

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1398

By: Burrage

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5  
6 AS INTRODUCED

7 An Act relating to services provided by the  
8 Department of Human Services; directing the  
9 Department to privatize out-of-home placement  
10 services; directing establishment of certain  
11 committee; specifying duties of certain committee;  
12 directing the Department to select and contract with  
13 certain private agencies; directing certain  
14 expenditure of funds; specifying duties of certain  
15 agencies; requiring certain contract in specified  
16 circumstances; directing certain compliance;  
17 directing the Commission for Human Services to  
18 promulgate certain rules; authorizing the Department  
19 to privatize certain services; directing certain  
20 expenditure of funds; providing for codification; and  
21 providing an effective date.

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1 B. The Department shall establish a committee composed of an  
2 equal number of representatives from the Department and from child  
3 placing agencies to establish:

4 1. Criteria and procedures for selection of child placing  
5 agencies;

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

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

10 C. The Department shall select and contract with private child  
11 placing agencies licensed by the Department to provide community-  
12 based out-of-home placement services. In contracting with private  
13 agencies to perform these services, the Department shall expend  
14 funds in an amount equivalent to the percentage of the Department's  
15 budget that is currently dedicated to those services as performed by  
16 the Department.

17 D. Child placing agencies selected by the Department shall  
18 recruit, train, and support foster care families. In the  
19 performance of such duties, child placing agencies shall maintain  
20 the Bridge philosophy which seeks to view practice through the eyes  
21 of the child and ensure that children in care maintain connections  
22 to their kin, culture, and community while in out-of-home care.

23 E. Child placing agencies selected by the Department which are  
24 not nationally accredited and therefore ineligible to receive

1 Medicaid reimbursement for treatment services shall contract with a  
2 nationally accredited child placing agency upon the placement of any  
3 child for assessment and placement management.

4 F. In implementing the provisions of this section, the  
5 Department shall require child placing agencies to comply with all  
6 applicable state and federal laws, regulations and policies, as well  
7 as any court orders or settlements which may affect community-based  
8 out-of-home placement services, foster children, tribal placements,  
9 or any other function that is to be performed by the child placing  
10 agencies selected by the Department pursuant to this section.

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

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

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

22 A. The Department of Human Services is authorized to privatize  
23 any services related to child welfare that are currently provided by  
24 the Department.

1 B. In contracting with private agencies or entities to perform  
2 these services, the Department shall expend funds in an amount  
3 equivalent to the percentage of the Department's budget that is  
4 currently dedicated to those services as performed by the  
5 Department.

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

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