

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 830

By: Griffin of the Senate

and

Ownbey of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to the Department of Human Services;  
11 amending 56 O.S. 2011, Section 162, as amended by  
12 Section 1, Chapter 344, O.S.L. 2012 (56 O.S. Supp.  
13 2017, Section 162), which relates to duties and  
14 powers of the Director; setting forth provisions  
15 related to criteria for background checks; providing  
16 for promulgation of certain rules and policies; and  
17 providing an effective date.

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

19 SECTION 1. AMENDATORY 56 O.S. 2011, Section 162, as  
20 amended by Section 1, Chapter 344, O.S.L. 2012 (56 O.S. Supp. 2017,  
21 Section 162), is amended to read as follows:

22 Section 162. A. The Governor shall have the power and duty to  
23 select a Director of Human Services who shall serve as executive and  
24 administrative officer of the Department of Human Services. The  
Director shall be appointed wholly on the basis of ability, training  
and experience qualifying him or her for public welfare

1 administration. The Director shall serve, subject to the  
2 confirmation of the Senate, at the pleasure of the Governor. The  
3 salary of the Director shall be fixed by the Governor.

4 B. The Director shall formulate the policies and adopt rules  
5 and regulations for the effective administration of the duties of  
6 the Department.

7 C. 1. The Director shall take the appropriate steps to ensure  
8 rules and policies are promulgated to conduct appropriate background  
9 searches of individuals both prior to and, if necessary, during  
10 their employment with the Department. The job categories within the  
11 Department that are subject to background searches prior to  
12 employment shall be determined at the Director's discretion. Such  
13 background checks shall include, but not be limited to:

14 a. a search of the Oklahoma State Courts Network,  
15 including Oklahoma District Court records,

16 b. a search of the Restricted Registry maintained by the  
17 Department pursuant to Section 405.3 of Title 10 of  
18 the Oklahoma Statutes,

19 c. a search of the Department of Corrections files  
20 maintained by the Department pursuant to the Sex  
21 Offender Registration Act,

22 d. a search of the Department of Corrections Violent  
23 Offender Registry, also known as the Mary Rippy  
24 Violent Crime Offender Registry,

1        e. a search of all applicable out-of-state child abuse  
2        and neglect registries if the subject of the search  
3        has not lived continuously in Oklahoma for the past  
4        five (5) years, and

5        f. a search of the community services worker registry  
6        maintained by the Department pursuant to Section  
7        1025.3 of this title.

8        2. In addition, the Director shall ensure rules and policies  
9        are promulgated to conduct a search of the Department's records of  
10       abuse and neglect both prior to and, if necessary, during the  
11       employment of any person with the Department and whose scope of  
12       employment will bring that individual into direct contact with any  
13       vulnerable population.

14       D. The Director shall require and set the amount of the bond  
15       for employees.

16       ~~D.~~ E. The Director shall cooperate with the federal Department  
17       of Health and Human Services, or other similar agencies created by  
18       Congress, in any reasonable manner as may be necessary to qualify  
19       for federal aid to states in providing assistance to needy persons  
20       in conformity with the provisions of this title, including the  
21       making of reports in the form and containing information as a  
22       federal agency may from time to time require, and comply with any  
23       other similar federal agency requirements necessary to ensure the  
24       correctness and verification of the reports.

1       ~~F.~~ F. The Director shall publish an annual report, not later  
2 than four (4) months after the close of each fiscal year. The  
3 report shall be presented to the Governor, the Speaker of the House  
4 of Representatives and the President Pro Tempore of the Senate.  
5 Annual reports shall provide information about the operations and  
6 programs administered by the Department and shall include, but shall  
7 not be limited to:

8           1. Statistical information regarding services provided and the  
9 number of persons served by Department programs;

10          2. Financial data including a reasonable amount of detailed  
11 information regarding revenues and expenditures and a breakdown and  
12 comparison of the Department budget with actual expenditures;

13          3. Status of the workforce and productivity of the Department;

14          4. Information about Department efforts to ensure program  
15 accountability and service delivery quality and integrity;

16          5. Demographic data and trends and their anticipated impact on  
17 demand for services; and

18          6. Information regarding public and private institution-based  
19 services.

20       ~~F.~~ G. The Director shall assume the statutory duties of the  
21 Commission for Human Services.

22       SECTION 2. This act shall become effective November 1, 2018.  
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