

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2099

By: Nelson and Pittman

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9                                   COMMITTEE SUBSTITUTE

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

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

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

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

6 SECTION 2. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 601.67 of Title 10, unless  
8 there is created a duplication in numbering, reads as follows:

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

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

- 9 a. two parents of children twenty-one (21) years of age  
10 or younger,
- 11 b. one parent of an adult child with developmental  
12 disabilities, and
- 13 c. two parents or coordination providers from religious  
14 entities;

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

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

19 4. To ensure that existing resources are being utilized  
20 effectively, eighteen public sector representatives or their  
21 designees as follows:

- 22 a. Superintendent of Public Instruction,
- 23 b. State Commissioner of Health,

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- 1 c. Commissioner of the Department of Mental Health and  
2 Substance Abuse Services,  
3 d. Director of the Oklahoma Department of Commerce,  
4 e. Director of the Developmental Disabilities Services  
5 Division of the Department of Human Services,  
6 f. Director of the Department of Human Services,  
7 g. Administrator of the Oklahoma Health Care Authority,  
8 h. Director of the Oklahoma Commission on Children and  
9 Youth,  
10 i. Director of the State Department of Rehabilitation  
11 Services,  
12 j. Executive Director of the Oklahoma Educational  
13 Television Authority,  
14 k. Director of the Oklahoma Department of Career and  
15 Technology Education,  
16 l. Chancellor of the Oklahoma State Regents for Higher  
17 Education,  
18 m. Cabinet Secretary with responsibility for education  
19 agencies,  
20 n. Dean of the College of Human Environmental Sciences,  
21 Oklahoma State University,  
22 o. Director of the Oklahoma Head Start State  
23 Collaboration,  
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1 p. a person representing the Special Education Resolution  
2 Center, appointed by the Governor,

3 q. a member of the Oklahoma House of Representatives,  
4 appointed by the Speaker of the House of  
5 Representatives, and

6 r. a member of the Oklahoma State Senate, appointed by  
7 the President Pro Tempore of the Senate.

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

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

14 D. Members of the Board shall receive no compensation for  
15 serving on the Board but shall receive travel reimbursement as  
16 follows:

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

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

3 E. Members of the Board shall be exempt from the dual-office-  
4 holding provisions of Section 6 of Title 51 of the Oklahoma  
5 Statutes.

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

9 A. The Oklahoma Children's Comprehensive Systems of Services  
10 Board may:

11 1. Establish guidelines for the disbursement of funds received  
12 from any public or private source or otherwise made available to the  
13 Board for the purpose of supporting community initiatives that are  
14 consistent with the goals of the Children with Disabilities  
15 Comprehensive Systems of Services Fund Act of 2013 and direct such  
16 other expenditures as may be necessary in the performance of its  
17 duties;

18 2. Establish other guidelines as necessary to carry out the  
19 duties and responsibilities assigned to the Board;

20 3. Receive funds from any public or private source;

21 4. Enter into contractual agreements to assist with the  
22 administration of the Board and to provide technical assistance to  
23 communities upon request;

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1           5. Appoint subcommittees which may include persons who are not  
2 Board members. Such persons shall not be entitled to compensation  
3 but may be reimbursed, upon approval by the Director of the  
4 Department of Human Services, for necessary expenses incurred in the  
5 performance of their duties in accordance with the State Travel  
6 Reimbursement Act; and

7           6. The Board shall ensure, to the greatest extent possible,  
8 that the needs and values of all parents are respected and protected  
9 and that voluntary participation is the basis for providing  
10 leadership in building and promoting a community-based system of  
11 services that is family-centered, comprehensive, coordinated,  
12 efficient and culturally competent. The Board shall act in ways  
13 which are sensitive to the diverse religious and other values of  
14 Oklahomans.

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

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

19           2. Bring together agencies, parents and providers with an  
20 interest in children and youth services through county coalitions,  
21 particularly services for children with special needs. In addition,  
22 join together existing coalitions for the purpose of achieving  
23 greater efficiency and closing existing service gaps;

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

6           4. Provide accurate information to the local communities and  
7 the state on both children and youth with special needs impacting  
8 community efforts;

9           5. Implement a public engagement campaign and establish a  
10 structure to facilitate communication between communities, local and  
11 state entities;

12           6. Provide leadership at the state level to encourage  
13 communities to develop and improve community collaborative  
14 opportunities at the local level to encourage and empower local  
15 communities;

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

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

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

- 4           a. accurate information to the local communities and the  
5 state on both the needs of children with special needs  
6 and the impact of the community efforts to meet those  
7 needs,
- 8           b. efforts to provide technical assistance at the  
9 community level including program design, stakeholder  
10 engagement, data and health information technology,
- 11           c. status and results of the effort of the Board to  
12 engage the public regarding the care and education of  
13 children with special needs and of the efforts of the  
14 Board to develop and promote private-sector programs  
15 and voluntary parental involvement, and
- 16           d. detailed summary of collaborative community  
17 initiatives and programs funded in whole, or in part,  
18 by county coalitions or joint local efforts.

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

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

- 3 1. State Department of Education;
- 4 2. State Department of Health;
- 5 3. Department of Mental Health and Substance Abuse Services;
- 6 4. Department of Human Services; and
- 7 5. Oklahoma Commission on Children and Youth.

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

11 There is hereby created in the State Treasury a revolving fund  
12 for the Board of Regents for the University of Oklahoma on behalf of  
13 the department of Pediatrics, Child Study Center for Sooner SUCCESS  
14 to be designated the "Children with Disabilities Comprehensive  
15 Systems of Services Revolving Fund". The fund shall be a continuing  
16 fund, not subject to fiscal year limitations, and shall consist of  
17 those monies appropriated to the fund by law or deposited in the  
18 fund pursuant to Section 5 of the Children with Disabilities  
19 Comprehensive Systems of Services Fund Act of 2013. All monies  
20 accruing to the credit of said fund are hereby appropriated and may  
21 be budgeted and expended by Sooner SUCCESS for the purpose of  
22 coordinating a statewide comprehensive system of health, social and  
23 educational services for Oklahoma children and youth with special

1 needs in accordance with Part B of the Individuals with Disabilities  
2 Education Act (IDEA) and Title V programs for Children with Special  
3 Health Care Needs. Expenditures from said fund shall be made upon  
4 warrants issued by the State Treasurer against claims filed as  
5 prescribed by law with the Director of the Office of Management and  
6 Enterprise Services for approval and payment.

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

10 A. There is hereby authorized the establishment of a not-for-  
11 profit foundation to raise funds for the Children with Disabilities  
12 Comprehensive Systems of Services Fund Act of 2013 and the  
13 achievement of the goals of the act.

14 B. The foundation created pursuant to this section may receive  
15 funds from any public or private source to carry out the purposes of  
16 this act, including, but not limited to, gifts or grants from any  
17 department, agency, or instrumentality of the United States or of  
18 this state for any purposes consistent with the provisions of this  
19 act.

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

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

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

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6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
7 02/27/2013 - DO PASS, As Amended and Coauthored.  
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