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February 26, 2018

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 830

By: Griffin of the Senate

and

Ownbey of the House

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

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

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

Section 162. A. The Governor shall have the power and duty to select a Director of Human Services who shall serve as executive and administrative officer of the Department of Human Services. The Director shall be appointed wholly on the basis of ability, training and experience qualifying him or her for public welfare administration. The Director shall serve, subject to the

1 confirmation of the Senate, at the pleasure of the Governor. The
2 salary of the Director shall be fixed by the Governor.

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

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

13 a. a search of the Oklahoma State Courts Network,
14 including Oklahoma District Court records,

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

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

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

1 e. a search of all applicable out-of-state child abuse
2 and neglect registries if the subject of the search
3 has not lived continuously in Oklahoma for the past
4 five (5) years, and

5 f. a search of the community services worker registry
6 maintained by the Department pursuant to Section
7 1025.3 of this title.

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

14 D. The Director shall require and set the amount of the bond
15 for employees.

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

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

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

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

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

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

16 5. Demographic data and trends and their anticipated impact on
17 demand for services; and

18 6. Information regarding public and private institution-based
19 services.

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
24 February 26, 2018 - DO PASS AS AMENDED