

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3707

By: Wallace and Casey of the
House

and

David and Fields of the
Senate

12 COMMITTEE SUBSTITUTE

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

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

22 SECTION 1. From the funds appropriated to the Department of
23 Mental Health and Substance Abuse Services in Enrolled Senate Bill
24 No. 1600 of the 2nd Session of the 56th Oklahoma Legislature, a sum

1 of not less than Two Million Dollars (\$2,000,000.00) shall be used
2 in conjunction with funding described in Section 3 of this act
3 towards restoring psychiatric inpatient, substance abuse
4 residential, psychologist and agency-based therapy provider rates by
5 three percent (3%).

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

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

20 SECTION 4. The Commissioner of the Department of Mental Health
21 and Substance Abuse Services may request through the Director of the
22 Office of Management and Enterprise Services the early transfer by
23 the Oklahoma Tax Commission of tax collections to the General
24

1 Revenue Fund for the purpose of early allocation to the Department's
2 disbursing funds to alleviate cash-flow problems.

3 SECTION 5. Appropriations made by Enrolled Senate Bill No. 1600
4 of the 2nd Session of the 56th Oklahoma Legislature, not including
5 appropriations made for capital outlay purposes, may be budgeted for
6 the fiscal year ending June 30, 2019 (hereafter FY-19), or may be
7 budgeted for the fiscal year ending June 30, 2020 (hereafter FY-20).
8 Funds budgeted for FY-19 may be encumbered only through June 30,
9 2019, and must be expended by November 15, 2019. Any funds
10 remaining after November 15, 2019, and not budgeted for FY-20, shall
11 lapse to the credit of the proper fund for the then-current fiscal
12 year. Funds budgeted for FY-20 may be encumbered only through June
13 30, 2020. Any funds remaining after November 15, 2020, shall lapse
14 to the credit of the proper fund for the then-current fiscal year.
15 These appropriations shall not be budgeted in both fiscal years
16 simultaneously. Funds budgeted in FY-19, and not required to pay
17 obligations for that fiscal year, may be budgeted for FY-20, after
18 the agency to which the funds have been appropriated has prepared
19 and submitted a budget work program revision removing these funds
20 from the FY-19 budget work program and after such revision has been
21 approved by the Office of Management and Enterprise Services.

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

23 SECTION 7. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS
5 AND BUDGET, dated 04/27/2018 - DO PASS, As Amended.
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