

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL NO. 694

By: Griffin of the Senate

and

6 Wright of the House

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9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to the Department of Human Services;
11 requiring certain appropriated funds to be used for
12 certain purposes; providing legislative intent;
13 providing certain construction; requiring certain
14 transfer; appropriating certain federal monies to the
15 Department of Human Services; stating purpose;
16 authorizing early allocation and establishing
17 procedure; providing lapse dates; requiring certain
18 budget procedures; prohibiting certain budget
19 procedures; providing an effective date; and
20 declaring an emergency.

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

23 SECTION 1. From the funds appropriated to the Department of
24 Human Services in Sections 99 and 100 of Enrolled Senate Bill No.
1616 of the 2nd Session of the 55th Oklahoma Legislature, the amount
of One Hundred Nineteen Million Eight Hundred Thirty-two Thousand
Fifty-three Dollars (\$119,832,053.00) shall be used for implementing
Phase One, Two, Three and Four of the Pinnacle Plan.

1 SECTION 2. It is the intent of the Oklahoma Legislature that
2 the Department of Human Services fully fund the Developmental
3 Disabilities Services programs and services within the Department of
4 Human Services in FY-2017 with all of the state, federal and other
5 existing financial resources available to the Department, including
6 increasing state funds to make up for the loss of Federal FMAP funds
7 so that total spending in FY-2017 is no less than FY-2016. It is
8 further the Oklahoma Legislature's intent that services to current
9 DDS clients and related provider rates to such clients not be cut
10 in FY-2017.

11 SECTION 3. It is the intent of the Oklahoma Legislature that
12 the Department of Human Services fully fund in its entirety the
13 Advantage Home and Community-based Waiver Program, Money Follows the
14 Person, Homeward Bound Waiver, In-home Supports, Advantage Waiver
15 and Personal Care within the Department of Human Services in FY-2017
16 with all of the state, federal, and other existing financial
17 resources available to the Department, including increasing state
18 funds to make up for the loss of Federal FMAP funds so that total
19 spending in FY-2017 is no less than FY-2016. It is further the
20 Oklahoma Legislature's intent that services to clients and related
21 provider rates within the Advantage Home and Community-based Waiver
22 Program, Money Follows the Person, Homeward Bound Waiver, In-home
23 Supports, Advantage Waiver and Personal Care not be cut in FY-2017.

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1 SECTION 4. It is the intent of the Oklahoma Legislature that
2 the Department of Human Services fully fund the Adult Day Services
3 in FY-2017 with all of the state, federal, and other existing
4 financial resources available to the Department of Human Services,
5 including increasing state funds to make up for the loss of Federal
6 FMAP funds so that total spending in FY-2017 is no less than FY-
7 2016. It is further the Oklahoma Legislature's intent that services
8 to current Adult Day Services clients and related provider rates to
9 such clients not be cut in FY-2017.

10 SECTION 5. From the funds appropriated to the Department of
11 Human Services in Sections 99 and 100 of Enrolled Senate Bill No.
12 1616 of the 2nd Session of the 55th Oklahoma Legislature, the
13 Department of Human Services shall transfer Two Million Eight
14 Hundred Thousand Dollars (\$2,800,000.00) to the credit of the Child
15 Abuse Multidisciplinary Account established in Section 1-9-103 of
16 Title 10A of the Oklahoma Statutes, which shall be distributed
17 according to Section 1-9-104 of Title 10A of the Oklahoma Statutes.

18 SECTION 6. There is hereby appropriated to the Department of
19 Human Services all federal monies received by the state during the
20 fiscal year ending June 30, 2017, from the Temporary Assistance to
21 Needy Families Block Grant and the Child Care and Development Fund
22 Block Grant to meet the provisions of federal law relating to such
23 grants.
24

1 SECTION 7. It is the intent of the Oklahoma Legislature that
2 the total spending for salaries within the Child Welfare Services
3 Division of the Department of Human Services in FY-2017 be no more
4 than the total spent in FY-2016. Provided, this limitation on
5 salaries shall not be construed to prevent the Department of Human
6 Services from hiring additional employees as necessary to continue
7 the implementation of the Pinnacle Plan.

8 SECTION 8. It is the intent of the Oklahoma Legislature that
9 the Department of Human Services for FY-2017 set foster and adoptive
10 home rates at the same level as was set in FY-2016.

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

17 SECTION 10. A. The Director of the Office of Management and
18 Enterprise Services shall transfer monies appropriated from the
19 General Revenue Fund and Special Cash Fund to the Department of
20 Human Services' disbursing funds in the amounts and ratios requested
21 by the agency except that the cumulative amounts transferred shall
22 not exceed the cumulative amounts of equal monthly allotments of the
23 appropriations from the General Revenue Fund and Special Cash Fund.

1 B. Monies appropriated or collected for the fiscal year ending
2 June 30, 2017, may be transferred to these disbursing funds for the
3 fiscal year ending June 30, 2016, to satisfy encumbrances and
4 obligations of said fiscal year; provided, that monies equal in
5 amount are transferred from appropriations or collections for the
6 fiscal year ending June 30, 2016, to the disbursing funds for the
7 fiscal year ending June 30, 2017, to satisfy encumbrances and
8 obligations of said fiscal year. All transfer requests shall be in
9 writing to the Director of the Office of Management and Enterprise
10 Services.

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

13 SECTION 11. Appropriations made by Sections 99 and 100 of
14 Enrolled Senate Bill No. 1616 of the 2nd Session of the 55th
15 Oklahoma Legislature, not including appropriations made for capital
16 outlay purposes, may be budgeted for the fiscal year ending June 30,
17 2017 (hereafter FY-17), or may be budgeted for the fiscal year
18 ending June 30, 2018 (hereafter FY-18). Funds budgeted for FY-17
19 may be encumbered only through June 30, 2017, and must be expended
20 by November 15, 2017. Any funds remaining after November 15, 2017,
21 and not budgeted for FY-18, shall lapse to the credit of the proper
22 fund for the then current fiscal year. Funds budgeted for FY-18 may
23 be encumbered only through June 30, 2018. Any funds remaining after
24 November 15, 2018, shall lapse to the credit of the proper fund for

1 the then current fiscal year. These appropriations may not be
2 budgeted in both fiscal years simultaneously. Funds budgeted in FY-
3 17, and not required to pay obligations for that fiscal year, may be
4 budgeted for FY-18, after the agency to which the funds have been
5 appropriated has prepared and submitted a budget work program
6 revision removing these funds from the FY-17 budget work program and
7 after such revision has been approved by the Office of Management
8 and Enterprise Services.

9 SECTION 12. This act shall become effective July 1, 2016.

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

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