

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 HOUSE BILL 2166

 By: McCullough

5
6
7 AS INTRODUCED

8 An Act relating to prevention programs; amending 63
9 O.S. 2011, Section 1-110.1, as amended by Section
10 477, Chapter 304, O.S.L. 2012 (63 O.S. Supp. 2014,
11 Section 1-110.1), which relates to the Children First
12 Fund; redirecting oversight of fund to Oklahoma
13 Commission on Children and Youth; permitting
14 Commission to budget and expend monies; requiring
15 Commission to submit annual report; directing
16 Commission send nursing hours report to Oklahoma
17 Health Care Authority; providing for coordination to
18 target certain program participants; mandating
19 Commission contract with university; amending 63 O.S.
20 2011, Sections 1-227, 1-227.1, as amended by Section
21 46, Chapter 229, O.S.L. 2013, 1-227.2, as amended by
22 Section 47, Chapter 229, O.S.L. 2013, 1-227.3, 1-
23 227.4, as amended by Section 48, Chapter 229, O.S.L.
24 2013, 1-227.6, 1-227.7 and 1-227.8 (63 O.S. Supp.
 2014, Sections 1-227.1, 1-227.2 and 1-227.4), which
 relate to the Child Abuse Prevention Act; updating
 citations; transferring oversight of Office of Child
 Abuse Prevention to Oklahoma Commission on Children
 and Youth; modifying terms; deleting terms; updating
 citations; authorizing Commission take certain
 actions to implement act; granting Commission
 rulemaking authority; adding high-risk categories to
 target; directing Commission prepare state plan;
 requiring Commission expend funds for grants or
 contracts; mandating Commission request budget to
 implement the act annually; directing how Commission
 disburses funds; prescribing Commission use formula
 for fund distribution; requiring Commission employ
 Director for Office; updating citations; providing
 Commission oversight of rulemaking by Director;

1 authorizing Director act as agent for Commission;
2 transferring oversight of Child Abuse Prevention Fund
3 to Commission; updating citations; limiting funds to
4 those approved by Commission; amending 10A O.S. 2011,
5 Section 1-9-108, which relates to a child abuse and
6 neglect prevention pilot program; transferring
7 oversight of program from Department of Human
8 Services to Commission; requiring team to make annual
9 report to Legislature and Commission; deleting
10 reference to dissolved entity; granting Commission
11 rulemaking authority; permitting Commission enter
12 into contracts and accept volunteer assistance;
13 directing request of certain Medicaid waiver;
14 providing for requests for proposals or contracting;
15 describing program; requiring uninterrupted services;
16 directing development of data system; specifying uses
17 for data system; prohibiting establishment of
18 additional programs; declaring legislative intent;
19 transferring records and property; providing for
20 disposition of funds; transferring powers and duties;
21 providing for codification; providing for
22 recodification; and providing an effective date.

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

24 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-110.1, as
amended by Section 477, Chapter 304, O.S.L. 2012 (63 O.S. Supp.
2014, Section 1-110.1), is amended to read as follows:

Section 1-110.1 A. There is hereby created in the State
Treasury a revolving fund for the ~~State Department of Health~~
Oklahoma Commission on Children and Youth to be designated the
"Children First Fund". The fund shall be a continuing fund, not
subject to fiscal year limitations, and shall consist of all monies
deposited to the credit of the fund by law. All monies accruing to
the credit of the fund are hereby appropriated and may be budgeted

1 and expended by the ~~State Department of Health~~ Oklahoma Commission
2 on Children and Youth for operation of Children First family
3 resource programs. Expenditures from the fund shall be made upon
4 warrants issued by the State Treasurer against claims filed as
5 prescribed by law with the Director of the Office of Management and
6 Enterprise Services for approval and payment.

7 B. The ~~State Department of Health~~ Oklahoma Commission on
8 Children and Youth shall submit to the Speaker of the House of
9 Representatives, the President Pro Tempore of the Senate, and the
10 Governor by January 15 of each year, an annual report, including a
11 full accounting of administrative expenditures from the fund for the
12 prior fiscal year, and a summary detailing the demographic
13 characteristics of families served including, but not limited to,
14 the following:

- 15 1. Age and marital status of parent(s);
- 16 2. Household composition of families served;
- 17 3. Number of families accepted into the program, by location,
18 and average length of time enrolled;
- 19 4. Referrals made on behalf of families not accepted into the
20 program; and
- 21 5. Average actual expenditures per child during the most recent
22 state fiscal year.

23 C. Projects shall comply with the uniform components of the
24 State Plan for the Prevention of Child Abuse.

1 D. ~~The Department~~ Oklahoma Commission on Children and Youth
2 shall forward to the Oklahoma Health Care Authority a report of the
3 total number of hours of nursing services provided to families under
4 Children First family resource programs. The Oklahoma Health Care
5 Authority shall submit such information to the Centers for Medicaid
6 and Medicare Services for purposes of applying for federal matching
7 funds and shall submit any necessary applications for waivers to
8 accomplish the provisions of this subsection.

9 E. The Oklahoma Commission on Children and Youth shall
10 coordinate with the Oklahoma Health Care Authority to exclusively
11 target first-time pregnant women with substantial risk factors for
12 the Children First family resource programs.

13 F. ~~The State Department of Health~~ Oklahoma Commission on
14 Children and Youth shall contract with a university-related program
15 for a performance-based evaluation of programs. Program sites shall
16 fully cooperate and comply with the evaluation process, and sites
17 shall provide weekly caseload and referral information to the ~~State~~
18 ~~Department of Health~~ Oklahoma Commission on Children and Youth.

19 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-227, is
20 amended to read as follows:

21 Section 1-227. A. Sections ~~1-227~~ 2 through ~~1-227.9~~ 9 of this
22 ~~title act~~ shall be known and may be cited as the "Child Abuse
23 Prevention Act".
24

1 B. The Legislature hereby declares that the increasing
2 incidence of child abuse and its attendant human and financial cost
3 to the citizens of Oklahoma requires that the prevention of child
4 abuse and neglect be identified as a priority within the children,
5 youth and family service system of this state. It is the intent of
6 the Legislature that:

7 1. A comprehensive approach for the prevention of child abuse
8 and neglect be developed for the state, and that this planned,
9 comprehensive approach be used as a basis for funding of programs
10 and services for the prevention of child abuse and neglect
11 statewide; and

12 2. Multidisciplinary and discipline-specific training on child
13 abuse and neglect and domestic violence be made available to
14 professionals in Oklahoma with responsibilities affecting children,
15 youth, and families, including but not limited to: district
16 attorneys, judges, lawyers, public defenders, medical personnel, law
17 enforcement officers, school personnel, child welfare workers, youth
18 service agencies, mental health workers, and Court Appointed Special
19 Advocates (CASA). ~~Said~~ The training shall be ongoing and shall
20 accommodate professionals who require extensive knowledge and those
21 who require only general knowledge.

22 C. For the purpose of establishing a comprehensive statewide
23 approach towards the prevention of child abuse and neglect there is
24

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 hereby created the Office of Child Abuse Prevention within the ~~State~~
2 ~~Department of Health~~ Oklahoma Commission on Children and Youth.

3 SECTION 3. AMENDATORY 63 O.S. 2011, Section 1-227.1, as
4 amended by Section 46, Chapter 229, O.S.L. 2013 (63 O.S. Supp. 2014,
5 Section 1-227.1), is amended to read as follows:

6 Section 1-227.1 As used in the Child Abuse Prevention Act:

7 1. "Child abuse prevention" means services and programs
8 designed to prevent the occurrence or recurrence of child abuse and
9 neglect as defined in Section 1-1-105 of Title 10A of the Oklahoma
10 Statutes but as limited by Section 844 of Title 21 of the Oklahoma
11 Statutes. Except for the purpose of planning and coordination
12 pursuant to the provisions of the Child Abuse Prevention Act, the
13 services and programs of the Department of Human Services which are
14 mandated by state law or which are a requirement for the receipt of
15 federal funds with regard to deprived, destitute or homeless
16 children shall not be subject to the provisions of the Child Abuse
17 Prevention Act;

18 2. "Child Abuse Prevention Fund" means the revolving fund
19 established pursuant to Section 9 of this act;

20 3. "Commission" means the Oklahoma Commission on Children and
21 Youth;

22 4. "Director" means the Director of the Office of Child Abuse
23 Prevention;

24 5. "Office" means the Office of Child Abuse Prevention;

1 6. "Primary prevention" means programs and services designed to
2 promote the general welfare of children and families;

3 ~~3.~~ 7. "Secondary prevention" means the identification of
4 children who are in circumstances where there is a high risk that
5 abuse will occur and assistance, as necessary and appropriate, to
6 prevent abuse or neglect from occurring; and

7 ~~4.~~ 8. "Tertiary prevention" means those services provided after
8 abuse or neglect has occurred which are designed to prevent the
9 recurrence of abuse or neglect;

10 ~~5.~~ "~~Department~~" means the ~~State Department of Health~~;

11 ~~6.~~ "~~Director~~" means the ~~Director of the Office of Child Abuse~~
12 ~~Prevention~~;

13 ~~7.~~ "~~Office~~" means the ~~Office of Child Abuse Prevention~~;

14 ~~8.~~ "~~Commission~~" means the ~~Oklahoma Commission on Children and~~
15 ~~Youth~~; and

16 ~~9.~~ "~~Child Abuse Prevention Fund~~" means the ~~revolving fund~~
17 ~~established pursuant to Section 1-227.8 of this title.~~

18 SECTION 4. AMENDATORY 63 O.S. 2011, Section 1-227.2, as
19 amended by Section 47, Chapter 229, O.S.L. 2013 (63 O.S. Supp. 2014,
20 Section 1-227.2), is amended to read as follows:

21 Section 1-227.2 A. The Office of Child Abuse Prevention,
22 giving consideration to the recommendations of the Infant and
23 Children's Health Advisory Council created in Section ~~44~~ 1-103a.1 of
24

1 ~~this act~~ Title 63 of the Oklahoma Statutes, is hereby authorized and
2 directed to:

3 1. Prepare and implement a comprehensive state plan for the
4 planning and coordination of child abuse prevention programs and
5 services and for the establishment, development and funding of such
6 programs and services, and to revise and update ~~said~~ the plan
7 pursuant to the provisions of Section ~~1-227.3~~ 5 of this ~~title act~~;

8 2. Monitor, evaluate and review the development and quality of
9 services and programs for the prevention of child abuse and neglect,
10 publish and distribute an annual report of its findings on or before
11 January 1 of each year to the Governor, the Speaker of the House of
12 Representatives, the President Pro Tempore of the Senate and to the
13 chief administrative officer of each agency affected by the report.
14 The report shall include:

- 15 a. activities of the Office,
16 b. a summary detailing the demographic characteristics of
17 families served including, but not limited to, the
18 following:
19 (1) age and marital status of parent(s),
20 (2) number and age of children living in the
21 household,
22 (3) household composition of families served,
23 (4) number of families accepted into the program by
24 grantee site and average length of time enrolled,

1 (5) number of families not accepted into the program
2 and the reason therefor, and

3 (6) average actual expenditures per family during the
4 most recent state fiscal year,

5 c. recommendations for the further development and
6 improvement of services and programs for the
7 prevention of child abuse and neglect, and

8 d. budget and program needs; and

9 3. Conduct or otherwise provide for or make available
10 continuing professional education and training in the area of child
11 abuse prevention.

12 B. For the purpose of implementing the provisions of the Child
13 Abuse Prevention Act, the ~~State Department of Health~~ Oklahoma
14 Commission on Children and Youth is authorized to:

15 1. Accept appropriations, gifts, loans and grants from the
16 state and federal government and from other sources, public or
17 private;

18 2. Enter into agreements or contracts for the establishment and
19 development of:

20 a. programs and services for the prevention of child
21 abuse and neglect,

22 b. training programs for the prevention of child abuse
23 and neglect, and
24

1 c. multidisciplinary and discipline specific training
2 programs for professionals with responsibilities
3 affecting children, youth and families; and

4 3. Secure necessary statistical, technical, administrative and
5 operational services by interagency agreement or contract.

6 C. For the purpose of implementing the provisions of the Child
7 Abuse Prevention Act, the ~~State Board of Health~~ Oklahoma Commission
8 on Children and Youth, giving consideration to the recommendations
9 of the Infant and Children's Health Advisory Council created in
10 Section 44 1-103a.1 of ~~this act~~ Title 63 of the Oklahoma Statutes,
11 is authorized to promulgate rules and regulations as necessary to
12 implement the duties and responsibilities assigned to the Office of
13 Child Abuse Prevention.

14 SECTION 5. AMENDATORY 63 O.S. 2011, Section 1-227.3, is
15 amended to read as follows:

16 Section 1-227.3 A. The Oklahoma Commission on Children and
17 Youth shall review and approve the comprehensive state plan and any
18 subsequent revisions of ~~said~~ the plan, prior to the submission of
19 the plan as provided in this section.

20 B. On or before July 1, 2007, the Oklahoma Commission on
21 Children and Youth shall deliver the comprehensive state plan for
22 the prevention of child abuse and neglect to the Governor, the
23 President Pro Tempore of the Senate and the Speaker of the House of
24 Representatives. The plan shall include but not be limited to:

1 1. Specific proposals for the implementation of the
2 comprehensive state plan which would promote the efficient use of
3 staff, funds and other resources on the state level and improve the
4 coordination and integration of state goals, activities and funds
5 for the prevention of child abuse and neglect, particularly with
6 regard to primary and secondary prevention of child abuse and
7 neglect; and

8 2. Specific proposals detailing the interagency provision of
9 services to all populations at risk of committing child abuse.
10 Services, especially those directed at high-risk populations
11 including, but not limited to, ~~those populations in which parental~~
12 with drug and/or alcohol abuse, mental illness and, domestic abuse
13 are an issue, teen pregnancy and prior history as a child or adult
14 with the Department of Human Services, shall be specifically
15 addressed.

16 C. The Office of Child Abuse Prevention ~~and the Oklahoma~~
17 ~~Commission on Children and Youth~~ shall at least annually review the
18 state plan and make any necessary revisions based on changing needs
19 and program evaluation results not less than every five (5) years.
20 Any such revisions shall be delivered to the Governor, the Speaker
21 of the House of Representatives and the President Pro Tempore of the
22 Senate no later than July 1 of each year.

23 D. The Office of Child Abuse Prevention shall provide adequate
24 opportunity for appropriate private and public agencies and

1 organizations and private citizens and consumers to participate at
2 the local level in the development of the state plan.

3 SECTION 6. AMENDATORY 63 O.S. 2011, Section 1-227.4, as
4 amended by Section 48, Chapter 229, O.S.L. 2013 (63 O.S. Supp. 2014,
5 Section 1-227.4), is amended to read as follows:

6 Section 1-227.4 A. The ~~State Department of Health~~ Oklahoma
7 Commission on Children and Youth shall prepare the comprehensive
8 state plan for prevention of child abuse and neglect ~~for the~~
9 ~~approval of the Oklahoma Commission on Children and Youth.~~ The
10 development and preparation of the plan shall include, but not be
11 limited to, adequate opportunity for appropriate local private and
12 public agencies and organizations and private citizens to
13 participate in the development of the state plan at the local level.

14 B. 1. The Office of Child Abuse Prevention shall review and
15 evaluate all proposals submitted for grants or contracts for child
16 abuse prevention programs and services. Upon completion of such
17 review and evaluation, the Office of Child Abuse Prevention shall
18 make the final recommendations as to which proposals should be
19 funded pursuant to the provisions of the Child Abuse Prevention Act
20 ~~and shall submit its findings to the Oklahoma Commission on Children~~
21 ~~and Youth.~~ The Commission shall review the findings of the
22 interagency child abuse prevention task force and the Office of
23 Child Abuse Prevention for compliance of such approved proposals
24

1 with the comprehensive state plan prepared pursuant to the
2 provisions of the Child Abuse Prevention Act.

3 ~~2. Upon ascertaining compliance with the plans, the Commission~~
4 ~~shall deliver the findings of the Office of Child Abuse Prevention~~
5 ~~to the State Commissioner of Health.~~

6 ~~3. The Commissioner~~ Oklahoma Commission on Children and Youth
7 shall authorize the ~~Office of Child Abuse Prevention~~ to use of the
8 Child Abuse Prevention Fund to fund ~~such~~ grants or contracts for
9 child abuse prevention programs and services ~~which are approved by~~
10 ~~the Commissioner.~~

11 ~~4.~~ 3. Once the grants or contracts have been awarded by the
12 ~~Commissioner~~ Oklahoma Commission on Children and Youth, the Office
13 of Child Abuse Prevention shall annually review the performance of
14 the awardees and determine if funding should be continued.

15 SECTION 7. AMENDATORY 63 O.S. 2011, Section 1-227.6, is
16 amended to read as follows:

17 Section 1-227.6 A. The ~~State Department of Health~~ Oklahoma
18 Commission on Children and Youth, in its annual budget requests,
19 shall identify the amount of funds requested for the implementation
20 of the Child Abuse Prevention Act.

21 B. From monies appropriated or otherwise available to the
22 Office of Child Abuse Prevention through state, federal or private
23 resources the ~~State Commissioner of Health~~ Oklahoma Commission on
24 Children and Youth shall implement the provisions of the Child Abuse

1 Prevention Act and shall disburse such monies in the following
2 manner:

3 1. The ~~Commissioner~~ Oklahoma Commission on Children and Youth
4 shall establish a formula for the distribution of funds for the
5 establishment, development or improvement of both public and private
6 programs and services for the prevention of child abuse and neglect
7 which shall provide for the allocation of funds across the state
8 based upon the percentage of the total state reported cases of abuse
9 and neglect reported in the district and the percentage of the total
10 state population under the age of eighteen (18) years and upon the
11 child abuse prevention service and program needs of the
12 comprehensive state plan; and

13 2. For the continuing development and establishment of child
14 abuse prevention training programs and multidisciplinary and
15 discipline-specific training programs for professionals with
16 responsibilities affecting children, youth and families.

17 C. Appropriations made for distribution by the Office for
18 grants or contracts for child abuse prevention programs and services
19 shall be deposited in the Child Abuse Prevention Fund.

20 D. The Office shall develop and publish requests for proposals
21 for grants or contracts for child abuse prevention programs and
22 services which shall require no less than a ten percent (10%) cash
23 or in-kind match by an agency or organization receiving a grant or
24 contract and which are designed to meet identified priority needs.

1 A priority ranking shall be made based upon the extent to which
2 a proposal meets identified needs, criteria for cost effectiveness,
3 provision for an evaluation component providing outcome data and a
4 determination that the proposal provides a mechanism for
5 coordinating and integrating these preventive services with other
6 services deemed necessary for working effectively with families who
7 are at risk of child abuse or neglect.

8 E. On and after January 1, 1986, all budget requests submitted
9 by any public agency to the Legislature for the funding of programs
10 related to child abuse and neglect prevention shall conform to the
11 comprehensive state plan and any subsequent updates or revisions of
12 ~~said~~ the plan developed pursuant to the provisions of the Child
13 Abuse Prevention Act. Except for the purposes of planning and
14 coordination pursuant to the provisions of the Child Abuse
15 Prevention Act, the services and programs of the Department of Human
16 Services which are mandated by state law or which are a requirement
17 for the receipt of federal funds with regard to deprived, destitute
18 or homeless children shall not be subject to the provisions of this
19 subsection.

20 SECTION 8. AMENDATORY 63 O.S. 2011, Section 1-227.7, is
21 amended to read as follows:

22 Section 1-227.7 ~~The State Board of Health~~ Oklahoma Commission
23 on Children and Youth shall ~~direct the State Commissioner of Health~~

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UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 ~~to~~ employ, appoint or otherwise designate a Director for the Office
2 of Child Abuse Prevention. The Director shall:

3 1. Assure that the annual report is prepared as required by
4 Section ~~1-227.2~~ 4 of this ~~title~~ act;

5 2. Formulate and recommend rules and regulations pertaining to
6 the implementation of the provisions of the Child Abuse Prevention
7 Act for approval or rejection by the ~~Board~~ Oklahoma Commission on
8 Children and Youth; and

9 3. As authorized, act as agent for the ~~Board~~ Oklahoma
10 Commission on Children and Youth in the performance of its duties
11 pertaining to the implementation of the provisions of the Child
12 Abuse Prevention Act.

13 SECTION 9. AMENDATORY 63 O.S. 2011, Section 1-227.8, is
14 amended to read as follows:

15 Section 1-227.8 A. There is hereby created in the State
16 Treasury a revolving fund for the ~~State Board of Health~~ Oklahoma
17 Commission on Children and Youth to be designated the "Child Abuse
18 Prevention Fund". The fund shall be a continuing fund, not subject
19 to fiscal year limitations, and shall consist of all monies received
20 pursuant to the provisions of ~~Section 1-227.6 of Title 63 of the~~
21 ~~Oklahoma Statutes, Section 5~~ Sections 1 and 7 of this act, and such
22 other sources as the Legislature may provide.

23 B. The Child Abuse Prevention Fund shall be used by the Office
24 of Child Abuse Prevention for funding grants and contracts for child

1 abuse and neglect prevention programs and services as provided for
2 in Section ~~1-227.6~~ 7 of ~~Title 63 of the Oklahoma Statutes~~ this act.
3 The Office shall use the Child Abuse Prevention Fund to fund only
4 those grants and contracts approved by the ~~State Board of Health~~
5 Oklahoma Commission on Children and Youth, pursuant to the
6 provisions of subsection ~~C~~ B of Section ~~1-227.4~~ 6 of ~~Title 63 of the~~
7 ~~Oklahoma Statutes~~ this act, and which comply with the comprehensive
8 state plan and district plans prepared pursuant to the provisions of
9 the Child Abuse Prevention Act, and for no other purpose. The Child
10 Abuse Prevention Fund shall not be used for the costs of the Office
11 incurred in administering such grants and contracts.

12 C. All projects funded through the Child Abuse Prevention Fund
13 shall provide quarterly caseload and programmatic information to the
14 Office of Child Abuse Prevention.

15 SECTION 10. AMENDATORY 10A O.S. 2011, Section 1-9-108,
16 is amended to read as follows:

17 Section 1-9-108. A. A pilot program to serve children at high
18 risk of abuse and neglect shall be established by the ~~Department of~~
19 ~~Human Services~~ Oklahoma Commission on Children and Youth in
20 consultation with an evaluation team created pursuant to this
21 section if funds are available.

22 B. The pilot program shall:

23 1. Identify the populations of children at high risk of abuse
24 and neglect and the characteristics of those children including, but

1 not limited to, populations in which parental drug and/or alcohol
2 abuse, mental illness, mental and/or physical disability, and
3 domestic abuse are an issue;

4 2. Develop and design programs to provide services to children
5 at high risk of abuse and neglect;

6 3. Develop methods for coordinating state and local services to
7 assist high risk children and their families;

8 4. Allow and provide for participation of both urban and rural
9 concerns in developing and designing such programs;

10 5. Monitor, evaluate, and review the programs implemented to
11 serve populations of children at high risk of abuse and neglect; and

12 6. Include such other areas, programs, services, and
13 information deemed necessary by the ~~Department~~ Oklahoma Commission
14 on Children and Youth to provide a comprehensive assessment of the
15 needs and programs necessary to provide assistance to children at
16 high risk of abuse and neglect.

17 C. An evaluation team shall determine the effectiveness of the
18 pilot program, and make a report to the Legislature and to the
19 ~~Department~~ Oklahoma Commission on Children and Youth annually for as
20 long as the program is funded. ~~Such~~ The report shall cover:

21 1. Effective programs that will serve children that are at high
22 risk of abuse and neglect;

23 2. Statewide expansion of programs;

24 3. Funding sources;

- 1 4. Training of professionals to serve such populations;
- 2 5. Monitoring, evaluating and reviewing continued effectiveness
- 3 of such programs;
- 4 6. Special needs of children at risk of abuse and neglect from
- 5 parental addiction to drugs and alcohol and parental mental illness
- 6 and mental and/or physical disability and from domestic abuse; and
- 7 7. Recommendations regarding the issuance of grants and
- 8 contracts for serving such high-risk populations.

9 D. The evaluation team shall consist of not more than two

10 representatives from the following entities who have expertise in

11 child abuse prevention or a related field and who have an

12 understanding of program evaluation techniques:

- 13 1. The Department of Human Services;
- 14 2. The Department of Mental Health and Substance Abuse
- 15 Services;
- 16 3. The Oklahoma Commission on Children and Youth;
- 17 4. ~~The Oklahoma Indian Affairs Commission;~~
- 18 ~~5.~~ 5. The Oklahoma Institute for Child Advocacy;
- 19 ~~6.~~ 5. The Oklahoma Court-Appointed Special Advocate
- 20 Association;
- 21 ~~7.~~ 6. The University of Oklahoma; and
- 22 ~~8.~~ 7. Oklahoma State University.

23 E. 1. Upon receipt of recommendations from the evaluation team

24 established pursuant to this section, which indicate that the

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 expansion of the pilot project on a statewide basis would be
2 economically feasible and practical, the ~~Commission for Human~~
3 ~~Services~~ Oklahoma Commission on Children and Youth shall promulgate
4 rules for developing a statewide program serving populations of
5 children at high risk of abuse and neglect, provided funding is
6 available for such expansion.

7 2. Upon promulgation of rules by the Commission, the provisions
8 of this section shall become effective statewide.

9 F. The ~~Department~~ Oklahoma Commission on Children and Youth
10 may:

11 1. Contract for services necessary to carry out the duties of
12 the ~~Department~~ Commission pursuant to the provisions of this
13 section; and

14 2. Accept the services of volunteer workers or consultants and
15 reimburse them for their necessary expenses pursuant to the State
16 Travel Reimbursement Act.

17 SECTION 11. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 601.70 of Title 10, unless there
19 is created a duplication in numbering, reads as follows:

20 A. The Oklahoma Commission on Children and Youth, in
21 coordination with the Oklahoma Health Care Authority and the
22 Department of Human Services, shall request a Medicaid waiver to use
23 Medicaid monies to implement and fund the prevention programs
24 described in this act.

1 B. The Oklahoma Commission on Children and Youth shall work
2 with the Office of Management and Enterprise Services and may
3 solicit requests for proposals or enter into sole source contracts
4 with prospective entities capable of performing the services and
5 requirements of the prevention programs. The Commission may
6 contract with a national organization that oversees community health
7 providers utilizing registered nurses to serve low-income women who
8 are pregnant with their first child. The bidding or contracting
9 process shall be conducted to ensure uninterrupted services for
10 prevention program participants.

11 C. The Oklahoma Commission on Children and Youth or a
12 contracting entity chosen by the Commission through the bidding or
13 contracting process described in subsection B of this section shall
14 develop an integrated participant data system that encompasses all
15 of the prevention programs under the oversight of the Commission.
16 The data system shall be used:

17 1. As an information management tool for providers to record
18 key data including but not limited to family characteristics,
19 referrals made, services received and progress made toward program
20 goals;

21 2. By the prevention programs to ensure fidelity to the
22 practice model by tracking the program's performance indicators and
23 family-outcome measures;

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1 3. To document and track independent, formal program
2 evaluations to be used to measure outcomes and improve the
3 prevention program; and

4 4. To link future funding of the prevention programs to the
5 program outcomes.

6 D. The Oklahoma Commission on Children and Youth shall not
7 establish any additional prevention programs unless approved by the
8 Oklahoma Legislature pursuant to the administrative rulemaking
9 process. It is the intent of the Oklahoma Legislature that the
10 Commission equitably distribute funds between the prevention
11 programs taking into consideration the needs of the participant
12 population, the highest-risk groups and geographic locations.

13 E. All books, papers, records and property of the prevention
14 programs covered by this act shall be transferred to the Oklahoma
15 Commission on Children and Youth. Any funds appropriated to, in the
16 possession of or allocated to the prevention programs shall also be
17 deemed to be funds of the Commission. All functions, powers, duties
18 and obligations previously assigned to the prevention programs are
19 hereby transferred to the Commission.

20 SECTION 12. RECODIFICATION 63 O.S. 2011, Section 1-
21 110.1, as last amended by Section 1 of this act, shall be recodified
22 as Section 601.71 of Title 10 of the Oklahoma Statutes, unless there
23 is created a duplication in numbering.

1 SECTION 13. RECODIFICATION 63 O.S. 2011, Sections 1-227,
2 as amended by Section 2 of this act, 1-227.1 and 1-227.2, as last
3 amended by Sections 3 and 4 of this act, 1-227.3, as amended by
4 Section 5 of this act, 1-227.4, as last amended by Section 6 of this
5 act, and 1-227.6, 1-227.7 and 1-227.8, as amended by Sections 7, 8
6 and 9 of this act, shall be recodified as Sections 601.72, 601.73,
7 601.74, 601.75, 601.76, 601.77, 601.78 and 601.79 of Title 10 of the
8 Oklahoma Statutes, unless there is created a duplication in
9 numbering.

10 SECTION 14. This act shall become effective November 1, 2015.

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12 COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH, AND FAMILY
13 SERVICES, dated 02/17/2015 - DO PASS.
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