

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1399

By: David

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5
6 AS INTRODUCED

7 An Act relating to the Commission for Rehabilitative
8 Services; amending 7 O.S. 2011, Section 8, which
9 relates to library services; deleting obsolete
10 language; renaming certain section of certain agency;
11 deleting references to the Commission for
12 Rehabilitative Services; removing certain
13 requirements for developing standards; amending 7
14 O.S. 2011, Section 71, which relates to activities to
15 promote business opportunities; amending 62 O.S.
16 2011, Section 34.77, as amended by Section 398,
17 Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2015, Section
18 34.77), which relates to certain settlement system;
19 amending 63 O.S. 2011, Section 2701, which relates to
20 public policy; amending 63 O.S. 2011, Section 2702,
21 which relates to medical reports; amending 74 O.S.
22 2011, Section 3001, as last amended by Section 117,
23 Chapter 15, O.S.L. 2013 (74 O.S. Supp. 2015, Section
24 3001), which relates to membership of certain
committee; renaming certain section of certain
agency; providing an effective date; and declaring an
emergency.

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

26 SECTION 1. AMENDATORY 7 O.S. 2011, Section 8, is amended
27 to read as follows:

28 Section 8. (a) ~~See Title 74, State Officers and Employees,~~
29 ~~Section 285(23) note.~~

1 ~~(b)~~ The state plan for library services shall be amended in
2 accordance with the Federal Library Services and Construction Act
3 and applicable regulations to reflect the authority and duty of the
4 ~~Section of Services to the Blind (Visual Services)~~ Division of
5 Vocational Rehabilitation for the Blind and Visually Impaired of the
6 ~~Commission for~~ Department of Rehabilitation Services to provide
7 special library services, including braille and recorded books, to
8 blind and visually handicapped persons as provided by state law.

9 ~~(e)~~ (b) Special library services for blind and physically
10 handicapped adults, children, and students shall be provided by the
11 ~~Section of Services to the Blind (Visual Services)~~ Division of
12 Vocational Rehabilitation for the Blind and Visually Impaired of the
13 ~~Commission for~~ Rehabilitation Services in accordance with the
14 Federal Library Services and Construction Act, as amended, and
15 applicable federal regulations relating thereto; and consistent with
16 applicable statutes and regulations. ~~The library standards of the~~
17 ~~National Accreditation Council for Agencies Serving the Blind and~~
18 ~~Visually Handicapped shall be observed and followed in providing~~
19 ~~such special library services.~~ The Commission for Rehabilitation
20 Services shall, within the availability of state funds, annually
21 make available for such special library services sufficient funds to
22 earn the maximum available federal funds under the Federal Library
23 Services and Construction Act and appropriations made in pursuance
24 thereof by Congress.

1 ~~(d)~~ (c) All federal requirements for interlibrary cooperation
2 and consultation shall be observed and entitlement of the Department
3 of Libraries to receive federal funds for library services or
4 construction shall not be impaired by any state law prescribing the
5 duties, responsibilities and functions of the ~~Section of Services to~~
6 ~~the Blind (Visual Services)~~ Division of Vocational Rehabilitation
7 for the Blind and Visually Impaired.

8 SECTION 2. AMENDATORY 7 O.S. 2011, Section 71, is
9 amended to read as follows:

10 Section 71. A. For purposes of assisting blind persons to
11 become self-supporting, the State Department of Rehabilitation
12 Services is hereby authorized to carry on activities to promote
13 business opportunities for individuals who are blind, including, but
14 not limited to, the licensing and establishment of such persons as
15 operators of vending facilities in public and other buildings.
16 Facilities shall maximize job opportunities for other persons who
17 are blind.

18 B. The Department shall be the sole state licensing agency for
19 the purpose of implementing and carrying out the provisions of the
20 Act of Congress known as the Randolph-Sheppard Act (20 USCA Sections
21 107-107f), and amendments thereto, providing for the licensing of
22 individuals who are blind to operate vending facilities in federal
23 buildings, or any other Acts of Congress which may be hereafter
24 enacted. Provided, that no game of chance or gambling machine shall

1 be operated. The Division of ~~Visual Services of the~~ Vocational
2 Rehabilitation for the Blind and Visually Impaired of the Department
3 of Rehabilitation Services shall administer this program.

4 SECTION 3. AMENDATORY 62 O.S. 2011, Section 34.77, as
5 amended by Section 398, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
6 2015, Section 34.77), is amended to read as follows:

7 Section 34.77. A. The State Department of Rehabilitation
8 Services is authorized to establish an encumbrance and preaudit
9 system for settlement of claims relating to social service benefits
10 and medical benefits to or for persons eligible under applicable
11 federal laws and regulations, Oklahoma Statutes, and policies
12 established by the Commission for Rehabilitation Services for the
13 following programs:

- 14 1. Vocational and other rehabilitation;
- 15 2. Educational services;
- 16 3. Disability Determination Services; and
- 17 4. ~~Visual Services~~ Vocational Rehabilitation Services for the
18 Blind and Visually Impaired.

19 B. Prior to inclusion in this procedure, the State Department
20 of Rehabilitation Services shall provide to the Director of the
21 Office of Management and Enterprise Services, for approval, detailed
22 listings of the type of payments to be made for each of these
23 programs specified in subsection A of this section.
24

1 C. The State Department of Rehabilitation Services shall
2 provide the Director of the Office of Management and Enterprise
3 Services a daily report of the dollar amount of claims settled and
4 checks or warrants issued, the dollar amount of checks or warrants
5 canceled, and the dollar amount of checks or warrants canceled by
6 statutes.

7 SECTION 4. AMENDATORY 63 O.S. 2011, Section 2701, is
8 amended to read as follows:

9 Section 2701. It is declared to be the public policy of this
10 state, in order to safeguard the public health, safety and welfare,
11 to encourage certain knowledgeable persons to make written report to
12 the Division ~~of Visual Services~~ for Vocational Rehabilitation for
13 the Blind and Visually Impaired of the Department of Rehabilitation
14 Services as to individuals suffering from blindness or serious
15 visual impairment so that said Division ~~of Visual Services~~ may
16 inform them as to rehabilitative education and training programs of
17 the state.

18 SECTION 5. AMENDATORY 63 O.S. 2011, Section 2702, is
19 amended to read as follows:

20 Section 2702. Any licensed surgeon, medical doctor, osteopathic
21 physician, optometrist, dentist, intern or registered nurse who,
22 from attending or examining an individual, concludes that such
23 individual is blind or visually impaired to a material and
24 uncorrected extent, and in good faith participates in the making of

1 written report of said conclusion to the Division of ~~Visual Services~~
2 for Vocational Rehabilitation for the Blind and Visually Disabled,
3 Department of Rehabilitation Services, shall have immunity from
4 liability, civil and criminal, for so reporting.

5 SECTION 6. AMENDATORY 74 O.S. 2011, Section 3001, as
6 last amended by Section 117, Chapter 15, O.S.L. 2013 (74 O.S. Supp.
7 2015, Section 3001), is amended to read as follows:

8 Section 3001. A. There is hereby created in the Office of
9 Management and Enterprise Services a committee to be known as the
10 "State Use Committee". The Committee shall consist of seven (7)
11 members and one nonvoting member as follows:

12 1. A private citizen conversant with the employment needs of
13 people with severe disabilities who shall be appointed by and serve
14 at the pleasure of the Governor to act as an advocate for the
15 employment needs of people with severe disabilities;

16 2. The Director of the Office of Management and Enterprise
17 Services or designee;

18 3. The Director of ~~Visual Services~~ the Division for Vocational
19 Rehabilitation for the Blind and Visually Impaired of the Department
20 of Rehabilitation Services, or designee;

21 4. The past president of Oklahoma Community-Based Providers or
22 designee to serve for a one-year period, who may be reappointed by
23 the succeeding president;

1 5. An individual or a parent or guardian of an individual with
2 severe disabilities who participates in vocational programming
3 through a sheltered environment facility, to be selected by the
4 Committee;

5 6. The Director of Human Services, or designee;

6 7. A certified procurement officer from any state agency
7 appointed by the State Purchasing Director, selected to represent
8 the customer agencies of the State of Oklahoma; and

9 8. As a nonvoting member, a person employed by the Office of
10 Management and Enterprise Services as a contracting officer in the
11 purchasing division, appointed by the State Purchasing Director with
12 the advice of the Committee and designated specifically to solicit,
13 develop, and negotiate contracts with agencies and individuals.

14 B. The Committee shall elect from among its membership a Chair
15 and a Vice Chair who shall both serve for a period of one (1) year.

16 C. The private citizen on the Committee shall serve for a
17 period of two (2) years and may be reappointed by the appointing
18 authority. Any private citizen appointed pursuant to this section
19 to fill a vacancy occurring prior to the expiration of the term for
20 which the predecessor was appointed shall be appointed only for the
21 remainder of the term.

22 D. Any member of the Committee shall be prohibited from voting
23 on any issue in which the member has an interest.

24 SECTION 7. This act shall become effective July 1, 2016.

1 SECTION 8. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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