

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

2 SECTION 1. From the funds appropriated to the Department of
3 Human Services in Sections 86 through 88 of Enrolled House Bill No.
4 2170 of the 1st Session of the 53rd Oklahoma Legislature, the amount
5 of One Hundred Seventy-eight Thousand Dollars (\$178,000.00) shall be
6 used for providing hearing services to deaf or hard of hearing
7 children statewide. Funding related to this section shall be
8 considered additional funding above the base funding amount included
9 in the Department of Human Services FY-12 Budget Work Plan to the
10 Oklahoma Partnership for School Readiness.

11 SECTION 2. It is the intent of the Oklahoma Legislature that
12 the Commission for Human Services to the greatest extent possible
13 provide Developmental Disability Services Division (DDSD) juvenile
14 offender services to reduce the DDSD Waiting List.

15 SECTION 3. It is the intent of the Oklahoma Legislature that
16 the Commission for Human Services fully fund the Developmental
17 Disability Services Division (DDSD) within the Department of Human
18 Services in FY-2012 with all of the state, federal, and other
19 existing financial resources available to the Commission, including
20 increasing state funds to make up for the loss of Federal FMAP funds
21 so that total spending in FY12 is no less than FY11. It is further
22 the Oklahoma Legislature's intent that services to current DDSD

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1 clients and related provider rates to such clients not be cut in FY-
2 2012.

3 SECTION 4. It is the intent of the Oklahoma Legislature that
4 the Commission for Human Services fully fund in its entirety the
5 Advantage Home and Community-based Waiver Program, Money Follows the
6 Person, Homeward Bound Waiver, In-Home Supports, Advantage Waiver,
7 Personal Care, and Targeted Case Management within the Department of
8 Human Services in FY-2012 with all of the state, federal, and other
9 existing financial resources available to the Commission, including
10 increasing state funds to make up for the loss of Federal FMAP funds
11 so that total spending in FY12 is no less than FY11. It is further
12 the Oklahoma Legislature's intent that services to clients and
13 related provider rates within the Advantage Home and Community-based
14 Waiver Program, Money Follows the Person, Homeward Bound Waiver, In-
15 Home Supports, Advantage Waiver, Personal Care, and Targeted Case
16 Management not be cut in FY-2012.

17 SECTION 5. It is the intent of the Oklahoma Legislature that
18 the Commission for Human Services fund in its entirety the Senior
19 Nutrition Program within the Aging Services Division of the
20 Department of Human Services in FY-2012 with all of the state,
21 federal, and other existing financial resources available to the
22 Commission.

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1 SECTION 6. It is the intent of the Oklahoma Legislature that
2 the Commission for Human Services fund in its entirety the Foster
3 and Adoption Program within the Department of Human Services in FY-
4 2012 with all of the state, federal, and other existing financial
5 resources available to the Commission.

6 SECTION 7. The Department of Human Services shall disburse the
7 total balance of funds that are available in the Child Abuse
8 Multidisciplinary Account fund for distribution as of January 1,
9 2012, pursuant to the allocation procedures which were collected
10 October 1, 2009, through September 30, 2011, established in Section
11 1-9-104 of Title 10A of the Oklahoma Statutes.

12 SECTION 8. There is hereby appropriated to the Department of
13 Human Services all federal monies received by the state during the
14 fiscal year ending June 30, 2012, from the Temporary Assistance to
15 Needy Families Block Grant and the Child Care and Development Fund
16 Block Grant to meet the provisions of federal law relating to such
17 grants.

18 SECTION 9. A. The Commission for Human Services, except in
19 cases of emergency or when required by state or federal law, shall
20 not finalize provider rates for fiscal year 2012 until the end of
21 the 2nd Session of the 53rd Oklahoma Legislature.

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1 B. In addition, the Commission shall not change rates for
2 fiscal year 2011 after January 1, 2012, except in cases of emergency
3 or when required by state or federal law.

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

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

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

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

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

22 SECTION 10. The Director of the Department of Human Services
23 may request through the Director of the Office of State Finance the

1 early transfer by the Oklahoma Tax Commission of tax collection to
2 the General Revenue Fund for the purpose of early allocation to the
3 Department's disbursing funds to alleviate cash-flow problems.

4 SECTION 11. A. The Director of the Office of State Finance
5 shall transfer monies appropriated from the General Revenue Fund and
6 Tobacco Settlement Fund to the Department of Human Services'
7 disbursing funds in the amounts and ratios requested by the agency
8 except that the cumulative amounts transferred shall not exceed the
9 cumulative amounts of equal monthly allotments of the appropriations
10 from the General Revenue Fund and Tobacco Settlement Fund.

11 B. Monies appropriated or collected from the fiscal year ending
12 June 30, 2012, may be transferred to these disbursing funds for the
13 fiscal year ending June 30, 2011, to satisfy encumbrances and
14 obligations of said fiscal year; provided, that monies equal in
15 amount are transferred from appropriations or collections for the
16 fiscal year ending June 30, 2011, to the disbursing funds for the
17 fiscal year ending June 30, 2012, to satisfy encumbrances and
18 obligations of said fiscal year. All transfer requests shall be in
19 writing to the Director of the Office of State Finance.

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

22 SECTION 12. Appropriations made by this act, not including
23 appropriations made for capital outlay purposes, may be budgeted for
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1 the fiscal year ending June 30, 2012 (hereafter FY-12) or may be
2 budgeted for the fiscal year ending June 30, 2013 (hereafter FY-13).
3 Funds budgeted for FY-12 may be encumbered only through June 30,
4 2012, and must be expended by November 15, 2012. Any funds
5 remaining after November 15, 2012, and not budgeted for FY-13, shall
6 lapse to the credit of the proper fund for the then current fiscal
7 year. Funds budgeted for FY-13 may be encumbered only through June
8 30, 2013. Any funds remaining after November 15, 2013, 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-12, and not required to pay
12 obligations for that fiscal year, may be budgeted for FY-13, 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-12 budget work program and after such revision has been
16 approved by the Office of State Finance.

17 SECTION 13. This act shall become effective July 1, 2011.

18 SECTION 14. 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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23 COMMITTEE REPORT BY: COMMITTEE ON JOINT APPROPRIATIONS AND BUDGET,
dated 05-16-2011 - DO PASS.

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UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.