HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3523

By: Martin (Scott) and Sears of the House

and

Jolley and Justice of the Senate

COMMITTEE SUBSTITUTE

An Act relating to the Department of Human Services; requiring certain appropriated funds to be used for certain purposes; providing legislative intent; requiring certain transfer; appropriating certain federal monies to the Department of Human Services; stating purpose; authorizing early allocation and establishing procedure; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

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

SECTION 1. From the funds appropriated to the Department of Human Services in Sections 76 through 79 of Senate Bill No. 2127 of the 2nd Session of the 54th Oklahoma Legislature, the amount of Ninety-two Million Nine Hundred Forty-five Thousand Dollars

UNDERLINED language denotes Amendments to present Statutes.
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($92,945,000.00) shall be used for implementing Phase One, Two and Three of the Pinnacle Plan.

SECTION 2. From the funds appropriated to the Department of Human Services in Sections 76 through 79 of Senate Bill No. 2127 of the 2nd Session of the 54th Oklahoma Legislature, the amount of One Million Dollars ($1,000,000.00) shall be used for providing services for persons with developmental disabilities. These funds shall be used to provide additional services and programs for persons with developmental disabilities to reduce the size of the Developmental Disabilities Services Division waiting list and shall be used to supplement rather than replace existing resources and programs.

SECTION 3. It is the intent of the Oklahoma Legislature that the Department of Human Services fully fund the Developmental Disabilities Services Division (DDSD) within the Department of Human Services in FY-2015 with all of the state, federal, and other existing financial resources available to the Department, including increasing state funds to make up for the loss of Federal FMAP funds so that total spending in FY-2015 is no less than FY-2014. It is further the Oklahoma Legislature's intent that services to current DDSD clients and related provider rates to such clients not be cut in FY-2015.

SECTION 4. It is the intent of the Oklahoma Legislature that the Department of Human Services fully fund in its entirety the Advantage Home and Community-based Waiver Program, Money Follows the

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Person, Homeward Bound Waiver, In-Home Supports, Advantage Waiver, Personal Care, and Targeted Case Management within the Department of Human Services in FY-2015 with all of the state, federal, and other existing financial resources available to the Department, including increasing state funds to make up for the loss of Federal FMAP funds so that total spending in FY-2015 is no less than FY-2014. It is further the Oklahoma Legislature's intent that services to clients and related provider rates within the Advantage Home and Community-based Waiver Program, Money Follows the Person, Homeward Bound Waiver, In-Home Supports, Advantage Waiver, Personal Care, and Targeted Case Management not be cut in FY-2015.

SECTION 5. It is the intent of the Oklahoma Legislature that the Department of Human Services fully fund the Adult Day Services in FY-2015 with all of the state, federal, and other existing financial resources available to the Department of Human Services, including increasing state funds to make up for the loss of Federal FMAP funds so that total spending in FY-2015 is no less than FY-2014. It is further the Oklahoma Legislature's intent that services to current Adult Day Services clients and related provider rates to such clients not be cut in FY-2015.

SECTION 6. It is the intent of the Oklahoma Legislature that the Department of Human Services fund in its entirety the Senior Nutrition Program within the Aging Services Division in FY-2015 with

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all of the state, federal, and other existing financial resources available to the Department.

SECTION 7. From the funds appropriated to the Department of Human Services in Sections 76 through 79 of Senate Bill No. 2127 of the 2nd Session of the 54th Oklahoma Legislature, the Department of Human Services shall transfer Two Million Eight Hundred Thousand Dollars ($2,800,000.00) to the credit of the Child Abuse Multidisciplinary Account established in Section 1-9-103 of Title 10A of the Oklahoma Statutes, which shall be distributed according to Section 1-9-104 of Title 10A of the Oklahoma Statutes.

SECTION 8. There is hereby appropriated to the Department of Human Services all federal monies received by the state during the fiscal year ending June 30, 2015, from the Temporary Assistance to Needy Families Block Grant and the Child Care and Development Fund Block Grant to meet the provisions of federal law relating to such grants.

SECTION 9. The Director of the Department of Human Services may request through the Director of the Office of Management and Enterprise Services the early transfer by the Oklahoma Tax Commission of tax collections to the General Revenue Fund for the purpose of early allocation to the Department's disbursing funds to alleviate cash-flow problems.

SECTION 10. A. The Director of the Office of Management and Enterprise Services shall transfer monies appropriated from the

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General Revenue Fund and Special Cash Fund to the Department of Human Services' disbursing funds in the amounts and ratios requested by the agency except that the cumulative amounts transferred shall not exceed the cumulative amounts of equal monthly allotments of the appropriations from the General Revenue Fund and Special Cash Fund.

B. Monies appropriated or collected for the fiscal year ending June 30, 2015, may be transferred to these disbursing funds for the fiscal year ending June 30, 2014, to satisfy encumbrances and obligations of said fiscal year; provided, that monies equal in amount are transferred from appropriations or collections for the fiscal year ending June 30, 2014, to the disbursing funds for the fiscal year ending June 30, 2015, to satisfy encumbrances and obligations of said fiscal year. All transfer requests shall be in writing to the Director of the Office of Management and Enterprise Services.

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

SECTION 11. Appropriations made by Sections 76 through 79 of Senate Bill No. 2127 of the 2nd Session of the 54th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2015 (hereafter FY-15), or may be budgeted for the fiscal year ending June 30, 2016 (hereafter FY-16). Funds budgeted for FY-15 may be encumbered only through June 30, 2015, and must be expended by

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November 15, 2015. Any funds remaining after November 15, 2015, and not budgeted for FY-16, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-16 may be encumbered only through June 30, 2016. Any funds remaining after November 15, 2016, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-15, and not required to pay obligations for that fiscal year, may be budgeted for FY-16, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-15 budget work program and after such revision has been approved by the Office of Management and Enterprise Services.

SECTION 12. This act shall become effective July 1, 2014.

SECTION 13. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

DIRECT TO CALENDAR.

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