

1 ENGROSSED SENATE
2 BILL NO. 1137

By: Hall and Rosino of the
Senate

3 and

4 Wallace and Caldwell (Trey)
5 of the House
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8 An Act relating to the Department of Human Services;
9 requiring that certain funds be utilized for certain
10 purpose; requiring certain funding be used as
11 additional or supplemental funding; providing that
12 certain payment rates be increased by certain
13 percentages; providing an effective date for certain
14 rate increases; requiring certain funding be
15 maintained at certain levels; requiring certain joint
16 approval prior to certain actions; requiring certain
17 transfers to certain funds; appropriating certain
18 federal funds for certain program; authorizing early
19 allocation of funds under certain conditions;
20 authorizing certain transfers; requiring the
21 maintenance of certain records; providing budgeting
22 and expenditure limitations and procedures; requiring
23 and prohibiting certain budget procedures; providing
24 an effective date; and declaring an emergency.

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

20 SECTION 1. From the funds appropriated to the Department of
21 Human Services in Enrolled Senate Bill No. 1125 of the 2nd Session
22 of the 59th Oklahoma Legislature, the sum of Three Million Dollars
23 (\$3,000,000.00) shall be used for providing Home- and Community-
24 Based Services Waivers for persons with developmental disabilities.

1 These funds shall be used to provide additional services and
2 programs for persons with developmental disabilities. Such funds
3 shall be used to supplement rather than replace existing resources
4 and programs.

5 SECTION 2. From the funds appropriated to the Department of
6 Human Services in Enrolled Senate Bill No. 1125 of the 2nd Session
7 of the 59th Oklahoma Legislature, an adequate amount shall be used
8 to increase provider rates for the Habilitation Training, Intensive
9 Personal Support, Homemaker, Agency Companion Pervasive, Advanced
10 Restorative and Personal Care Services in the Community, Homeward
11 Bound, In-Home Supports Waiver for Adults, In-Home Supports Waiver
12 for Children and ADvantage Waivers by twenty-five percent (25%).

13 SECTION 3. From the funds appropriated to the Department of
14 Human Services in Enrolled Senate Bill No. 1125 of the 2nd Session
15 of the 59th Oklahoma Legislature, an adequate amount shall be used
16 to increase provider rates for the Daily Living Supports, Extensive
17 Residential Supports and Alternative Living Group Home and their
18 related respite in the Community and Homeward Bound Waivers by
19 twelve and one-half percent (12.5%).

20 SECTION 4. From the funds appropriated to the Department of
21 Human Services in Enrolled Senate Bill No. 1125 of the 2nd Session
22 of the 59th Oklahoma Legislature, an adequate amount shall be used
23 to increase the Adapted and Public Transportation, Nursing,
24 ADvantage Case Management, Adult Day, Agency Companion Close and

Enhanced, Specialized Family Care, Group Home, Community Living Group Home, Remote Supports, Pre-Vocational Services, Employment Specialist, Job Coaching, Job Stabilization, and their related respite for these services in the Community, Homeward Bound, In-Home Supports Waiver for Adults, In-Home Supports Waiver for Children and ADvantage Waivers by ten percent (10%).

SECTION 5. The rate increases provided to Aging Services and Developmental Disabilities Services in Sections 2 through 4 of this act shall be effective July 1, 2024, or as soon thereafter as may be approved by the Oklahoma Health Care Authority and the Centers for Medicare and Medicaid Services (CMS).

SECTION 6. From the funds appropriated to the Department of Human Services in Enrolled Senate Bill No. 1125 of the 2nd Session of the 59th Oklahoma Legislature, the Department shall maintain the funding levels for senior nutrition programs from the fiscal year ending June 30, 2024. The Oklahoma Legislature requires joint approval from the President Pro Tempore of the Oklahoma State Senate and the Speaker of the Oklahoma House of Representatives before any senior nutrition sites may be closed due to declining attendance or increased operational costs during the fiscal year ending June 30, 2025.

SECTION 7. From the funds appropriated to the Department of Human Services in Enrolled Senate Bill No. 1125 of the 2nd Session of the 59th Oklahoma Legislature, the Department of Human Services

1 shall transfer Five Million Six Hundred Thousand Dollars
2 (\$5,600,000.00) to the credit of the Child Abuse Multidisciplinary
3 Account established in Section 1-9-103 of Title 10A of the Oklahoma
4 Statutes, which shall be distributed according to Section 1-9-104 of
5 Title 10A of the Oklahoma Statutes.

6 SECTION 8. There is hereby appropriated to the Department of
7 Human Services all federal monies received by the state during the
8 fiscal year ending June 30, 2025, from the Temporary Assistance for
9 Needy Families Block Grant and the Child Care and Development Block
10 Grant to meet the provisions of federal law relating to such grants.

11 SECTION 9. The Director of the Department of Human Services may
12 request through the Director of the Office of Management and
13 Enterprise Services the early transfer by the Oklahoma Tax
14 Commission of tax collections to the General Revenue Fund for the
15 purpose of early allocation to the Department's disbursing funds to
16 alleviate cash-flow problems.

17 SECTION 10. A. The Director of the Office of Management and
18 Enterprise Services shall transfer monies appropriated from the
19 General Revenue Fund to the Department of Human Services disbursing
20 funds in the amounts and ratios requested by the agency except that
21 the cumulative amount transferred shall not exceed the cumulative
22 amount of equal monthly allotments of the appropriations from the
23 General Revenue Fund.

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1 B. Monies appropriated or collected for the fiscal year ending
2 June 30, 2025, may be transferred to these disbursing funds for the
3 fiscal year ending June 30, 2024, to satisfy encumbrances and
4 obligations of the fiscal year, provided that monies equal in amount
5 are transferred from appropriations or collections for the fiscal
6 year ending June 30, 2024, to the disbursing funds for the fiscal
7 year ending June 30, 2025, to satisfy encumbrances and obligations
8 of the fiscal year. All transfer requests shall be in writing to
9 the Director of the Office of Management and Enterprise Services.

10 C. The Department of Human Services shall maintain records of
11 such inter-year transfers.

12 SECTION 11. The Director of Human Services may request the
13 Director of the Office of Management and Enterprise Services to
14 transfer monies between the Department of Human Services Support
15 Service Providers Grant Program Fund and the Human Services
16 Disbursing Fund or the Human Services Medical and Assistance Fund,
17 as needed for the expenditure of funds.

18 SECTION 12. This act shall become effective July 1, 2024.

19 SECTION 13. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

1 Passed the Senate the 28th day of May, 2024.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2024.

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8 _____
9 Presiding Officer of the House
10 of Representatives