

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1542

By: Griffin

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5  
6 AS INTRODUCED

7 An Act relating to health and human services;  
8 providing definitions; directing Secretary of Health  
9 and Human Services to establish certain plan;  
10 specifying contents of certain plan; directing  
11 creation of Office of Health and Human Services  
12 Ombudsman on or before certain date; specifying  
13 powers and duties of Ombudsman; directing Governor to  
14 appoint Ombudsman; requiring advice and consent of  
15 the Senate; providing for compensation of certain  
16 personnel subject to certain approval; providing for  
17 codification; and providing an effective date.

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

21 SECTION 1. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 100 of Title 56, unless there is  
23 created a duplication in numbering, reads as follows:

24 As used in this act:

1. "Health and Human Services agency" shall mean an agency  
under the jurisdiction of the Secretary of Health and Human Services  
pursuant to the provisions of an Executive Order issued by the  
Governor;

1           2. "Health and Human Services Ombudsman" shall mean the  
2 ombudsman position created pursuant to Section 2 of this act;

3           3. "Office" shall mean the Office of the Health and Human  
4 Services Ombudsman;

5           4. "Secretary" shall mean the Secretary of Health and Human  
6 Services.

7           SECTION 2.           NEW LAW           A new section of law to be codified  
8 in the Oklahoma Statutes as Section 101 of Title 56, unless there is  
9 created a duplication in numbering, reads as follows:

10          A. The Secretary of Health and Human Services shall establish a  
11 plan to create the Office of the Health and Human Services  
12 Ombudsman. Such plan shall include a phased transition of  
13 independent oversight and investigatory responsibilities from all  
14 agencies within the jurisdiction of the Secretary to the Office, as  
15 allowed by law, along with sufficient staffing and funding support.  
16 The Office shall be created on or before January 1, 2017.

17          B. The Office of the Health and Human Services Ombudsman shall  
18 have the power and duty to:

19           1. Serve as the single entity for all duties relating to  
20 complaints against Health and Human Services agencies and the  
21 accountability of such agencies;

22           2. Serve as a referral and information source for persons  
23 seeking to file a grievance or complaint with regards to a Health  
24 and Human Services agency;

1           3. Advise and assist the Governor and the Legislature in  
2 developing policies to meet the needs of persons receiving services  
3 from a Health and Human Services agency;

4           4. Assist agencies in meeting the requirements of state or  
5 federal laws relating to compliance, appeals procedures and  
6 accountability functions;

7           5. Conduct independent investigations into claims of fraud,  
8 waste or abuse by a Health and Human Services agency or program; and

9           6. Deliver an annual, independent report of the Office's  
10 investigations and findings to the President Pro Tempore of the  
11 Senate, the Speaker of the House of Representatives, and the  
12 Governor.

13           SECTION 3.        NEW LAW        A new section of law to be codified  
14 in the Oklahoma Statutes as Section 102 of Title 56, unless there is  
15 created a duplication in numbering, reads as follows:

16           A. The Governor shall appoint, with the advice and consent of  
17 the Senate, a Health and Human Services Ombudsman. The Ombudsman  
18 shall serve at the pleasure of the Governor. Such appointment shall  
19 be subject to Senate confirmation within thirty (30) days after the  
20 appointment or the convening of the next legislative session if the  
21 Legislature is not in session on the date of the appointment.

22           B. The Governor shall fix the compensation of the Ombudsman and  
23 delegate to him or her such other powers and duties deemed  
24 appropriate. The Ombudsman, subject to the approval of the

1 Secretary, shall appoint and fix the compensation of employees and  
2 direct the work of staff in performing the functions of the Office  
3 and accomplishing the purposes of the Office.

4 SECTION 4. This act shall become effective November 1, 2016.

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