

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE
5 BILL NO. 830

By: Griffin and Pittman of the
Senate

6 and

7 Ownbey of the House

8
9
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

1 and experience qualifying him or her for public welfare
2 administration. The Director shall serve, subject to the
3 confirmation of the Senate, at the pleasure of the Governor. The
4 salary of the Director shall be fixed by the Governor.

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

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

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

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

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

- 1 d. a search of the Department of Corrections Violent
2 Offender Registry, also known as the Mary Rippy
3 Violent Crime Offender Registry,
4 e. a search of all applicable out-of-state child abuse
5 and neglect registries if the subject of the search
6 has not lived continuously in Oklahoma for the past
7 five (5) years, and
8 f. a search of the community services worker registry
9 maintained by the Department pursuant to Section
10 1025.3 of this title.

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

17 D. The Director shall require and set the amount of the bond
18 for employees.

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

1 federal agency may from time to time require, and comply with any
2 other similar federal agency requirements necessary to ensure the
3 correctness and verification of the reports.

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

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

13 2. Financial data including a reasonable amount of detailed
14 information regarding revenues and expenditures and a breakdown and
15 comparison of the Department budget with actual expenditures;

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

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

19 5. Demographic data and trends and their anticipated impact on
20 demand for services; and

21 6. Information regarding public and private institution-based
22 services.

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

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

COMMITTEE REPORT BY: COMMITTEE ON HEALTH SERVICES AND LONG-TERM
CARE, dated 03/28/2018 - DO PASS, As Coauthored.