

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2789

By: McCullough

4
5
6 AS INTRODUCED

7 An Act relating to prevention programs; amending 63
8 O.S. 2011, Section 1-110.1, as amended by Section
9 477, Chapter 304, O.S.L. 2012 (63 O.S. Supp. 2013,
10 Section 1-110.1), which relates to the Children First
11 Fund; redirecting oversight of fund to Oklahoma
12 Commission on Children and Youth; permitting
13 Commission to budget and expend monies; requiring
14 Commission to submit annual report; directing
15 Commission send nursing hours report to Oklahoma
16 Health Care Authority; mandating Commission contract
17 with university; amending 63 O.S. 2011, Sections 1-
18 227, 1-227.1, as amended by Section 46, Chapter 229,
19 O.S.L. 2013, 1-227.2, as amended by Section 47,
20 Chapter 229, O.S.L. 2013, 1-227.3, 1-227.4, as
21 amended by Section 48, Chapter 229, O.S.L. 2013, 1-
22 227.6, 1-227.7 and 1-227.8 (63 O.S. Supp. 2013,
23 Sections 1-227.1, 1-227.2 and 1-227.4), which relate
24 to the Child Abuse Prevention Act; updating
citations; transferring oversight of Office of Child
Abuse Prevention to Oklahoma Commission on Children
and Youth; modifying terms; deleting terms; updating
citations; authorizing Commission take certain
actions to implement act; granting Commission
rulemaking authority; adding high-risk categories to
target; directing Commission prepare state plan;
requiring Commission expend funds for grants or
contracts; mandating Commission request budget to
implement the act annually; directing how Commission
disburses funds; prescribing Commission use formula
for fund distribution; requiring Commission employ
Director for Office; updating citations; providing
Commission oversight of rulemaking by Director;
authorizing Director act as agent for Commission;
transferring oversight of Child Abuse Prevention Fund
to Commission; updating citations; limiting funds to

1 those approved by Commission; amending 10A O.S. 2011,
2 Section 1-9-108, which relates to a child abuse and
3 neglect prevention pilot program; transferring
4 oversight of program from Department of Human
5 Services to Commission; requiring team to make annual
6 report to Legislature and Commission; deleting
7 reference to dissolved entity; granting Commission
8 rulemaking authority; permitting Commission enter
9 into contracts and accept volunteer assistance;
10 directing request of certain Medicaid waiver;
11 providing for requests for proposals; requiring
12 uninterrupted services; directing development of data
13 system; specifying uses for data system; prohibiting
14 establishment of additional programs; declaring
15 legislative intent; transferring employees, records
16 and property; providing for disposition of funds;
17 transferring powers and duties; providing for
18 codification; providing for recodification; and
19 providing an effective date.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-110.1, as amended by Section 477, Chapter 304, O.S.L. 2012 (63 O.S. Supp. 2013, Section 1-110.1), is amended to read as follows:

Section 1-110.1 A. There is hereby created in the State Treasury a revolving fund for the ~~State Department of Health~~ Oklahoma Commission on Children and Youth to be designated the "Children First Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies deposited to the credit of the fund by law. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the ~~State Department of Health~~ Oklahoma Commission

1 on Children and Youth for operation of Children First family
2 resource programs. Expenditures from the fund shall be made upon
3 warrants issued by the State Treasurer against claims filed as
4 prescribed by law with the Director of the Office of Management and
5 Enterprise Services for approval and payment.

6 B. ~~The State Department of Health~~ Oklahoma Commission on
7 Children and Youth shall submit to the Speaker of the House of
8 Representatives, the President Pro Tempore of the Senate, and the
9 Governor by January 15 of each year, an annual report, including a
10 full accounting of administrative expenditures from the fund for the
11 prior fiscal year, and a summary detailing the demographic
12 characteristics of families served including, but not limited to,
13 the following:

- 14 1. Age and marital status of parent(s);
- 15 2. Household composition of families served;
- 16 3. Number of families accepted into the program, by location,
17 and average length of time enrolled;
- 18 4. Referrals made on behalf of families not accepted into the
19 program; and
- 20 5. Average actual expenditures per child during the most recent
21 state fiscal year.

22 C. Projects shall comply with the uniform components of the
23 State Plan for the Prevention of Child Abuse.

24

1 D. ~~The Department~~ Oklahoma Commission on Children and Youth
2 shall forward to the Oklahoma Health Care Authority a report of the
3 total number of hours of nursing services provided to families under
4 Children First family resource programs. The Oklahoma Health Care
5 Authority shall submit such information to the Centers for Medicaid
6 and Medicare Services for purposes of applying for federal matching
7 funds and shall submit any necessary applications for waivers to
8 accomplish the provisions of this subsection.

9 E. ~~The State Department of Health~~ Oklahoma Commission on
10 Children and Youth shall contract with a university-related program
11 for a performance-based evaluation of programs. Program sites shall
12 fully cooperate and comply with the evaluation process, and sites
13 shall provide weekly caseload and referral information to the ~~State~~
14 ~~Department of Health~~ Oklahoma Commission on Children and Youth.

15 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-227, is
16 amended to read as follows:

17 Section 1-227. A. Sections ~~1-227~~ 2 through ~~1-227.9~~ 9 of this
18 ~~title act~~ act shall be known and may be cited as the "Child Abuse
19 Prevention Act".

20 B. The Legislature hereby declares that the increasing
21 incidence of child abuse and its attendant human and financial cost
22 to the citizens of Oklahoma requires that the prevention of child
23 abuse and neglect be identified as a priority within the children,
24

1 youth and family service system of this state. It is the intent of
2 the Legislature that:

3 1. A comprehensive approach for the prevention of child abuse
4 and neglect be developed for the state, and that this planned,
5 comprehensive approach be used as a basis for funding of programs
6 and services for the prevention of child abuse and neglect
7 statewide; and

8 2. Multidisciplinary and discipline-specific training on child
9 abuse and neglect and domestic violence be made available to
10 professionals in Oklahoma with responsibilities affecting children,
11 youth, and families, including but not limited to: district
12 attorneys, judges, lawyers, public defenders, medical personnel, law
13 enforcement officers, school personnel, child welfare workers, youth
14 service agencies, mental health workers, and Court Appointed Special
15 Advocates (CASA). ~~Said~~ The training shall be ongoing and shall
16 accommodate professionals who require extensive knowledge and those
17 who require only general knowledge.

18 C. For the purpose of establishing a comprehensive statewide
19 approach towards the prevention of child abuse and neglect there is
20 hereby created the Office of Child Abuse Prevention within the ~~State~~
21 ~~Department of Health~~ Oklahoma Commission on Children and Youth.

22 SECTION 3. AMENDATORY 63 O.S. 2011, Section 1-227.1, as
23 amended by Section 46, Chapter 229, O.S.L. 2013 (63 O.S. Supp. 2013,
24 Section 1-227.1), is amended to read as follows:

1 Section 1-227.1 As used in the Child Abuse Prevention Act:

2 1. "Child abuse prevention" means services and programs
3 designed to prevent the occurrence or recurrence of child abuse and
4 neglect as defined in Section 1-1-105 of Title 10A of the Oklahoma
5 Statutes but as limited by Section 844 of Title 21 of the Oklahoma
6 Statutes. Except for the purpose of planning and coordination
7 pursuant to the provisions of the Child Abuse Prevention Act, the
8 services and programs of the Department of Human Services which are
9 mandated by state law or which are a requirement for the receipt of
10 federal funds with regard to deprived, destitute or homeless
11 children shall not be subject to the provisions of the Child Abuse
12 Prevention Act;

13 2. "Child Abuse Prevention Fund" means the revolving fund
14 established pursuant to Section 9 of this act;

15 3. "Commission" means the Oklahoma Commission on Children and
16 Youth;

17 4. "Director" means the Director of the Office of Child Abuse
18 Prevention;

19 5. "Office" means the Office of Child Abuse Prevention;

20 6. "Primary prevention" means programs and services designed to
21 promote the general welfare of children and families;

22 ~~3.~~ 7. "Secondary prevention" means the identification of
23 children who are in circumstances where there is a high risk that
24

1 abuse will occur and assistance, as necessary and appropriate, to
2 prevent abuse or neglect from occurring; and

3 ~~4. 8. "Tertiary prevention" means those services provided after~~
4 ~~abuse or neglect has occurred which are designed to prevent the~~
5 ~~recurrence of abuse or neglect;~~

6 ~~5. "Department" means the State Department of Health;~~

7 ~~6. "Director" means the Director of the Office of Child Abuse~~
8 ~~Prevention;~~

9 ~~7. "Office" means the Office of Child Abuse Prevention;~~

10 ~~8. "Commission" means the Oklahoma Commission on Children and~~
11 ~~Youth; and~~

12 ~~9. "Child Abuse Prevention Fund" means the revolving fund~~
13 ~~established pursuant to Section 1-227.8 of this title.~~

14 SECTION 4. AMENDATORY 63 O.S. 2011, Section 1-227.2, as
15 amended by Section 47, Chapter 229, O.S.L. 2013 (63 O.S. Supp. 2013,
16 Section 1-227.2), is amended to read as follows:

17 Section 1-227.2 A. The Office of Child Abuse Prevention,
18 giving consideration to the recommendations of the Infant and
19 Children's Health Advisory Council created in Section ~~44~~ 1-103a.1 of
20 ~~this act~~ Title 63 of the Oklahoma Statutes, is hereby authorized and
21 directed to:

22 1. Prepare and implement a comprehensive state plan for the
23 planning and coordination of child abuse prevention programs and
24 services and for the establishment, development and funding of such

1 programs and services, and to revise and update ~~said~~ the plan
2 pursuant to the provisions of Section ~~1-227.3~~ 5 of this ~~title~~ act;

3 2. Monitor, evaluate and review the development and quality of
4 services and programs for the prevention of child abuse and neglect,
5 publish and distribute an annual report of its findings on or before
6 January 1 of each year to the Governor, the Speaker of the House of
7 Representatives, the President Pro Tempore of the Senate and to the
8 chief administrative officer of each agency affected by the report.

9 The report shall include:

- 10 a. activities of the Office,
- 11 b. a summary detailing the demographic characteristics of
12 families served including, but not limited to, the
13 following:
 - 14 (1) age and marital status of parent(s),
 - 15 (2) number and age of children living in the
16 household,
 - 17 (3) household composition of families served,
 - 18 (4) number of families accepted into the program by
19 grantee site and average length of time enrolled,
 - 20 (5) number of families not accepted into the program
21 and the reason therefor, and
 - 22 (6) average actual expenditures per family during the
23 most recent state fiscal year,

24

- c. recommendations for the further development and improvement of services and programs for the prevention of child abuse and neglect, and
- d. budget and program needs; and

3. Conduct or otherwise provide for or make available continuing professional education and training in the area of child abuse prevention.

B. For the purpose of implementing the provisions of the Child Abuse Prevention Act, the ~~State Department of Health~~ Oklahoma Commission on Children and Youth is authorized to:

1. Accept appropriations, gifts, loans and grants from the state and federal government and from other sources, public or private;

2. Enter into agreements or contracts for the establishment and development of:

- a. programs and services for the prevention of child abuse and neglect,
- b. training programs for the prevention of child abuse and neglect, and
- c. multidisciplinary and discipline specific training programs for professionals with responsibilities affecting children, youth and families; and

3. Secure necessary statistical, technical, administrative and operational services by interagency agreement or contract.

1 C. For the purpose of implementing the provisions of the Child
2 Abuse Prevention Act, the ~~State Board of Health~~ Oklahoma Commission
3 on Children and Youth, giving consideration to the recommendations
4 of the Infant and Children's Health Advisory Council created in
5 Section 44 1-103a.1 of ~~this act~~ Title 63 of the Oklahoma Statutes,
6 is authorized to promulgate rules and regulations as necessary to
7 implement the duties and responsibilities assigned to the Office of
8 Child Abuse Prevention.

9 SECTION 5. AMENDATORY 63 O.S. 2011, Section 1-227.3, is
10 amended to read as follows:

11 Section 1-227.3 A. The Oklahoma Commission on Children and
12 Youth shall review and approve the comprehensive state plan and any
13 subsequent revisions of ~~said~~ the plan, prior to the submission of
14 the plan as provided in this section.

15 B. On or before July 1, 2007, the Oklahoma Commission on
16 Children and Youth shall deliver the comprehensive state plan for
17 the prevention of child abuse and neglect to the Governor, the
18 President Pro Tempore of the Senate and the Speaker of the House of
19 Representatives. The plan shall include but not be limited to:

20 1. Specific proposals for the implementation of the
21 comprehensive state plan which would promote the efficient use of
22 staff, funds and other resources on the state level and improve the
23 coordination and integration of state goals, activities and funds
24 for the prevention of child abuse and neglect, particularly with

1 regard to primary and secondary prevention of child abuse and
2 neglect; and

3 2. Specific proposals detailing the interagency provision of
4 services to all populations at risk of committing child abuse.
5 Services, especially those directed at high-risk populations
6 including, but not limited to, ~~those populations in which parental~~
7 with drug and/or alcohol abuse, mental illness and, domestic abuse
8 are an issue, teen pregnancy and prior history as a child or adult
9 with the Department of Human Services, shall be specifically
10 addressed.

11 C. The Office of Child Abuse Prevention ~~and the Oklahoma~~
12 ~~Commission on Children and Youth~~ shall at least annually review the
13 state plan and make any necessary revisions based on changing needs
14 and program evaluation results not less than every five (5) years.
15 Any such revisions shall be delivered to the Governor, the Speaker
16 of the House of Representatives and the President Pro Tempore of the
17 Senate no later than July 1 of each year.

18 D. The Office of Child Abuse Prevention shall provide adequate
19 opportunity for appropriate private and public agencies and
20 organizations and private citizens and consumers to participate at
21 the local level in the development of the state plan.

22 SECTION 6. AMENDATORY 63 O.S. 2011, Section 1-227.4, as
23 amended by Section 48, Chapter 229, O.S.L. 2013 (63 O.S. Supp. 2013,
24 Section 1-227.4), is amended to read as follows:

1 Section 1-227.4 A. ~~The State Department of Health Oklahoma~~
2 Commission on Children and Youth shall prepare the comprehensive
3 state plan for prevention of child abuse and neglect ~~for the~~
4 ~~approval of the Oklahoma Commission on Children and Youth.~~ The
5 development and preparation of the plan shall include, but not be
6 limited to, adequate opportunity for appropriate local private and
7 public agencies and organizations and private citizens to
8 participate in the development of the state plan at the local level.

9 B. 1. The Office of Child Abuse Prevention shall review and
10 evaluate all proposals submitted for grants or contracts for child
11 abuse prevention programs and services. Upon completion of such
12 review and evaluation, the Office of Child Abuse Prevention shall
13 make the final recommendations as to which proposals should be
14 funded pursuant to the provisions of the Child Abuse Prevention Act
15 ~~and shall submit its findings to the Oklahoma Commission on Children~~
16 ~~and Youth.~~ The Commission shall review the findings of the
17 interagency child abuse prevention task force and the Office of
18 Child Abuse Prevention for compliance of such approved proposals
19 with the comprehensive state plan prepared pursuant to the
20 provisions of the Child Abuse Prevention Act.

21 2. ~~Upon ascertaining compliance with the plans, the Commission~~
22 ~~shall deliver the findings of the Office of Child Abuse Prevention~~
23 ~~to the State Commissioner of Health.~~

24

1 ~~3.~~ The ~~Commissioner~~ Oklahoma Commission on Children and Youth
2 shall authorize the ~~Office of Child Abuse Prevention~~ to use of the
3 Child Abuse Prevention Fund to fund ~~such~~ grants or contracts for
4 child abuse prevention programs and services ~~which are approved by~~
5 ~~the Commissioner.~~

6 ~~4.~~ 3. Once the grants or contracts have been awarded by the
7 ~~Commissioner~~ Oklahoma Commission on Children and Youth, the Office
8 of Child Abuse Prevention shall annually review the performance of
9 the awardees and determine if funding should be continued.

10 SECTION 7. AMENDATORY 63 O.S. 2011, Section 1-227.6, is
11 amended to read as follows:

12 Section 1-227.6 A. The ~~State Department of Health~~ Oklahoma
13 Commission on Children and Youth, in its annual budget requests,
14 shall identify the amount of funds requested for the implementation
15 of the Child Abuse Prevention Act.

16 B. From monies appropriated or otherwise available to the
17 Office of Child Abuse Prevention through state, federal or private
18 resources the ~~State Commissioner of Health~~ Oklahoma Commission on
19 Children and Youth shall implement the provisions of the Child Abuse
20 Prevention Act and shall disburse such monies in the following
21 manner:

22 1. The ~~Commissioner~~ Oklahoma Commission on Children and Youth
23 shall establish a formula for the distribution of funds for the
24 establishment, development or improvement of both public and private

1 programs and services for the prevention of child abuse and neglect
2 which shall provide for the allocation of funds across the state
3 based upon the percentage of the total state reported cases of abuse
4 and neglect reported in the district and the percentage of the total
5 state population under the age of eighteen (18) and upon the child
6 abuse prevention service and program needs of the comprehensive
7 state plan; and

8 2. For the continuing development and establishment of child
9 abuse prevention training programs and multidisciplinary and
10 discipline-specific training programs for professionals with
11 responsibilities affecting children, youth and families.

12 C. Appropriations made for distribution by the Office for
13 grants or contracts for child abuse prevention programs and services
14 shall be deposited in the Child Abuse Prevention Fund.

15 D. The Office shall develop and publish requests for proposals
16 for grants or contracts for child abuse prevention programs and
17 services which shall require no less than a ten percent (10%) cash
18 or in-kind match by an agency or organization receiving a grant or
19 contract and which are designed to meet identified priority needs.

20 A priority ranking shall be made based upon the extent to which
21 a proposal meets identified needs, criteria for cost effectiveness,
22 provision for an evaluation component providing outcome data and a
23 determination that the proposal provides a mechanism for
24 coordinating and integrating these preventive services with other

1 services deemed necessary for working effectively with families who
2 are at risk of child abuse or neglect.

3 E. On and after January 1, 1986, all budget requests submitted
4 by any public agency to the Legislature for the funding of programs
5 related to child abuse and neglect prevention shall conform to the
6 comprehensive state plan and any subsequent updates or revisions of
7 ~~said~~ the plan developed pursuant to the provisions of the Child
8 Abuse Prevention Act. Except for the purposes of planning and
9 coordination pursuant to the provisions of the Child Abuse
10 Prevention Act, the services and programs of the Department of Human
11 Services which are mandated by state law or which are a requirement
12 for the receipt of federal funds with regard to deprived, destitute
13 or homeless children shall not be subject to the provisions of this
14 subsection.

15 SECTION 8. AMENDATORY 63 O.S. 2011, Section 1-227.7, is
16 amended to read as follows:

17 Section 1-227.7 ~~The State Board of Health~~ Oklahoma Commission
18 on Children and Youth shall ~~direct the State Commissioner of Health~~
19 ~~to~~ employ, appoint or otherwise designate a Director for the Office
20 of Child Abuse Prevention. The Director shall:

21 1. Assure that the annual report is prepared as required by
22 Section ~~1-227.2~~ 4 of this ~~title~~ act;

23 2. Formulate and recommend rules and regulations pertaining to
24 the implementation of the provisions of the Child Abuse Prevention

1 Act for approval or rejection by the ~~Board~~ Oklahoma Commission on
2 Children and Youth; and

3 3. As authorized, act as agent for the ~~Board~~ Oklahoma
4 Commission on Children and Youth in the performance of its duties
5 pertaining to the implementation of the provisions of the Child
6 Abuse Prevention Act.

7 SECTION 9. AMENDATORY 63 O.S. 2011, Section 1-227.8, is
8 amended to read as follows:

9 Section 1-227.8 A. There is hereby created in the State
10 Treasury a revolving fund for the ~~State Board of Health~~ Oklahoma
11 Commission on Children and Youth to be designated the "Child Abuse
12 Prevention Fund". The fund shall be a continuing fund, not subject
13 to fiscal year limitations, and shall consist of all monies received
14 pursuant to the provisions of ~~Section 1-227.6 of Title 63 of the~~
15 ~~Oklahoma Statutes, Section 5~~ Sections 1 and 7 of this act, and such
16 other sources as the Legislature may provide.

17 B. The Child Abuse Prevention Fund shall be used by the Office
18 of Child Abuse Prevention for funding grants and contracts for child
19 abuse and neglect prevention programs and services as provided for
20 in Section ~~1-227.6~~ 7 of ~~Title 63 of the Oklahoma Statutes~~ this act.
21 The Office shall use the Child Abuse Prevention Fund to fund only
22 those grants and contracts approved by the ~~State Board of Health~~
23 Oklahoma Commission on Children and Youth, pursuant to the
24 provisions of subsection C of Section ~~1-227.4~~ 6 of ~~Title 63 of the~~

1 ~~Oklahoma Statutes~~ this act, and which comply with the comprehensive
2 state plan and district plans prepared pursuant to the provisions of
3 the Child Abuse Prevention Act, and for no other purpose. The Child
4 Abuse Prevention Fund shall not be used for the costs of the Office
5 incurred in administering such grants and contracts.

6 C. All projects funded through the Child Abuse Prevention Fund
7 shall provide quarterly caseload and programmatic information to the
8 Office of Child Abuse Prevention.

9 SECTION 10. AMENDATORY 10A O.S. 2011, Section 1-9-108,
10 is amended to read as follows:

11 Section 1-9-108. A. A pilot program to serve children at high
12 risk of abuse and neglect shall be established by the ~~Department of~~
13 ~~Human Services~~ Oklahoma Commission on Children and Youth in
14 consultation with an evaluation team created pursuant to this
15 section if funds are available.

16 B. The pilot program shall:

17 1. Identify the populations of children at high risk of abuse
18 and neglect and the characteristics of those children including, but
19 not limited to, populations in which parental drug and/or alcohol
20 abuse, mental illness, mental and/or physical disability, and
21 domestic abuse are an issue;

22 2. Develop and design programs to provide services to children
23 at high risk of abuse and neglect;

24

1 3. Develop methods for coordinating state and local services to
2 assist high risk children and their families;

3 4. Allow and provide for participation of both urban and rural
4 concerns in developing and designing such programs;

5 5. Monitor, evaluate, and review the programs implemented to
6 serve populations of children at high risk of abuse and neglect; and

7 6. Include such other areas, programs, services, and
8 information deemed necessary by the ~~Department~~ Oklahoma Commission
9 on Children and Youth to provide a comprehensive assessment of the
10 needs and programs necessary to provide assistance to children at
11 high risk of abuse and neglect.

12 C. An evaluation team shall determine the effectiveness of the
13 pilot program, and make a report to the Legislature and to the
14 ~~Department~~ Oklahoma Commission on Children and Youth annually for as
15 long as the program is funded. ~~Such~~ The report shall cover:

16 1. Effective programs that will serve children that are at high
17 risk of abuse and neglect;

18 2. Statewide expansion of programs;

19 3. Funding sources;

20 4. Training of professionals to serve such populations;

21 5. Monitoring, evaluating and reviewing continued effectiveness
22 of such programs;

23

24

1 6. Special needs of children at risk of abuse and neglect from
2 parental addiction to drugs and alcohol and parental mental illness
3 and mental and/or physical disability and from domestic abuse; and

4 7. Recommendations regarding the issuance of grants and
5 contracts for serving such high-risk populations.

6 D. The evaluation team shall consist of not more than two
7 representatives from the following entities who have expertise in
8 child abuse prevention or a related field and who have an
9 understanding of program evaluation techniques:

10 1. The Department of Human Services;

11 2. The Department of Mental Health and Substance Abuse
12 Services;

13 3. The Oklahoma Commission on Children and Youth;

14 4. ~~The Oklahoma Indian Affairs Commission;~~

15 ~~5.~~ The Oklahoma Institute for Child Advocacy;

16 ~~6.~~ 5. The Oklahoma Court-Appointed Special Advocate
17 Association;

18 ~~7.~~ 6. The University of Oklahoma; and

19 ~~8.~~ 7. Oklahoma State University.

20 E. 1. Upon receipt of recommendations from the evaluation team
21 established pursuant to this section, which indicate that the
22 expansion of the pilot project on a statewide basis would be
23 economically feasible and practical, the ~~Commission for Human~~
24 ~~Services~~ Oklahoma Commission on Children and Youth shall promulgate

1 rules for developing a statewide program serving populations of
2 children at high risk of abuse and neglect, provided funding is
3 available for such expansion.

4 2. Upon promulgation of rules by the Commission, the provisions
5 of this section shall become effective statewide.

6 F. The ~~Department~~ Oklahoma Commission on Children and Youth
7 may:

8 1. Contract for services necessary to carry out the duties of
9 the ~~Department~~ Commission pursuant to the provisions of this
10 section; and

11 2. Accept the services of volunteer workers or consultants and
12 reimburse them for their necessary expenses pursuant to the State
13 Travel Reimbursement Act.

14 SECTION 11. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 601.70 of Title 10, unless there
16 is created a duplication in numbering, reads as follows:

17 A. The Oklahoma Commission on Children and Youth, in
18 coordination with the Oklahoma Health Care Authority and the
19 Department of Human Services, shall request a Medicaid waiver to use
20 Medicaid monies to implement and fund the prevention programs
21 described in this act.

22 B. The Oklahoma Commission on Children and Youth shall work
23 with the Office of Management and Enterprise Services to solicit
24 requests for proposals from prospective entities capable of

1 performing the services and requirements of the prevention programs.
2 The bidding process shall be conducted to ensure uninterrupted
3 services for prevention program participants.

4 C. The Oklahoma Commission on Children and Youth or a
5 contracting entity chosen by the Commission through the bidding
6 process described in subsection B of this section shall develop an
7 integrated participant data system that encompasses all of the
8 prevention programs under the oversight of the Commission. The data
9 system shall be used:

10 1. As an information management tool for providers to record
11 key data including but not limited to family characteristics,
12 referrals made, services received and progress made toward program
13 goals;

14 2. By the prevention programs to ensure fidelity to the
15 practice model by tracking the program's performance indicators and
16 family-outcome measures;

17 3. To document and track independent, formal program
18 evaluations to be used to measure outcomes and improve the
19 prevention program; and

20 4. To link future funding of the prevention programs to the
21 program outcomes.

22 D. The Oklahoma Commission on Children and Youth shall not
23 establish any additional prevention programs unless approved by the
24 Oklahoma Legislature pursuant to the administrative rulemaking

1 process. It is the intent of the Oklahoma Legislature for the
2 Commission to equitably distribute funds between the prevention
3 programs taking into consideration the needs of the participant
4 population, the highest-risk groups and geographic locations.

5 E. Employees and all books, papers, records and property of the
6 prevention programs covered by this act shall be transferred to the
7 Oklahoma Commission on Children and Youth. Any funds appropriated
8 to, in the possession of or allocated to the prevention programs
9 shall also be deemed to be funds of the Commission. All functions,
10 powers, duties and obligations previously assigned to the prevention
11 programs are hereby transferred to the Commission.

12 SECTION 12. RECODIFICATION 63 O.S. 2011, Section 1-
13 110.1, as last amended by Section 1 of this act, shall be recodified
14 as Section 601.71 of Title 10 of the Oklahoma Statutes, unless there
15 is created a duplication in numbering.

16 SECTION 13. RECODIFICATION 63 O.S. 2011, Sections 1-227,
17 as amended by Section 2 of this act, 1-227.1 and 1-227.2, as last
18 amended by Sections 3 and 4 of this act, 1-227.3, as amended by
19 Section 5 of this act, 1-227.4, as last amended by Section 6 of this
20 act, 1-227.6, 1-227.7 and 1-227.8, as amended by Sections 7, 8 and 9
21 of this act, shall be recodified as Sections 601.72, 601.73, 601.74,
22 601.75, 601.76, 601.77, 601.78 and 601.79 of Title 10 of the
23 Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

SECTION 14. This act shall become effective November 1, 2014.

54-2-8384 EK 01/13/14