

An Act

ENROLLED SENATE
BILL NO. 1137

By: Hall and Rosino of the
Senate

and

Wallace and Caldwell (Trey)
of the House

An Act relating to the Department of Human Services; requiring that certain funds be utilized for certain purpose; requiring certain funding be used as additional or supplemental funding; providing that certain payment rates be increased by certain percentages; providing an effective date for certain rate increases; requiring certain funding be maintained at certain levels; requiring certain joint approval prior to certain actions; requiring certain transfers to certain funds; appropriating certain federal funds for certain program; authorizing early allocation of funds under certain conditions; authorizing certain transfers; requiring the maintenance of certain records; providing budgeting and expenditure limitations and procedures; requiring and prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

SUBJECT: Department of Human Services

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

SECTION 1. 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 sum of Three Million Dollars (\$3,000,000.00) shall be used for providing Home- and Community-Based Services Waivers for persons with developmental disabilities. These funds shall be used to provide additional services and programs for persons with developmental disabilities. Such funds

shall be used to supplement rather than replace existing resources and programs.

SECTION 2. 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, an adequate amount shall be used to increase provider rates for the Habilitation Training, Intensive Personal Support, Homemaker, Agency Companion Pervasive, Advanced Restorative and Personal Care Services in the Community, Homeward Bound, In-Home Supports Waiver for Adults, In-Home Supports Waiver for Children and ADvantage Waivers by twenty-five percent (25%).

SECTION 3. 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, an adequate amount shall be used to increase provider rates for the Daily Living Supports, Extensive Residential Supports and Alternative Living Group Home and their related respite in the Community and Homeward Bound Waivers by twelve and one-half percent (12.5%).

SECTION 4. 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, an adequate amount shall be used to increase the Adapted and Public Transportation, Nursing, 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 shall transfer Five Million Six Hundred Thousand Dollars (\$5,600,000.00) to the credit of the Child Abuse Multidisciplinary Account established in Section 1-9-103 of Title 10A of the Oklahoma Statutes, which shall be distributed according to Section 1-9-104 of Title 10A of the Oklahoma Statutes.

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

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

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

B. Monies appropriated or collected for the fiscal year ending June 30, 2025, may be transferred to these disbursing funds for the fiscal year ending June 30, 2024, to satisfy encumbrances and obligations of the fiscal year, provided that monies equal in amount are transferred from appropriations or collections for the fiscal

year ending June 30, 2024, to the disbursing funds for the fiscal year ending June 30, 2025, to satisfy encumbrances and obligations of the fiscal year. All transfer requests shall be in writing to the Director of the Office of Management and Enterprise Services.

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

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

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

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

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

Presiding Officer of the Senate

Passed the House of Representatives the 30th day of May, 2024.

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: _____