

1 ENGROSSED HOUSE  
2 BILL NO. 3707

By: Wallace and Casey of the  
House

3 and

4 David and Fields of the  
5 Senate

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8 An Act relating to the Department of Mental Health  
9 and Substance Abuse Services; requiring that portions  
10 of certain appropriated funds be used for certain  
11 purposes; requiring that certain payment rates be  
12 increased by certain percentage; authorizing requests  
13 for early transfers of certain funds for specific  
14 purposes; providing for lapse of funds under certain  
15 conditions requiring certain budget procedures;  
16 prohibiting certain budget procedures; providing an  
17 effective date; and declaring an emergency.

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

19 SECTION 1. From the funds appropriated to the Department of  
20 Mental Health and Substance Abuse Services in Enrolled Senate Bill  
21 No. 1600 of the 2nd Session of the 56th Oklahoma Legislature, a sum  
22 of not less than Two Million Dollars (\$2,000,000.00) shall be used  
23 in conjunction with funding described in Section 3 of this act  
24 towards restoring psychiatric inpatient, substance abuse  
residential, psychologist and agency-based therapy provider rates by  
three percent (3%).

1 SECTION 2. From the funds appropriated to the Department of  
2 Mental Health and Substance Abuse Services in Enrolled Senate Bill  
3 No. 1600 of the 2nd Session of the 56th Oklahoma Legislature, the  
4 sum of Four Million Dollars (\$4,000,000.00) shall be used for needs  
5 assessments.

6 SECTION 3. Any increase in federal funding related to an  
7 increase in the Federal Medical Assistance Percentage (FMAP) match  
8 rate shall be expended by the Department of Mental Health and  
9 Substance Abuse Services with priority given to addressing the  
10 agency's maintenance needs first, which shall mean maintaining  
11 current levels of services, addressing provider rates as described  
12 in Section 1 of this act and addressing caps in therapy and case  
13 management services imposed during the preceding twenty-four-month  
14 period.

15 SECTION 4. The Commissioner of the Department of Mental Health  
16 and Substance Abuse Services may request through the Director of the  
17 Office of Management and Enterprise Services the early transfer by  
18 the Oklahoma Tax Commission of tax collections to the General  
19 Revenue Fund for the purpose of early allocation to the Department's  
20 disbursing funds to alleviate cash-flow problems.

21 SECTION 5. Appropriations made by Enrolled Senate Bill No. 1600  
22 of the 2nd Session of the 56th Oklahoma Legislature, not including  
23 appropriations made for capital outlay purposes, may be budgeted for  
24 the fiscal year ending June 30, 2019 (hereafter FY-19), or may be

1 budgeted for the fiscal year ending June 30, 2020 (hereafter FY-20).  
2 Funds budgeted for FY-19 may be encumbered only through June 30,  
3 2019, and must be expended by November 15, 2019. Any funds  
4 remaining after November 15, 2019, and not budgeted for FY-20, shall  
5 lapse to the credit of the proper fund for the then-current fiscal  
6 year. Funds budgeted for FY-20 may be encumbered only through June  
7 30, 2020. Any funds remaining after November 15, 2020, shall lapse  
8 to the credit of the proper fund for the then-current fiscal year.  
9 These appropriations shall not be budgeted in both fiscal years  
10 simultaneously. Funds budgeted in FY-19, and not required to pay  
11 obligations for that fiscal year, may be budgeted for FY-20, after  
12 the agency to which the funds have been appropriated has prepared  
13 and submitted a budget work program revision removing these funds  
14 from the FY-19 budget work program and after such revision has been  
15 approved by the Office of Management and Enterprise Services.

16 SECTION 6. This act shall become effective July 1, 2018.

17 SECTION 7. It being immediately necessary for the preservation  
18 of the public peace, health or safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.

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