

An Act

ENROLLED SENATE
BILL NO. 75

By: Simpson of the Senate

and

Townley of the House

An Act relating to the State Department of Rehabilitation Services; amending 7 O.S. 2011, Section 8, which relates to special library services to blind and physically handicapped persons; updating term; deleting omitted cite; deleting certain requirement; amending 7 O.S. 2011, Section 71, which relates to activities to promote business opportunities; updating term; amending 62 O.S. 2011, Section 34.77, as amended by Section 398, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2018, Section 34.77), which relates to rehabilitation services encumbrance and preaudit claim settlement system; updating term; amending 63 O.S. 2011, Section 2701, which relates to public policy; updating terms; amending 63 O.S. 2011, Section 2702, which relates to immunity; updating term; amending 74 O.S. 2011, Section 3001, as last amended by Section 117, Chapter 15, O.S.L. 2013 (74 O.S. Supp. 2018, Section 3001), which relates to the State Use Committee; updating term; and providing an effective date.

SUBJECT: State Department of Rehabilitation Services

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

SECTION 1. AMENDATORY 7 O.S. 2011, Section 8, is amended to read as follows:

Section 8. ~~(a) See Title 74, State Officers and Employees, Section 285(23) note.~~

~~(b)~~ A. The state plan for library services shall be amended in accordance with the Federal Library Services and Construction Act and applicable regulations to reflect the authority and duty of the ~~Section of Services to the Blind (Visual Services) of the Commission for Rehabilitation Services~~ Division of Services for the Blind and Visually Impaired of the State Department of Rehabilitation Services to provide special library services, including braille and recorded books, to blind and visually handicapped persons as provided by state law.

~~(c)~~ B. Special library services for blind and physically handicapped adults, children, and students shall be provided by the ~~Section of Services to the Blind (Visual Services) of the Commission for Rehabilitation Services~~ Division of Services for the Blind and Visually Impaired of the Department in accordance with the Federal Library Services and Construction Act, as amended, and applicable federal regulations relating thereto; and consistent with applicable statutes and regulations. ~~The library standards of the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped shall be observed and followed in providing such special library services.~~ The Commission for Rehabilitation Services shall, within the availability of state funds, annually make available for such special library services sufficient funds to earn the maximum available federal funds under the Federal Library Services and Construction Act and appropriations made in pursuance thereof by Congress.

~~(d)~~ C. All federal requirements for interlibrary cooperation and consultation shall be observed and entitlement of the Department of Libraries to receive federal funds for library services or construction shall not be impaired by any state law prescribing the duties, responsibilities and functions of the ~~Section of Services to the Blind (Visual Services)~~ Division of Services for the Blind and Visually Impaired of the Department.

SECTION 2. AMENDATORY 7 O.S. 2011, Section 71, is amended to read as follows:

Section 71. A. For purposes of assisting blind persons to become self-supporting, the State Department of Rehabilitation Services is hereby authorized to carry on activities to promote business opportunities for individuals who are blind, including, but not limited to, the licensing and establishment of such persons as operators of vending facilities in public and other buildings. Facilities shall maximize job opportunities for other persons who are blind.

B. The Department shall be the sole state licensing agency for the purpose of implementing and carrying out the provisions of the Act of Congress known as the Randolph-Sheppard Act (20 USCA Sections 107-107f), and amendments thereto, providing for the licensing of individuals who are blind to operate vending facilities in federal buildings, or any other Acts of Congress which may be hereafter enacted. Provided, that no game of chance or gambling machine shall be operated. The Division of ~~Visual~~ Services for the Blind and Visually Impaired of the Department shall administer this program.

SECTION 3. AMENDATORY 62 O.S. 2011, Section 34.77, as amended by Section 398, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2018, Section 34.77), is amended to read as follows:

Section 34.77. A. The State Department of Rehabilitation Services is authorized to establish an encumbrance and preaudit system for settlement of claims relating to social service benefits and medical benefits to or for persons eligible under applicable federal laws and regulations, Oklahoma Statutes, and policies established by the Commission for Rehabilitation Services for the following programs:

1. Vocational and other rehabilitation;
2. Educational services;
3. Disability Determination Services; and
4. ~~Visual~~ Services for the Blind and Visually Impaired.

B. Prior to inclusion in this procedure, the State Department of Rehabilitation Services shall provide to the Director of the Office of Management and Enterprise Services, for approval, detailed

listings of the type of payments to be made for each of these programs specified in subsection A of this section.

C. The State Department of Rehabilitation Services shall provide the Director of the Office of Management and Enterprise Services a daily report of the dollar amount of claims settled and checks or warrants issued, the dollar amount of checks or warrants canceled, and the dollar amount of checks or warrants canceled by statutes.

SECTION 4. AMENDATORY 63 O.S. 2011, Section 2701, is amended to read as follows:

Section 2701. It is declared to be the public policy of this state, in order to safeguard the public health, safety and welfare, to encourage certain knowledgeable persons to make written report to the Division of ~~Visual~~ Services for the Blind and Visually Impaired of the State Department of Rehabilitation Services as to individuals suffering from blindness or serious visual impairment so that ~~said~~ the ~~Division of Visual Services~~ may inform them as to rehabilitative education and training programs of the state.

SECTION 5. AMENDATORY 63 O.S. 2011, Section 2702, is amended to read as follows:

Section 2702. Any licensed surgeon, medical doctor, osteopathic physician, optometrist, dentist, intern or registered nurse who, from attending or examining an individual, concludes that such individual is blind or visually impaired to a material and uncorrected extent, and in good faith participates in the making of written report of said conclusion to the Division of ~~Visual Services~~, Services for the Blind and Visually Impaired of the State Department of Rehabilitation Services, shall have immunity from liability, civil and criminal, for so reporting.

SECTION 6. AMENDATORY 74 O.S. 2011, Section 3001, as last amended by Section 117, Chapter 15, O.S.L. 2013 (74 O.S. Supp. 2018, Section 3001), is amended to read as follows:

Section 3001. A. There is hereby created in the Office of Management and Enterprise Services a committee to be known as the

"State Use Committee". The Committee shall consist of seven (7) members and one nonvoting member as follows:

1. A private citizen conversant with the employment needs of people with severe disabilities who shall be appointed by and serve at the pleasure of the Governor to act as an advocate for the employment needs of people with severe disabilities;

2. The Director of the Office of Management and Enterprise Services or designee;

3. The Director of ~~Visual Services~~ the Division of Services for the Blind and Visually Impaired of the State Department of Rehabilitation Services, or designee;

4. The past president of Oklahoma Community-Based Providers or designee to serve for a one-year period, who may be reappointed by the succeeding president;

5. An individual or a parent or guardian of an individual with severe disabilities who participates in vocational programming through a sheltered environment facility, to be selected by the Committee;

6. The Director of Human Services, or designee;

7. A certified procurement officer from any state agency appointed by the State Purchasing Director, selected to represent the customer agencies of the State of Oklahoma; and

8. As a nonvoting member, a person employed by the Office of Management and Enterprise Services as a contracting officer in the purchasing division, appointed by the State Purchasing Director with the advice of the Committee and designated specifically to solicit, develop, and negotiate contracts with agencies and individuals.

B. The Committee shall elect from among its membership a Chair and a Vice Chair who shall both serve for a period of one (1) year.

C. The private citizen on the Committee shall serve for a period of two (2) years and may be reappointed by the appointing authority. Any private citizen appointed pursuant to this section

to fill a vacancy occurring prior to the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of the term.

D. Any member of the Committee shall be prohibited from voting on any issue in which the member has an interest.

SECTION 7. This act shall become effective November 1, 2019.

Passed the Senate the 18th day of February, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 8th day of April, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____