An Act

ENROLLED SENATE
BILL NO. 1449

By: Griffin of the Senate

and

Denney and Pittman of the House

An Act relating to the Department of Human Services; amending 10A O.S. 2011, Section 1-9-111, as amended by Section 6, Chapter 353, O.S.L. 2012 (10A O.S. Supp. 2013, Section 1-9-111), which relates to management, operation, and use of children's shelters; authorizing contracts with certain facilities for certain services; requiring certain training; and providing an effective date.

SUBJECT: Department of Human Services

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

SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-9-111, as amended by Section 6, Chapter 353, O.S.L. 2012 (10A O.S. Supp. 2013, Section 1-9-111), is amended to read as follows:

Section 1-9-111. A. 1. The Department of Human Services is authorized to manage and operate <u>and may contract with designated youth services agencies or designated child-placing agencies for the management and operation of</u> the children's shelter located in Oklahoma City, known and designated as the Pauline Mayer Children's Shelter, and the children's shelter located in Tulsa, known and designated as the Laura Dester Children's Shelter. The Department shall implement a plan to transition the use of shelters from a placement for children taken into custody into an alternative purpose to be determined by the Department. Kinship care homes and emergency foster care homes shall be utilized for the care of

children instead of a shelter whenever possible. The Department shall monitor and report to the Legislature and Governor on a monthly basis the daily average shelter population and the number of kinship care homes utilized and the total number of emergency foster care homes available by county.

2. Subject to the availability of suitable placements, no child in the custody of the Department of Human Services:

a. six (6) years of age or younger shall be placed in shelter care after June 30, 2013, or

b. thirteen (13) years of age or younger shall be placed in shelter care after June 30, 2014.

3. The Department is authorized to manage and operate, to the extent of funds available, and may contract with designated youth services agencies or child-placing agencies for the management and operation of such group homes as may be necessary to provide a diversity of placement alternatives for children adjudicated deprived and placed in the custody of the Department. The Department shall, prior to awarding a contract to a facility for the purposes of this paragraph, ensure that such facility provides continuing education to its employees in the area of cultural competency. Such continuing education shall include, at a minimum, instruction on the problems of race and gender-based disparities faced by youths in group homes.

B. The Commission for Human Services shall establish and maintain methods of administration, including those necessary to establish and maintain a merit system of personnel administration, and shall prescribe rules necessary for the efficient and effective operation of the children's facilities operated by the Department.

C. 1. The Director of the Department shall employ and fix the duties and compensation of a director or supervisor, and other personnel necessary, for each of the children's facilities operated by the Department.

2. The Department shall promulgate, and in its hiring and employment practices, the Department shall adhere to, written minimum qualifications by position for personnel working with or

around children in such facilities. Minimum qualifications shall be designed to assure that:

a. personnel possess sufficient education, training, experience, and background to provide adequate and safe professional care and services to children, and

b. children will not be exposed to abuse, deprivation, criminal conduct, or other unwholesome conditions attributable to employee incompetence or misconduct.

D. 1. It shall be the duty of the State Fire Marshal and the State Commissioner of Health to cause annual unannounced inspections of children's facilities operated by the Department, utilizing adequately trained and qualified inspection personnel, to determine and evaluate conditions in their respective areas of agency jurisdiction.

2. Inspections shall include, but not be limited to, compliance with:

a. minimum fire, life, and health safety standards, and

b. minimum standards governing general sanitation of the institution.

3. Reports of inspections shall be made in writing, itemizing and identifying any deficiencies, and recommending corrective measures, and shall be filed with the Department, the Office of Juvenile System Oversight, and the Commission on Children and Youth.

4. The Department shall file copies of the reports of the inspections and recommendations of the accrediting agencies with the Office of Juvenile System Oversight.

E. 1. The Department may:

a. give assistance to local school districts in providing an education to children in facilities operated by the Department,

b. supplement the education, and

c. provide facilities for such purposes.

2. It shall be the duty of the Department to assure that children in the facilities receive educational services which will stress basic literacy skills including, but not limited to, curricula requirements stressing reading, writing, mathematics, science, and vocational-technical education.

SECTION 2. This act shall become effective November 1, 2014.

Passed the Senate the 11th day of March, 2014.

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Presiding Officer of the Senate

Passed the House of Representatives the 15th day of April, 2014.

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Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

_____
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20 _____, at _____ o'clock _____ M.

By: _____