ENGROSSED SENATE
BILL NO. 1932

By: Thompson and Rader of the Senate

and

Wallace and Hilbert of the House

An Act relating to Department of Human Services; providing for revenue failure; directing expenditures of certain funds; requiring that portions of certain appropriated funds be used for certain purposes and priorities; requiring certain minimum amount of services; prioritizing expenditures of potential increases in federal funding; directing certain transfer; stating purpose; appropriating certain federal monies; stating purpose; authorizing early transfers of certain funds for specific purposes; directing certain transfer of appropriated funds in requested amounts and ratios; requiring maintenance of certain records; providing for lapse of funds under certain conditions; requiring certain budget procedures; and prohibiting certain budget procedures.

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. 1922 of the 2nd Session of the 57th Oklahoma Legislature, the sum of One Million Nine Hundred Twenty Thousand Dollars ($1,920,000.00) shall be used for providing services for persons with developmental disabilities. These funds shall be used to provide additional services and programs for persons with developmental disabilities in order to

reduce the size of the Developmental Disabilities Services Division Waiting List based on need and shall be used to supplement rather than replace existing resources and programs. In the event a revenue failure of the General Revenue Fund for the fiscal year ending June 30, 2021, shall be declared by the Board of Equalization, the amount listed above shall be reduced at the same ratio of the Department's General Revenue appropriation pursuant to subsection F of Section 34.49 of Title 62 of the Oklahoma Statutes.

SECTION 2. The Department of Human Services shall contract with a third party to obtain a standardized assessment of individuals on the Developmental Disabilities Services Division Waiting List. This assessment shall document the overall needs of the individuals and be used for future funding requests.

SECTION 3. From the funds appropriated to the Department of Human Services in Enrolled Senate Bill No. 1922 of the 2nd Session of the 57th Oklahoma Legislature, the sum of Six Million Thirty-seven Thousand One Hundred Three Dollars ($6,037,103.00) shall be used to fully fund the budget and number of locations for senior nutrition not less than levels of the fiscal year ending June 30, 2020.

SECTION 4. From the funds appropriated to the Department of Human Services in Enrolled Senate Bill No. 1922 of the 2nd Session of the 57th Oklahoma Legislature, the sum of One Million One Hundred Thousand Dollars ($1,100,000.00) shall be used to fund debt service

obligations for the renovation and construction of the Robert M. Greer Center located in Enid, Oklahoma.

SECTION 5. Any participant in the ADvantage Waiver program who has not been receiving services prior to the effective date of this act shall receive a minimum of two hundred units of case management services to allow for the development of two plans within the same year.

SECTION 6. In a manner not inconsistent with the provisions of this act, any increase in federal funding related to an increase in the Federal Medical Assistance Percentage (FMAP) match rate that is not related to the COVID-19 pandemic shall be expended by the Department of Human Services with priority given to the Medicaid waivered services to aging and developmental disabled clients, the Child Care Subsidy program, and the Adoption Subsidy program.

SECTION 7. From the funds appropriated to the Department of Human Services in Enrolled Senate Bill No. 1922 of the 2nd Session of the 57th Oklahoma Legislature, the Department of Human Services shall transfer Two Million Eight Hundred Thousand Dollars ($2,800,000.00) 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, 2021, from the Temporary Assistance to Needy Families Block Grant and the Child Care and Development Fund 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 and Revenue Stabilization Fund to the Department of Human Services' disbursing funds in the amounts and ratios requested by the agency except that the cumulative amounts transferred shall not exceed the cumulative amounts of equal monthly allotments of the appropriations from the General Revenue Fund and Revenue Stabilization Fund.

B. Monies appropriated or collected for the fiscal year ending June 30, 2021, may be transferred to these disbursing funds for the fiscal year ending June 30, 2020, 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, 2020, to the disbursing funds for the

fiscal year ending June 30, 2021, 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 interyear transfers.

SECTION 11. Appropriations made by Enrolled Senate Bill No. 1922 of the 2nd Session of the 57th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2021 (hereafter FY-21), or may be budgeted for the fiscal year ending June 30, 2022 (hereafter FY-22). Funds budgeted for FY-21 may be encumbered only through June 30, 2021, and must be expended by November 15, 2021. Any funds remaining after November 15, 2021, and not budgeted for FY-22, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-22 may be encumbered only through June 30, 2022. Any funds remaining after November 15, 2022, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations shall not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-21, and not required to pay obligations for that fiscal year, may be budgeted for FY-22, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-21 budget work program and

after such revision has been approved by the Office of Management and Enterprise Services.

Passed the Senate the 13th day of May, 2020.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2020.

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Presiding Officer of the House of Representatives