties by their respective  
8 agencies or appointing authority in accordance with the State Travel  
9 Reimbursement Act.

10          E. The Board shall have the duty and responsibility of:

11           1. Reviewing the delivery of prevention services by state  
12 agencies and developing recommendations for streamlining or  
13 increasing the efficiency of the delivery of services;

14           2. Developing and improving interagency coordination of the  
15 delivery of services; and

16           3. Reporting on progress of efforts and maintaining ongoing  
17 oversight of the delivery of services by state agencies as provided  
18 by subsection A of this section.

19          F. A majority of the members of the Board shall constitute a  
20 quorum. A majority of the members present at a meeting may act for  
21 the Board.

22          G. Meetings of the Board shall be called by the chair.

23          H. Proceedings of all meetings of the Board shall comply with  
24 the provisions of the Oklahoma Open Meeting Act.

1 I. The Board may divide into subcommittees in furtherance of  
2 its purpose.

3 J. The Board may use the expertise and services of the staff of  
4 the Department of Mental Health and Substance Abuse Services and  
5 may, as necessary, seek the advice and services of experts in the  
6 field as well as other necessary professional and clerical staff.

7 K. Members of the Board shall be reimbursed by their appointing  
8 authorities or respective agencies for necessary travel expenses  
9 incurred in the performance of their duties in accordance with the  
10 State Travel Reimbursement Act.

11 SECTION 4. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 12-503 of Title 43A, unless  
13 there is created a duplication in numbering, reads as follows:

14 All departments, officers, agencies, and employees of this state  
15 shall cooperate with the Department of Mental Health and Substance  
16 Abuse Services and the Citizens Advisory Board for Prevention  
17 Services in fulfilling their duties and responsibilities including,  
18 but not limited to, providing any information, records, or reports  
19 requested by the Department and the Board.

20 SECTION 5. This act shall become effective November 1, 2010.

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