

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

SENATE BILL 694

By: Griffin of the Senate

5 and

6 Wright of the House

7  
8  
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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23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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SECTION 1. From the funds appropriated to the Department of  
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.  
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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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