

1 ENGROSSED SENATE
2 BILL NO. 848

By: David and Fields of the
Senate

3 and

4 Osborn (Leslie) and Wallace
5 of the House
6

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

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

19 SECTION 1. From the funds appropriated to the Department of
20 Human Services in Enrolled Senate Bill No. 860 of the 1st Session of
21 the 56th Oklahoma Legislature, the amount of One Hundred Thirty-one
22 Million One Hundred Thirty-two Thousand Fifty-three Dollars
23 (\$131,132,053.00) shall be used for implementing Phase One, Two,
24 Three and Four of the Pinnacle Plan, including child welfare
services.

SECTION 2. From the funds appropriated to the Department of
Human Services in Enrolled Senate Bill No. 860 of the 1st Session of

1 the 56th Oklahoma Legislature, the amount of Two Hundred Fifty
2 Thousand Dollars (\$250,000.00) shall be used to support the 2-1-1
3 Oklahoma program.

4 SECTION 3. It is the intent of the Oklahoma Legislature that
5 the Department of Human Services fully fund the Developmental
6 Disabilities Services programs and services within the Department of
7 Human Services in FY-2018 with all of the state, federal and other
8 existing financial resources available to the Department, including
9 increasing state funds to make up for the loss of Federal FMAP funds
10 so that total spending in FY-2018 is no less than FY-2017. It is
11 further the Oklahoma Legislature's intent that services to current
12 DDS clients and related provider rates to such clients not be cut
13 in FY-2018.

14 SECTION 4. It is the intent of the Oklahoma Legislature that
15 the Department of Human Services fully fund in its entirety the
16 Advantage Home and Community-based Waiver Program, Money Follows the
17 Person, Homeward Bound Waiver, In-home Supports, Advantage Waiver,
18 Personal Care and state-funded community residential and vocational
19 services within the Department of Human Services in FY-2018 with all
20 of the state, federal, and other existing financial resources
21 available to the Department, including increasing state funds to
22 make up for the loss of Federal FMAP funds so that total spending in
23 FY-2018 is no less than FY-2017. It is further the Oklahoma
24 Legislature's intent that services to clients and related provider

1 rates within the Advantage Home and Community-based Waiver Program,
2 Money Follows the Person, Homeward Bound Waiver, In-home Supports,
3 Advantage Waiver, Personal Care and state-funded community
4 residential and vocational services not be reduced below FY-2017
5 contracted rates.

6 SECTION 5. It is the intent of the Oklahoma Legislature that
7 the Department of Human Services fully fund the Adult Day Services
8 in FY-2018 with all of the state, federal, and other existing
9 financial resources available to the Department of Human Services,
10 including increasing state funds to make up for the loss of Federal
11 FMAP funds so that total spending in FY-2018 is no less than FY-
12 2017. It is further the Oklahoma Legislature's intent that services
13 to current Adult Day Services clients and related provider rates to
14 such clients not be reduced below FY-2017 contracted rates.

15 SECTION 6. From the funds appropriated to the Department of
16 Human Services in Enrolled Senate Bill No. 860 of the 1st Session of
17 the 56th Oklahoma Legislature, the Department of Human Services
18 shall transfer Two Million Five Hundred Fifty Thousand Dollars
19 (\$2,550,000.00) to the credit of the Child Abuse Multidisciplinary
20 Account established in Section 1-9-103 of Title 10A of the Oklahoma
21 Statutes, which shall be distributed according to Section 1-9-104 of
22 Title 10A of the Oklahoma Statutes.

23 SECTION 7. It is the intent of the Oklahoma Legislature that
24 the total spending for salaries within the Child Welfare Services

1 Division of the Department of Human Services in FY-2018 be no more
2 than the total spent in FY-2017. Provided, this limitation on
3 salaries shall not be construed to prevent the Department of Human
4 Services from hiring additional employees as necessary to continue
5 the implementation of the Pinnacle Plan.

6 SECTION 8. It is the intent of the Oklahoma Legislature that
7 the Department of Human Services for FY-2018 set foster care,
8 residential, group home care and adoption subsidy rates at the same
9 level or higher than were set in FY-2017.

10 SECTION 9. It is the intent of the Oklahoma Legislature that
11 the Department of Human Services fund the Senior Nutrition Program
12 within the Aging Services Division in FY-2018 with all of the state,
13 federal, and other existing financial resources available to the
14 Department at or above the same amount as in FY-2017.

15 SECTION 10. It is the intent of the Oklahoma Legislature that
16 total spending for child care subsidies within the Department of
17 Human Services including all of the state, federal and other
18 existing financial resources available to the Department in FY-2018
19 is no more than in FY-2017.

20 SECTION 11. It is the intent of the Oklahoma Legislature that
21 total spending for child support services within the Department of
22 Human Services including all of the state, federal and other
23 existing financial resources available to the Department in FY-2018
24 is ten percent (10%) lower than in FY-2017.

1 SECTION 12. It is the intent of the Oklahoma Legislature that,
2 if the Department of Human Services finds it necessary to reduce
3 expenditures in FY-2018, that the Department reduce the agency
4 administrative budget before taking any action that would reduce
5 services provided to clients.

6 SECTION 13. There is hereby appropriated to the Department of
7 Human Services all federal monies received by the state during the
8 fiscal year ending June 30, 2018, from the Temporary Assistance to
9 Needy Families Block Grant and the Child Care and Development Fund
10 Block Grant to meet the provisions of federal law relating to such
11 grants.

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

18 SECTION 15. A. The Director of the Office of Management and
19 Enterprise Services shall transfer monies appropriated from the
20 General Revenue Fund and Special Cash Fund to the Department of
21 Human Services' disbursing funds in the amounts and ratios requested
22 by the agency except that the cumulative amounts transferred shall
23 not exceed the cumulative amounts of equal monthly allotments of the
24 appropriations from the General Revenue Fund and Special Cash Fund.

1 B. Monies appropriated or collected for the fiscal year ending
2 June 30, 2018, may be transferred to these disbursing funds for the
3 fiscal year ending June 30, 2017, 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, 2017, to the disbursing funds for the
7 fiscal year ending June 30, 2018, 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 16. Appropriations made by Enrolled Senate Bill No. 860
14 of the 1st Session of the 56th Oklahoma Legislature, not including
15 appropriations made for capital outlay purposes, may be budgeted for
16 the fiscal year ending June 30, 2018 (hereafter FY-18), or may be
17 budgeted for the fiscal year ending June 30, 2019 (hereafter FY-19).
18 Funds budgeted for FY-18 may be encumbered only through June 30,
19 2018, and must be expended by November 15, 2018. Any funds
20 remaining after November 15, 2018, and not budgeted for FY-19, shall
21 lapse to the credit of the proper fund for the then current fiscal
22 year. Funds budgeted for FY-19 may be encumbered only through June
23 30, 2019. Any funds remaining after November 15, 2019, shall lapse
24 to the credit of the proper fund for the then current fiscal year.

1 These appropriations may not be budgeted in both fiscal years
2 simultaneously. Funds budgeted in FY-18, and not required to pay
3 obligations for that fiscal year, may be budgeted for FY-19, after
4 the agency to which the funds have been appropriated has prepared
5 and submitted a budget work program revision removing these funds
6 from the FY-18 budget work program and after such revision has been
7 approved by the Office of Management and Enterprise Services.

8 SECTION 17. This act shall become effective July 1, 2017.

9 SECTION 18. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 Passed the Senate the 24th day of May, 2017.

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Presiding Officer of the Senate

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17 Passed the House of Representatives the ____ day of _____,
18 2017.

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Presiding Officer of the House
of Representatives

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