

1 ENGROSSED SENATE  
2 BILL NO. 830

By: Griffin of the Senate

3 and

4 Ownbey of the House

5  
6 An Act relating to the Department of Human Services;  
7 amending 56 O.S. 2011, Section 162, as amended by  
8 Section 1, Chapter 344, O.S.L. 2012 (56 O.S. Supp.  
9 2017, Section 162), which relates to duties and  
10 powers of the Director; setting forth provisions  
11 related to criteria for background checks; providing  
12 for promulgation of certain rules and policies; and  
13 providing an effective date.

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

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

18 Section 162. A. The Governor shall have the power and duty to  
19 select a Director of Human Services who shall serve as executive and  
20 administrative officer of the Department of Human Services. The  
21 Director shall be appointed wholly on the basis of ability, training  
22 and experience qualifying him or her for public welfare  
23 administration. The Director shall serve, subject to the  
24 confirmation of the Senate, at the pleasure of the Governor. The  
salary of the Director shall be fixed by the Governor.

1 B. The Director shall formulate the policies and adopt rules  
2 and regulations for the effective administration of the duties of  
3 the Department.

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

11 a. a search of the Oklahoma State Courts Network,  
12 including Oklahoma District Court records,

13 b. a search of the Restricted Registry maintained by the  
14 Department pursuant to Section 405.3 of Title 10 of  
15 the Oklahoma Statutes,

16 c. a search of the Department of Corrections files  
17 maintained by the Department pursuant to the Sex  
18 Offender Registration Act,

19 d. a search of the Department of Corrections Violent  
20 Offender Registry, also known as the Mary Rippy  
21 Violent Crime Offender Registry,

22 e. a search of all applicable out-of-state child abuse  
23 and neglect registries if the subject of the search  
24

1                   has not lived continuously in Oklahoma for the past  
2                   five (5) years, and

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

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

12           D.   The Director shall require and set the amount of the bond  
13                   for employees.

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

23           ~~E.~~ F.   The Director shall publish an annual report, not later  
24                   than four (4) months after the close of each fiscal year.   The

1 report shall be presented to the Governor, the Speaker of the House  
2 of Representatives and the President Pro Tempore of the Senate.

3 Annual reports shall provide information about the operations and  
4 programs administered by the Department and shall include, but shall  
5 not be limited to:

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

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

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

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

14 5. Demographic data and trends and their anticipated impact on  
15 demand for services; and

16 6. Information regarding public and private institution-based  
17 services.

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

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

1 Passed the Senate the 6th day of March, 2018.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2018.

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8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives