

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 3707

By: Wallace and Casey of the
House

and

David and Fields of the
Senate

COMMITTEE SUBSTITUTE

An Act relating to the Department of Mental Health and Substance Abuse Services; requiring that portions of certain appropriated funds be used for certain purposes; requiring that certain payment rates be increased by certain percentage; authorizing requests for early transfers of certain funds for specific purposes; providing for lapse of funds under certain conditions requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

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

SECTION 1. From the funds appropriated to the Department of Mental Health and Substance Abuse Services in Enrolled Senate Bill No. 1600 of the 2nd Session of the 56th Oklahoma Legislature, a sum of not less than Two Million Dollars (\$2,000,000.00) shall be used in conjunction with funding described in Section 3 of this act towards restoring psychiatric inpatient, substance abuse

1 residential, psychologist and agency-based therapy provider rates by
2 three percent (3%).

3 SECTION 2. From the funds appropriated to the Department of
4 Mental Health and Substance Abuse Services in Enrolled Senate Bill
5 No. 1600 of the 2nd Session of the 56th Oklahoma Legislature, the
6 sum of Four Million Dollars (\$4,000,000.00) shall be used for needs
7 assessments.

8 SECTION 3. Any increase in federal funding related to an
9 increase in the Federal Medical Assistance Percentage (FMAP) match
10 rate shall be expended by the Department of Mental Health and
11 Substance Abuse Services with priority given to addressing the
12 agency's maintenance needs first, which shall mean maintaining
13 current levels of services, addressing provider rates as described
14 in Section 1 of this act and addressing caps in therapy and case
15 management services imposed during the preceding twenty-four-month
16 period.

17 SECTION 4. The Commissioner of the Department of Mental Health
18 and Substance Abuse Services may request through the Director of the
19 Office of Management and Enterprise Services the early transfer by
20 the Oklahoma Tax Commission of tax collections to the General
21 Revenue Fund for the purpose of early allocation to the Department's
22 disbursing funds to alleviate cash-flow problems.

23 SECTION 5. Appropriations made by Enrolled Senate Bill No. 1600
24 of the 2nd Session of the 56th Oklahoma Legislature, not including

1 appropriations made for capital outlay purposes, may be budgeted for
2 the fiscal year ending June 30, 2019 (hereafter FY-19), or may be
3 budgeted for the fiscal year ending June 30, 2020 (hereafter FY-20).
4 Funds budgeted for FY-19 may be encumbered only through June 30,
5 2019, and must be expended by November 15, 2019. Any funds
6 remaining after November 15, 2019, and not budgeted for FY-20, shall
7 lapse to the credit of the proper fund for the then-current fiscal
8 year. Funds budgeted for FY-20 may be encumbered only through June
9 30, 2020. Any funds remaining after November 15, 2020, shall lapse
10 to the credit of the proper fund for the then-current fiscal year.
11 These appropriations shall not be budgeted in both fiscal years
12 simultaneously. Funds budgeted in FY-19, and not required to pay
13 obligations for that fiscal year, may be budgeted for FY-20, after
14 the agency to which the funds have been appropriated has prepared
15 and submitted a budget work program revision removing these funds
16 from the FY-19 budget work program and after such revision has been
17 approved by the Office of Management and Enterprise Services.

18 SECTION 6. This act shall become effective July 1, 2018.

19 SECTION 7. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.
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