

# An Act

ENROLLED HOUSE  
BILL NO. 3707

By: Wallace and Casey of the  
House

and

David and Fields of the  
Senate

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

SUBJECT: Department of Mental Health and Substance Abuse Services

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

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

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

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

SECTION 4. The Commissioner of the Department of Mental Health and Substance Abuse 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 5. Appropriations made by Enrolled Senate Bill No. 1600 of the 2nd Session of the 56th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2019 (hereafter FY-19), or may be budgeted for the fiscal year ending June 30, 2020 (hereafter FY-20). Funds budgeted for FY-19 may be encumbered only through June 30, 2019, and must be expended by November 15, 2019. Any funds remaining after November 15, 2019, and not budgeted for FY-20, shall lapse to the credit of the proper fund for the then-current fiscal year. Funds budgeted for FY-20 may be encumbered only through June 30, 2020. Any funds remaining after November 15, 2020, 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-19, and not required to pay obligations for that fiscal year, may be budgeted for FY-20, 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-19 budget work program and after such revision has been approved by the Office of Management and Enterprise Services.

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

SECTION 7. 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 House of Representatives the 30th day of April, 2018.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 2nd day of May, 2018.

\_\_\_\_\_  
Presiding Officer of the Senate

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: \_\_\_\_\_