

1 ENGROSSED SENATE
2 BILL NO. 1398

By: Burrage and Brinkley of the
Senate

3 and

4 Nelson of the House
5

6
7 [Department of Human Services - privatizing
8 placement services - effective date]
9

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

11 SECTION 1. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1-7-116 of Title 10A, unless
13 there is created a duplication in numbering, reads as follows:

14 A. On or before July 1, 2013, the Department of Human Services
15 shall privatize all types of community-based out-of-home placement,
16 including traditional foster care, kinship care, emergency foster
17 care, contract foster care, and therapeutic foster care.

18 B. The Department shall establish a committee composed of an
19 equal number of representatives from the Department and from child
20 placing agencies to establish:

21 1. Criteria and procedures for selection of child placing
22 agencies;

23 2. Mutually agreed upon outcomes and goals for community-based
24 out-of-home placement services; and

1 3. A transition and implementation plan for privatization of
2 community-based out-of-home placement services.

3 C. The Department shall select and contract with private child
4 placing agencies licensed by the Department to provide community-
5 based out-of-home placement services. In contracting with private
6 agencies to perform these services, the Department shall expend
7 funds in an amount equivalent to the percentage of the Department's
8 budget that is currently dedicated to those services as performed by
9 the Department.

10 D. Child placing agencies selected by the Department shall
11 recruit, train, and support foster care families. In the
12 performance of such duties, child placing agencies shall maintain
13 the Bridge philosophy which seeks to view practice through the eyes
14 of the child and ensure that children in care maintain connections
15 to their kin, culture, and community while in out-of-home care.

16 E. Child placing agencies selected by the Department which are
17 not nationally accredited and therefore ineligible to receive
18 Medicaid reimbursement for treatment services shall contract with a
19 nationally accredited child placing agency upon the placement of any
20 child for assessment and placement management.

21 F. In implementing the provisions of this section, the
22 Department shall require child placing agencies to comply with all
23 applicable state and federal laws, regulations and policies, as well
24 as any court orders or settlements which may affect community-based

1 out-of-home placement services, foster children, tribal placements,
2 or any other function that is to be performed by the child placing
3 agencies selected by the Department pursuant to this section.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 1-7-117 of Title 10A, unless
6 there is created a duplication in numbering, reads as follows:

7 The Commission for Human Services shall promulgate rules to
8 create an in-home reimbursement rate which may be used by the
9 Department of Human Services to provide aid and services to families
10 in order to strengthen such families, keep children in their homes,
11 and avoid out-of-home placement.

12 SECTION 3. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 270 of Title 56, unless there is
14 created a duplication in numbering, reads as follows:

15 A. The Department of Human Services is authorized to privatize
16 any services related to child welfare that are currently provided by
17 the Department.

18 B. In contracting with private agencies or entities to perform
19 these services, the Department shall expend funds in an amount
20 equivalent to the percentage of the Department's budget that is
21 currently dedicated to those services as performed by the
22 Department.

23 SECTION 4. This act shall become effective November 1, 2012.
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