

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2099

By: Nelson

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7 COMMITTEE SUBSTITUTE

8 An Act relating to children; creating the Children
9 with Disabilities Comprehensive Systems of Services
10 Fund Act of 2013; creating the Oklahoma Children's
11 Comprehensive Systems of Services Board; establishing
12 Board membership; establishing powers and
13 responsibilities of Board; creating the Children
14 with Disabilities Comprehensive Systems of Services
15 Revolving Fund; providing that fund consists of
16 monies deposited by certain foundation; establishing
17 foundation for certain purpose; requiring foundation
18 to secure tax-exempt status; requiring foundation
19 member to abstain from voting under certain
20 circumstance; providing for codification; and
21 providing an effective date.

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

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 601.66 of Title 10, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Children with
Disabilities Comprehensive Systems of Services Fund Act of 2013".

SECTION 2. NEW LAW A new section of law to be codified

1 in the Oklahoma Statutes as Section 601.67 of Title 10, unless
2 there is created a duplication in numbering, reads as follows:

3 A. There is hereby created until July 1, 2017, in accordance
4 with the Oklahoma Sunset Law, the Oklahoma Children's Comprehensive
5 Systems of Services Board. The Board shall promote a community-
6 based comprehensive, coordinated system of health, social and
7 educational services for Oklahoma children and youth with special
8 needs. The Board shall additionally serve as the state's advisory
9 council for interagency resource coordination for children with
10 special needs and fulfill the responsibilities described in the
11 Title V programs for children with special health care needs
12 regarding care resource coordination. The advisory council shall
13 work in collaboration with the IDEA Part B State Advisory Board, and
14 the Systems of Care State Advisory Team, the Oklahoma Developmental
15 Disabilities Council, the Oklahoma Children and Youth Commission,
16 and any other advising board, or public or private council with the
17 overarching goal to provide leadership in building and promoting a
18 community-based system of services that is family-centered,
19 comprehensive, coordinated, efficient and culturally competent. The
20 Board shall consist of representatives from the private and public
21 sectors as follows:

22 1. Fifteen private sector representatives appointed by the
23 Governor from a list submitted by an existing private-sector or not-
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1 for-profit establishment that includes in its focus community
2 mobilization and public engagement activities to include:

- 3 a. two parents of children twenty-one (21) years of age
4 or younger,
- 5 b. one parent of an adult child with developmental
6 disabilities, and
- 7 c. two parents or coordination providers from religious
8 entities;

9 2. A currently employed self-advocate, appointed by the Board
10 of the Oklahoma Developmental Disabilities Council;

11 3. One representative of a state association of federally
12 funded early childhood programs appointed by the Governor; and

13 4. To ensure that existing resources are being utilized
14 effectively, eighteen public sector representatives or their
15 designees as follows:

- 16 a. Superintendent of Public Instruction,
- 17 b. State Commissioner of Health,
- 18 c. Commissioner of the Department of Mental Health and
19 Substance Abuse Services,
- 20 d. Director of the Oklahoma Department of Commerce,
- 21 e. Director of the Developmental Disabilities Services
22 Division of the Department of Human Services,
- 23 f. Director of the Department of Human Services,
- 24 g. Administrator of the Oklahoma Health Care Authority,

- 1 h. Director of the Oklahoma Commission on Children and
- 2 Youth,
- 3 i. Director of the State Department of Rehabilitation
- 4 Services,
- 5 j. Executive Director of the Oklahoma Educational
- 6 Television Authority,
- 7 k. Director of the Oklahoma Department of Career and
- 8 Technology Education,
- 9 l. Chancellor of the Oklahoma State Regents for Higher
- 10 Education,
- 11 m. Cabinet Secretary with responsibility for education
- 12 agencies,
- 13 n. Dean of the College of Human Environmental Sciences,
- 14 Oklahoma State University,
- 15 o. Director of the Oklahoma Head Start State
- 16 Collaboration,
- 17 p. a person representing the Special Education Resolution
- 18 Center, appointed by the Governor,
- 19 q. a member of the Oklahoma House of Representatives,
- 20 appointed by the Speaker of the House of
- 21 Representatives, and
- 22 r. a member of the Oklahoma State Senate, appointed by
- 23 the President Pro Tempore of the Senate.

24 B. Members shall be appointed for a four-year term.

1 C. An organizational meeting of the Board shall occur prior to
2 November 1, 2013, at which time members of the Board shall elect a
3 chair, a vice-chair, and other officers as needed. A majority of
4 the members of the Board shall constitute a quorum for the
5 transaction of business.

6 D. Members of the Board shall receive no compensation for
7 serving on the Board but shall receive travel reimbursement as
8 follows:

9 1. State agency officers and employees who are members of the
10 Board shall be reimbursed for travel expenses incurred in the
11 performance of their duties by their respective agencies in
12 accordance with the State Travel Reimbursement Act; and

13 2. Remaining members shall be reimbursed by the Board from any
14 funds received by the Board for travel expenses incurred in the
15 performance of their duties in accordance with the State Travel
16 Reimbursement Act.

17 E. Members of the Board shall be exempt from the dual-office-
18 holding provisions of Section 6 of Title 51 of the Oklahoma
19 Statutes.

20 SECTION 3. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 601.68 of Title 10, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The Oklahoma Children's Comprehensive Systems of Services
24 Board may:

- 1 1. Establish guidelines for the disbursement of funds received
2 from any public or private source or otherwise made available to the
3 Board for the purpose of supporting community initiatives that are
4 consistent with the goals of the Children with Disabilities
5 Comprehensive Systems of Services Fund Act of 2013 and direct such
6 other expenditures as may be necessary in the performance of its
7 duties;
- 8 2. Establish other guidelines as necessary to carry out the
9 duties and responsibilities assigned to the Board;
- 10 3. Receive funds from any public or private source;
- 11 4. Enter into contractual agreements to assist with the
12 administration of the Board and to provide technical assistance to
13 communities upon request;
- 14 5. Appoint subcommittees which may include persons who are not
15 Board members. Such persons shall not be entitled to compensation
16 but may be reimbursed, upon approval by the Director of the
17 Department of Human Services, for necessary expenses incurred in the
18 performance of their duties in accordance with the State Travel
19 Reimbursement Act; and
- 20 6. The Board shall ensure, to the greatest extent possible,
21 that the needs and values of all parents are respected and protected
22 and that voluntary participation is the basis for providing
23 leadership in building and promoting a community-based system of
24 services that is family-centered, comprehensive, coordinated,

1 efficient and culturally competent. The Board shall act in ways
2 which are sensitive to the diverse religious and other values of
3 Oklahomans.

4 B. The responsibilities of the Board shall be to:

5 1. Conduct a thorough assessment of existing public and private
6 resources to determine their effectiveness and to maximize the
7 efficient use of current state funds;

8 2. Bring together agencies, parents and providers with an
9 interest in children and youth services through county coalitions,
10 particularly services for children with special needs. In addition,
11 join together existing coalitions for the purpose of achieving
12 greater efficiency and closing existing service gaps;

13 3. Facilitate community and state efforts to address needs
14 through local and state initiatives. This is done by providing
15 state agencies and universities with expertise about community and
16 family experiences for the purpose of identifying additional public
17 and private funding resources;

18 4. Provide accurate information to the local communities and
19 the state on both children and youth with special needs impacting
20 community efforts;

21 5. Implement a public engagement campaign and establish a
22 structure to facilitate communication between communities, local and
23 state entities;

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1 6. Provide leadership at the state level to encourage
2 communities to develop and improve community collaborative
3 opportunities at the local level to encourage and empower local
4 communities;

5 7. Encourage public and private programs, services, and
6 initiatives be brought together to provide coordinated, community-
7 based, effective and cost-efficient programs;

8 8. Maximize the extent to which private sector funding is
9 leveraged and federal, state, and local funds are coordinated with
10 private funds; and

11 9. Submit an annual report to the Governor and the Legislature
12 no later than November 1 of each year. The report shall include,
13 but not be limited to, the following:

14 a. accurate information to the local communities and the
15 state on both the needs of children with special needs
16 and the impact of the community efforts to meet those
17 needs,

18 b. efforts to provide technical assistance at the
19 community level including program design, stakeholder
20 engagement, data and health information technology,

21 c. status and results of the effort of the Board to
22 engage the public regarding the care and education of
23 children with special needs and of the efforts of the
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1 Board to develop and promote private-sector programs
2 and voluntary parental involvement, and

- 3 d. detailed summary of collaborative community
4 initiatives and programs funded in whole, or in part,
5 by county coalitions or joint local efforts.

6 C. The Board may employ a director and other staff through
7 current state entity Sooner SUCCESS to facilitate as necessary the
8 duties and responsibilities assigned by the Board.

9 D. Each of the following agencies shall make staff available to
10 the Board for the purpose of providing professional consultation and
11 staff support to assist in the implementation of the Children with
12 Disabilities Comprehensive Systems of Services Fund Act of 2013:

- 13 1. State Department of Education;
14 2. State Department of Health;
15 3. Department of Mental Health and Substance Abuse Services;
16 4. Department of Human Services; and
17 5. Oklahoma Commission on Children and Youth.

18 SECTION 4. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 601.69 of Title 10, unless there
20 is created a duplication in numbering, reads as follows:

21 There is hereby created in the State Treasury a revolving fund
22 for the Board of Regents for the University of Oklahoma on behalf of
23 the department of Pediatrics, Child Study Center for Sooner SUCCESS
24 to be designated the "Children with Disabilities Comprehensive

1 Systems of Services Revolving Fund". The fund shall be a continuing
2 fund, not subject to fiscal year limitations, and shall consist of
3 those monies appropriated to the fund by law or deposited in the
4 fund pursuant to Section 5 of the Children with Disabilities
5 Comprehensive Systems of Services Fund Act of 2013. All monies
6 accruing to the credit of said fund are hereby appropriated and may
7 be budgeted and expended by Sooner SUCCESS for the purpose of
8 coordinating a statewide comprehensive system of health, social and
9 educational services for Oklahoma children and youth with special
10 needs in accordance with Part B of the Individuals with Disabilities
11 Education Act (IDEA) and Title V programs for Children with Special
12 Health Care Needs. Expenditures from said fund shall be made upon
13 warrants issued by the State Treasurer against claims filed as
14 prescribed by law with the Director of the Office of Management and
15 Enterprise Services for approval and payment.

16 SECTION 5. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 601.70 of Title 10, unless there
18 is created a duplication in numbering, reads as follows:

19 A. There is hereby authorized the establishment of a not-for-
20 profit foundation to raise funds for the Children with Disabilities
21 Comprehensive Systems of Services Fund Act of 2013 and the
22 achievement of the goals of the act.

23 B. The foundation created pursuant to this section may receive
24 funds from any public or private source to carry out the purposes of

1 this act, including, but not limited to, gifts or grants from any
2 department, agency, or instrumentality of the United States or of
3 this state for any purposes consistent with the provisions of this
4 act.

5 C. Upon proper incorporation, the foundation shall secure tax-
6 exempt status under the appropriate provision of Section 501(c) of
7 the Internal Revenue Code, 26 U.S.C., Section 501(c).

8 D. Any member of the foundation who may have a financial
9 interest in an action under consideration by the foundation shall
10 abstain from voting on such matter.

11 SECTION 6. This act shall become effective November 1, 2013.

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