

1 **SENATE FLOOR VERSION**

2 March 3, 2021

3 SENATE BILL NO. 295

By: Simpson and Haste of the
Senate

4 and

5 McEntire of the House
6

7
8 An Act relating to public finance; defining terms;
9 requiring certain state agencies to report certain
10 information; requiring the Office of Management and
11 Enterprise Services to submit certain report;
12 requiring report to be available to the public;
13 creating the Mental Health and Substance Abuse
14 Services Strategic Planning Council; providing
15 expiration date; providing for membership; stating
16 purpose of the Council; requiring certain strategic
17 plan to be developed; setting minimum meetings;
18 requiring strategic plan to be available to the
19 public; requiring compliance with Oklahoma Open
20 Meeting Act; allowing certain travel reimbursements;
21 providing for staffing; requiring certain agencies to
22 coordinate budget requests; providing for
23 codification; providing an effective date; and
24 declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 34.204 of Title 62, unless there
is created a duplication in numbering, reads as follows:

A. As used in this act:

1 1. "State agencies that provide, contract for or otherwise fund
2 mental health and substance abuse services" includes:

- 3 a. the Department of Mental Health and Substance Abuse
- 4 Services,
- 5 b. the State Department of Health,
- 6 c. the Oklahoma Health Care Authority,
- 7 d. the Department of Human Services,
- 8 e. the Oklahoma Department of Veterans Affairs,
- 9 f. the State Department of Education,
- 10 g. the Oklahoma Department of Career and Technology
- 11 Education,
- 12 h. The Oklahoma State System of Higher Education,
- 13 i. the Department of Corrections,
- 14 j. the Oklahoma Commission on Children and Youth, and
- 15 k. the Office of Juvenile Affairs; and

16 2. "Mental health and substance abuse services" means programs
17 or services directly or indirectly related to the research,
18 prevention or detection of mental health and substance use problems,
19 and all services necessary to treat, care for, control, supervise
20 and rehabilitate persons with mental illness and substance use
21 disorders.

22 B. On or before September 30, 2021, all state agencies that
23 provide, contract for or otherwise fund mental health and substance
24

1 abuse services shall report to the Office of Management and
2 Enterprise Services (OMES):

3 1. All mental health services and substance abuse services
4 provided by the agency. The name, purpose and primary funding
5 source or sources of each service shall be included;

6 2. A financial summary of spending amounts by method of finance
7 associated with each program. The financial summary shall include
8 annual spending on each service in each of the last five (5) state
9 fiscal years; and

10 3. Outcome summaries for mental health and substance abuse
11 services. Summaries shall include target population or populations,
12 numbers served and relevant metrics associated with the performance
13 of the program.

14 C. On or before November 30, 2021, OMES shall compile agency
15 reports and submit a unified report to the President Pro Tempore of
16 the Senate, the Speaker of the House of Representatives, the
17 Legislative Office of Fiscal Transparency, the Governor and the
18 Mental Health and Substance Abuse Services Strategic Planning
19 Council created in Section 2 of this act, and make the report
20 available to the public. The unified report shall coherently
21 organize and display agency information and provide a summary of
22 statewide spending by agency and type of service.

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1 D. The Department of Mental Health and Substance Abuse Services
2 shall provide technical assistance to the agencies and OMES as
3 necessary for the compilation of this report.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 34.205 of Title 62, unless there
6 is created a duplication in numbering, reads as follows:

7 A. There is hereby created until June 30, 2027, the Mental
8 Health and Substance Abuse Services Strategic Planning Council.

9 B. The Council shall be composed of eighteen (18) members
10 representing mental health professionals and those state agencies
11 that provide, contract for or otherwise fund mental health and
12 substance abuse services. The membership of the committee is as
13 follows:

14 1. The Commissioner of Mental Health and Substance Abuse
15 Services, or his or her designee;

16 2. The State Commissioner of Health, or his or her designee;

17 3. The Administrator of the Oklahoma Health Care Authority, or
18 his or her designee;

19 4. The Director of the Department of Human Services, or his or
20 her designee;

21 5. The Director of the Oklahoma Department of Veterans Affairs,
22 or his or her designee;

23 6. The Superintendent of Public Instruction, or his or her
24 designee;

1 7. The Director of the Oklahoma Department of Career and
2 Technology Education, or his or her designee;

3 8. The Chancellor of the Oklahoma State Regents for Higher
4 Education, or his or her designee;

5 9. The Director of the Department of Corrections, or his or her
6 designee;

7 10. The Director of the Oklahoma Commission on Children and
8 Youth, or his or her designee;

9 11. The Director of the Office of Juvenile Affairs, or his or
10 her designee;

11 12. The President Pro Tempore of the Senate shall appoint two
12 (2) members:

13 a. a member of the Senate, and

14 b. a director or chief executive officer of a mental
15 health and substance abuse service provider, or his or
16 her designee;

17 13. The Speaker of the House of Representatives shall appoint
18 two (2) members:

19 a. a member of the House of Representatives, and

20 b. a director or chief executive officer of a mental
21 health and substance abuse service provider, or his or
22 her designee;

23 14. The Senate Minority Leader shall appoint one member who is
24 a member of the Senate;

1 15. The House Minority Leader shall appoint one member who is a
2 member of the House of Representatives; and

3 16. The Governor shall appoint one member who is an academic
4 specialist in mental health outcomes, research and evidence-based
5 practices.

6 C. The Council shall meet regularly in order to develop a five-
7 year comprehensive statewide mental health and substance abuse
8 services strategic plan. The plan shall be informed by the unified
9 report on mental health and substance abuse services, spending and
10 outcomes compiled by OMES. The plan shall include agency and
11 program goals, measurements, outcomes, budget information and
12 population information and address the following:

13 1. Reduce programmatic, administrative, regulatory and
14 budgetary redundancies;

15 2. Maintain financial viability for providers in a cost-
16 effective manner to the State;

17 3. Ensure care is effective, efficient and appropriate
18 regardless of setting in which it is provided;

19 4. Increase access to care and treatment;

20 5. Provide sufficient community-based and home services to
21 provide consumers with care setting options;

22 6. Ensure quality of care in all care settings via the use of
23 evidence-based best practices, appropriate clinical outcomes and
24 timely care; and

1 7. Ensure that crisis care, hospitalizations and
2 institutionalizations, when necessary, is available to meet demand
3 now and in the future.

4 D. On or before January 31, 2022, the Council shall meet for
5 the first time and hold, at minimum, a regular monthly meeting until
6 the completion of the mental health and substance abuse services
7 strategic plan.

8 E. On or before June 30, 2022, the Council shall complete the
9 strategic plan. The strategic plan shall be active from July 1,
10 2022 to June 30, 2027. The Council shall submit the strategic plan
11 to the President Pro Tempore of the Senate, the Speaker of the House
12 of Representatives, the Legislative Office of Fiscal Transparency
13 and the Governor, and make the strategic plan available to the
14 public through each member agency website.

15 F. The strategic plan is not intended to serve as an omnibus
16 budget request. The strategic plan is intended to identify
17 budgetary efficiencies and create a more accountable, transparent
18 and coordinated budget request for mental health and substance abuse
19 services.

20 G. The meetings of the Council shall be subject to the Oklahoma
21 Open Meeting Act.

22 H. Members of the Council shall not receive compensation nor
23 reimbursement for any expenses incurred in performing the duties
24 associated with the development of the five-year comprehensive

1 statewide mental health and substance abuse services strategic plan;
2 however, legislative members shall be reimbursed for necessary
3 travel expenses incurred in the performance of duties in accordance
4 with the provisions of Section 456 of Title 74 of the Oklahoma
5 Statutes.

6 I. Staffing for the Council shall be provided by the Department
7 of Mental Health and Substance Abuse Services.

8 SECTION 3. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 34.206 of Title 62, unless there
10 is created a duplication in numbering, reads as follows:

11 A. State agencies that provide, contract for or otherwise fund
12 mental health and substance abuse services shall align annual agency
13 budgets and estimates of funds needed for mental health and
14 substance abuse services with the plan developed by the Mental
15 Health and Substance Abuse Services Strategic Planning Council.

16 B. The Council shall convene quarterly meetings during the
17 implementation of the five-year strategic plan to monitor progress,
18 review outcomes and compile progress reports from individual
19 agencies that provide mental health and substance abuse services to
20 prepare for the unified progress report.

21 C. On or before June 30th of each year during the strategic
22 plan period state agencies that provide, contract for or otherwise
23 fund mental health and substance abuse services shall provide a
24 unified progress report to the President Pro Tempore of the Senate,

1 the Speaker of the House of Representatives, the Legislative Office
2 of Fiscal Transparency and the Governor, and make the progress
3 report available to the public through each member agency website.

4 D. The unified progress report shall include updates on all
5 state agencies that provide, contract for or otherwise fund mental
6 health and substance abuse services, their program goals,
7 measurements, outcomes, budget information and population
8 information in one document. Additionally, the unified progress
9 report shall include changes in the number of private service
10 providers for mental health and substance abuse services and provide
11 updated recommendations on service need to ensure the public need
12 for mental health and substance abuse services is met.

13 SECTION 4. This act shall become effective July 1, 2021.

14 SECTION 5. It being immediately necessary for the preservation
15 of the public peace, health or safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

18 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
19 March 3, 2021 - DO PASS
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