

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 ENGROSSED SENATE
5 BILL NO. 1137

 By: Hall and Rosino of the
 Senate

6 and

7 Wallace and Caldwell (Trey)
8 of the House

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12 An Act relating to the Department of Human Services;
13 requiring that certain funds be utilized for certain
14 purpose; requiring certain funding be used as
15 additional or supplemental funding; providing that
16 certain payment rates be increased by certain
17 percentages; providing an effective date for certain
18 rate increases; requiring certain funding be
19 maintained at certain levels; requiring certain joint
20 approval prior to certain actions; requiring certain
21 transfers to certain funds; appropriating certain
22 federal funds for certain program; authorizing early
23 allocation of funds under certain conditions;
24 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.

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

1 SECTION 1. From the funds appropriated to the Department of
2 Human Services in Enrolled Senate Bill No. 1125 of the 2nd Session
3 of the 59th Oklahoma Legislature, the sum of Three Million Dollars
4 (\$3,000,000.00) shall be used for providing Home- and Community-
5 Based Services Waivers for persons with developmental disabilities.
6 These funds shall be used to provide additional services and
7 programs for persons with developmental disabilities. Such funds
8 shall be used to supplement rather than replace existing resources
9 and programs.

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

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

1 SECTION 4. From the funds appropriated to the Department of
2 Human Services in Enrolled Senate Bill No. 1125 of the 2nd Session
3 of the 59th Oklahoma Legislature, an adequate amount shall be used
4 to increase the Adapted and Public Transportation, Nursing,
5 ADvantage Case Management, Adult Day, Agency Companion Close and
6 Enhanced, Specialized Family Care, Group Home, Community Living
7 Group Home, Remote Supports, Pre-Vocational Services, Employment
8 Specialist, Job Coaching, Job Stabilization, and their related
9 respite for these services in the Community, Homeward Bound, In-Home
10 Supports Waiver for Adults, In-Home Supports Waiver for Children and
11 ADvantage Waivers by ten percent (10%).

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

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

1 increased operational costs during the fiscal year ending June 30,
2 2025.

3 SECTION 7. From the funds appropriated to the Department of
4 Human Services in Enrolled Senate Bill No. 1125 of the 2nd Session
5 of the 59th Oklahoma Legislature, the Department of Human Services
6 shall transfer Five Million Six Hundred Thousand Dollars
7 (\$5,600,000.00) to the credit of the Child Abuse Multidisciplinary
8 Account established in Section 1-9-103 of Title 10A of the Oklahoma
9 Statutes, which shall be distributed according to Section 1-9-104 of
10 Title 10A of the Oklahoma Statutes.

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

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

22 SECTION 10. A. The Director of the Office of Management and
23 Enterprise Services shall transfer monies appropriated from the
24 General Revenue Fund to the Department of Human Services disbursing

1 funds in the amounts and ratios requested by the agency except that
2 the cumulative amount transferred shall not exceed the cumulative
3 amount of equal monthly allotments of the appropriations from the
4 General Revenue Fund.

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

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

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

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

23 SECTION 13. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
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4 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS
5 AND BUDGET, dated 05/27/2024 - DO PASS, As Amended.
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