

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Extraordinary Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1044

By: Wallace and Casey of the
House

and

David and Fields of the
Senate

11 COMMITTEE SUBSTITUTE

12 An Act relating to the Department of Human Services;
13 requiring certain appropriated funds to be used for
14 certain purposes; providing legislative intent;
15 providing for impact of restoration of funds on
16 remaining months of FY-18 budget; and declaring an
17 emergency.

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

19 SECTION 1. It is the intent of the Oklahoma Legislature that
20 the Department of Human Services fully fund in its entirety the
21 Advantage Home and Community-based Waiver Program, Money Follows the
22 Person, Homeward Bound Waiver, In-home Supports, Advantage Waiver,
23 Personal Care and state-funded community residential and vocational
24 services within the Department of Human Services in FY-2018 with all

1 of the state, federal, and other existing financial resources
2 available to the Department, including increasing state funds to
3 make up for the loss of Federal FMAP funds so that total spending in
4 FY-2018 is not reduced based on the initial budgeted resources
5 available at the beginning of FY-18 taking into account restoration
6 of funds pursuant to actions and enactments occurring as a result of
7 the 1st Extraordinary Session of the 56th Oklahoma Legislature and
8 the impact of such funds on the remaining months of the FY-18
9 budget. It is further the Oklahoma Legislature's intent that
10 services to clients and related provider rates within the Advantage
11 Home and Community-based Waiver Program, Money Follows the Person,
12 Homeward Bound Waiver, In-home Supports, Advantage Waiver, Personal
13 Care and state-funded community residential and vocational services
14 not be reduced below contracted rates in effect at the beginning of
15 FY-18 taking into account restoration of funds pursuant to actions
16 and enactments occurring as a result of the 1st Extraordinary
17 Session of the 56th Oklahoma Legislature and the impact of such
18 funds on the remaining months of the FY-18 budget.

19 SECTION 2. It is the intent of the Oklahoma Legislature that
20 the Department of Human Services fully fund the Adult Day Services
21 in FY-2018 with all of the state, federal, and other existing
22 financial resources available to the Department of Human Services,
23 including increasing state funds to make up for the loss of Federal
24 FMAP funds so that total spending in FY-2018 is no less than the

1 initial budgeted amount in effect at the beginning of FY-18 taking
2 into account restoration of funds pursuant to actions and enactments
3 occurring as a result of the 1st Extraordinary Session of the 56th
4 Oklahoma Legislature and the impact of such funds on the remaining
5 months of the FY-18 budget. It is further the Oklahoma
6 Legislature's intent that services to current Adult Day Services
7 clients and related provider rates to such clients not be reduced
8 below contracted rates in effect at the beginning of FY-18 taking
9 into account restoration of funds pursuant to actions and enactments
10 occurring as a result of the 1st Extraordinary Session of the 56th
11 Oklahoma Legislature and the impact of such funds on the remaining
12 months of the FY-18 budget.

13 SECTION 3. It is the intent of the Oklahoma Legislature that
14 the Department of Human Services for FY-2018 set foster care,
15 residential, group home care and adoption subsidy rates at the same
16 level in effect at the beginning of FY-18 taking into account
17 restoration of funds pursuant to actions and enactments occurring as
18 a result of the 1st Extraordinary Session of the 56th Oklahoma
19 Legislature and the impact of such funds on the remaining months of
20 the FY-18 budget.

21 SECTION 4. It is the intent of the Oklahoma Legislature that
22 the Department of Human Services fund the Senior Nutrition Program
23 within the Aging Services Division in FY-2018 with all of the state,
24 federal, and other existing financial resources available to the

1 Department at or above the amount in effect at the beginning of FY-
2 18 taking into account restoration of funds pursuant to actions and
3 enactments occurring as a result of the 1st Extraordinary Session of
4 the 56th Oklahoma Legislature and the impact of such funds on the
5 remaining months of the FY-18 budget.

6 SECTION 5. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

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11 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS
12 AND BUDGET, dated 10/24/2017 - DO PASS, As Amended.

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OKLAHOMA HOUSE OF REPRESENTATIVES
COMMITTEE REPORT

10/24/2017 5:17:50 PM

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET COMMITTEE

HB1044

By: Wallace et al of the House

David et al of the Senate

Title: Public finance; FY 18 Budget Adjustment Act; emergency.

Coauthored By:

Recommendation: **DO PASS AS AMENDED BY CS**

Amendments:

1. Committee Substitute Attached



Chr.
Representative Kevin Wallace

YEAS: 21

Bennett (J), Biggs, Caldwell, Calvey, Casey, Cockroft, Echols, Hall, Jordan, Kannady, Lepak, Murphey, Osborn (L), Ownbey, Pfeiffer, Roberts (D), Russ, Sanders, Sears, Wallace, Watson

NAYS: 5

Dunnington, Kouplen, Loring, Proctor, Stone

CONSTITUTIONAL PRIVILEGE: 0

**OKLAHOMA STATE SENATE
JOINT**

COMMITTEE REPORT

October 24, 2017

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET

HB 1044

By: Wallace of the House and David and Fields of the Senate

Title: Public finance; FY 18 Budget Adjustment Act; emergency.

Recommendation: **DO PASS AS AMENDED**

Aye: Holt, McCortney, Newberry, Simpson, Stanislawski, Thompson, Fields, David, Schulz, Treat

Nay: Pittman, Sparks

Pass:

Senator Kim David, Chair

Committee Substitute, motion by Senator AUTHOR - Adopted (Request No: 50200)

STATE OF OKLAHOMA

1st Extraordinary Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 1044

By: Wallace and Casey of the
House

and

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Senate

COMMITTEE SUBSTITUTE

An Act relating to the Department of Human Services;
requiring certain appropriated funds to be used for
certain purposes; providing legislative intent;
providing for impact of restoration of funds on
remaining months of FY-18 budget; and declaring an
emergency.

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

SECTION 6. It is the intent of the Oklahoma Legislature that
the Department of Human Services fully fund in its entirety the
Advantage Home and Community-based Waiver Program, Money Follows the
Person, Homeward Bound Waiver, In-home Supports, Advantage Waiver,
Personal Care and state-funded community residential and vocational
services within the Department of Human Services in FY-2018 with all
of the state, federal, and other existing financial resources

1 available to the Department, including increasing state funds to
2 make up for the loss of Federal FMAP funds so that total spending in
3 FY-2018 is not reduced based on the initial budgeted resources
4 available at the beginning of FY-18 taking into account restoration
5 of funds pursuant to actions and enactments occurring as a result of
6 the 1st Extraordinary Session of the 56th Oklahoma Legislature and
7 the impact of such funds on the remaining months of the FY-18
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10 Home and Community-based Waiver Program, Money Follows the Person,
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12 Care and state-funded community residential and vocational services
13 not be reduced below contracted rates in effect at the beginning of
14 FY-18 taking into account restoration of funds pursuant to actions
15 and enactments occurring as a result of the 1st Extraordinary
16 Session of the 56th Oklahoma Legislature and the impact of such
17 funds on the remaining months of the FY-18 budget.

18 SECTION 7. It is the intent of the Oklahoma Legislature that
19 the Department of Human Services fully fund the Adult Day Services
20 in FY-2018 with all of the state, federal, and other existing
21 financial resources available to the Department of Human Services,
22 including increasing state funds to make up for the loss of Federal
23 FMAP funds so that total spending in FY-2018 is no less than the
24 initial budgeted amount in effect at the beginning of FY-18 taking

1 into account restoration of funds pursuant to actions and enactments
2 occurring as a result of the 1st Extraordinary Session of the 56th
3 Oklahoma Legislature and the impact of such funds on the remaining
4 months of the FY-18 budget. It is further the Oklahoma
5 Legislature's intent that services to current Adult Day Services
6 clients and related provider rates to such clients not be reduced
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10 Oklahoma Legislature and the impact of such funds on the remaining
11 months of the FY-18 budget.

12 SECTION 8. It is the intent of the Oklahoma Legislature that
13 the Department of Human Services for FY-2018 set foster care,
14 residential, group home care and adoption subsidy rates at the same
15 level in effect at the beginning of FY-18 taking into account
16 restoration of funds pursuant to actions and enactments occurring as
17 a result of the 1st Extraordinary Session of the 56th Oklahoma
18 Legislature and the impact of such funds on the remaining months of
19 the FY-18 budget.

20 SECTION 9. It is the intent of the Oklahoma Legislature that
21 the Department of Human Services fund the Senior Nutrition Program
22 within the Aging Services Division in FY-2018 with all of the state,
23 federal, and other existing financial resources available to the
24 Department at or above the amount in effect at the beginning of FY-

1 18 taking into account restoration of funds pursuant to actions and
2 enactments occurring as a result of the 1st Extraordinary Session of
3 the 56th Oklahoma Legislature and the impact of such funds on the
4 remaining months of the FY-18 budget.

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

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10 56-1EX-50206 JM 10/24/17

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