

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 534

6 By: Griffin

7 COMMITTEE SUBSTITUTE

8 An Act relating to the Oklahoma Commission on
9 Children and Youth; amending 63 O.S. 2011, Section 1-
10 316a, which relates to heirloom birth certificates;
11 clarifying use of certain proceeds; creating certain
12 revolving fund; exempting fund from fiscal
13 limitations; providing for expenditures; providing
14 for administration of fund; stating purpose; stating
15 contents of fund; prohibiting certain uses and
16 transfers of money; providing for certain transfers;
17 providing establishment of fees; amending Section 1-
18 9-104, which relates to allocation of certain monies;
19 deleting certain formula for disbursement; directing
20 the Department of Human Services to contract with
21 certain entities on a certain basis; providing
22 standards for rules; requiring certification of
23 certain information after certain date; deleting
24 carryover provisions; permitting certain agencies to
receive certain costs; clarifying language; providing
for codification; providing an effective date; and
declaring an emergency.

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-316a, is
amended to read as follows:

Section 1-316a. A. The State Department of Health shall
provide for the issuance of an heirloom birth certificate. The

1 Department shall design the form of the heirloom birth certificate
2 with the advice and assistance of the Oklahoma Arts Council and may
3 promote and sell copies of the certificate. An heirloom birth
4 certificate shall not be used as evidence of live birth nor
5 identification purposes.

6 B. The Department shall prescribe a fee for the issuance of an
7 heirloom birth certificate in an amount that does not exceed Thirty-
8 five Dollars (\$35.00).

9 C. Proceeds from the sale of heirloom birth certificates shall
10 be used by ~~the Child Abuse Training and Coordination Program within~~
11 ~~the State Department of Health to provide training and technical~~
12 ~~assistance to judges, prosecutors, and members of multidisciplinary~~
13 ~~child abuse teams who intervene in circumstances of child abuse.~~

14 SECTION 2. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-9-103a of Title 10A, unless
16 there is created a duplication in numbering, reads as follows:

17 There is hereby created in the State Treasury a revolving fund
18 for the Oklahoma Commission on Children and Youth to be designated
19 the "Child Abuse Multidisciplinary Team Account (CAMTA) Fund". The
20 account shall be a continuing fund, not subject to fiscal year
21 limitations, and shall consist of all monies received by the
22 Commission from any source. All monies accruing to the credit of
23 the fund are hereby appropriated and shall be budgeted and expended
24 by the Commission for the purposes of contracting with eligible

1 multidisciplinary child abuse teams. Expenditures from the fund
2 shall be made upon warrants issued by the State Treasurer against
3 claims filed as prescribed by law with the Director of the Office of
4 Management and Enterprise Services for approval and payment.

5 SECTION 3. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 1-9-103b of Title 10A, unless
7 there is created a duplication in numbering, reads as follows:

8 A. The Child Abuse Multidisciplinary Team Account (CAMTA) Fund
9 shall be administered by the Oklahoma Commission on Children and
10 Youth for the benefit of children of Oklahoma and made available to
11 eligible coordinated multidisciplinary child abuse teams.

12 B. 1. The Fund shall consist of:

13 a. all monies received by the Commission from state
14 appropriations made for the purposes of contracting
15 with eligible multidisciplinary child abuse teams,

16 b. interest attributable to investment of money in the
17 Fund, and

18 c. money received by the Commission in the form of gifts,
19 grants, reimbursements or from any other source
20 intended to be used for the purposes of contracting
21 with eligible multidisciplinary child abuse teams.

22 2. The monies deposited in the Fund shall at no time become
23 monies of the state and shall not become part of the general budget
24 of the Commission or any other state agency. Except as otherwise

1 authorized by this section, no monies from the Fund shall be
2 transferred for any purpose to any other state agency or any account
3 of the Commission or be used for the purpose of contracting with any
4 other state agency or reimbursing any other state agency for any
5 expense.

6 SECTION 4. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1-9-104a of Title 10A, unless
8 there is created a duplication in numbering, reads as follows:

9 The Oklahoma Commission on Children and Youth shall establish
10 reasonable fees for services provided under contracts authorized by
11 this act.

12 SECTION 5. AMENDATORY 10A O.S. 2011, Section 1-9-104, is
13 amended to read as follows:

14 Section 1-9-104. A. The Department of Human Services shall
15 ~~allocate~~ expend monies available in the Child Abuse
16 Multidisciplinary Account (CAMA) on performance-based contracts to:

17 ~~1. One functioning freestanding multidisciplinary child abuse~~
18 ~~team per county, as provided in Section 1-9-102 of this title;~~

19 ~~2. One hospital team pursuant to subsection E of Section 1-9-~~
20 ~~102 of this title; and~~

21 ~~3. One child advocacy center, accredited by the National~~
22 ~~Children's Alliance, per district attorney's district. A child~~
23 ~~advocacy center shall:~~

24

1 ~~a. be eligible for Child Abuse Multidisciplinary Account~~
2 ~~(CAMA) funding upon accreditation by the National~~
3 ~~Children's Alliance,~~

4 ~~b. secure a third-year interim review to determine~~
5 ~~whether the child advocacy center continues to meet~~
6 ~~the National Children's Alliance standards in effect~~
7 ~~at the time of its last accreditation. If a child~~
8 ~~advocacy center fails the third-year review, the~~
9 ~~center shall remain eligible for CAMA funding, but~~
10 ~~shall have another review conducted in the fourth~~
11 ~~year. If the child advocacy center fails the fourth-~~
12 ~~year review, the center shall be ineligible to receive~~
13 ~~CAMA funding until such time as the center receives~~
14 ~~reaccreditation from the National Children's Alliance,~~
15 ~~and~~

16 ~~c. remain the center for the district attorney's district~~
17 ~~as long as the center is accredited and eligibility is~~
18 ~~maintained pursuant to the provisions of Section 1-9-~~
19 ~~102 of this title. If a center does not remain~~
20 ~~eligible pursuant to the provisions of Section 1-9-102~~
21 ~~of this title, endorsement by the district attorney as~~
22 ~~the child advocacy center for the district may be~~
23 ~~sought by any entity beginning with the calendar year~~
24 ~~after the center is determined to be ineligible. The~~

1 ~~two centers in district number (4) and district number~~
2 ~~(13) that were accredited as of the effective date of~~
3 ~~this act shall continue to receive funding at the~~
4 ~~nonurban level. Should one of the exempted centers~~
5 ~~close or no longer meet the criteria for a child~~
6 ~~advocacy center pursuant to the provisions of Section~~
7 ~~1-9-102 of this title, the center shall not be allowed~~
8 ~~to reopen in that district or to receive CAMA funds.~~
9 ~~The remaining center shall become the sole child~~
10 ~~advocacy center for the district attorney's district.~~

11 B. ~~Funding distribution pursuant to the provisions of this~~
12 ~~section shall be determined:~~

13 1. ~~By multiplying the number of applicants in each category by~~
14 ~~the corresponding weight as follows:~~

15 a. ~~freestanding multidisciplinary child abuse team - 1,~~

16 b. ~~hospital team - 1,~~

17 c. ~~nonurban centers - 4,~~

18 d. ~~mid-level nonurban centers - 6, and~~

19 e. ~~urban centers - 24;~~

20 2. ~~Adding together the weighted results for all categories;~~

21 3. ~~Dividing the weighted result for each category by the sum of~~
22 ~~the weighted results for all categories; and~~

23 4. ~~Equally distributing funding to each applicant in the~~
24 ~~corresponding category based on the amounts obtained by multiplying~~

1 ~~the total available funding by the calculated percentages~~ nationally
2 accredited child advocacy centers.

3 C. ~~1. Pursuant to the provisions of Section 1-9-103 of this~~
4 ~~title, by~~ By January 31, ~~2003~~ 2016, and by January 31 of each year
5 thereafter, the Department shall ~~disburse monies from the Child~~
6 ~~Abuse Multidisciplinary Account to eligible~~ establish performance-
7 based contracts with multidisciplinary child abuse teams ~~and to~~
8 ~~eligible child advocacy centers. A child advocacy center shall be~~
9 ~~in compliance with the provisions of Section 1-9-102 of this title~~
10 ~~to be eligible for Child Abuse Multidisciplinary Account funding.~~
11 ~~The disbursement shall be a single, annual disbursement, for the~~
12 ~~collection period of the preceding year beginning October 1 through~~
13 ~~September 30.~~

14 D. Standards and rules established as performance measures
15 shall be developed and agreed upon by the Commission, the Department
16 of Human Services, and a statewide organization representing child
17 advocacy centers by October 1, 2015, and shall be reviewed annually
18 thereafter. The Commission, the Department of Human Services, and a
19 statewide organization representing child advocacy centers shall
20 establish guidelines for the enforcement of performance measures and
21 development of rules with respect to the appeals process for
22 multidisciplinary teams.

23 ~~2. The Department, the Child Abuse Training and Coordinating~~
24 ~~Council~~ Commission, and the Children's Advocacy Centers of Oklahoma,

1 Inc., shall meet annually, after ~~September 30, 2002~~ July 30, 2015,
2 to review and certify the amount of CAMA ~~funds~~ and CAMTA Funds to be
3 disbursed.

4 ~~D. A team or center may carry over funding for a period of one~~
5 ~~(1) year after allocation, such one-year period to begin in January~~
6 ~~and end in December of the same year; provided, however, funds not~~
7 ~~used within twenty-four (24) months of the original allocation will~~
8 ~~be deducted from the contract amount for the next contract year. If~~
9 ~~a team or center is ineligible for funding in an upcoming year,~~
10 ~~unused funds from the current or previous years shall be returned to~~
11 ~~the CAMA account for use in subsequent years.~~

12 E. The ~~Department of Human Services Commission~~ is hereby
13 authorized to receive one-half of one percent (0.5%) in
14 administrative costs from the ~~CAMA~~ CAMTA account. The Department of
15 Human Services is hereby authorized to receive one-half of one
16 percent (0.5%) in administrative costs from the CAMA account.

17 SECTION 6. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1-9-104b of Title 10A, unless
19 there is created a duplication in numbering, reads as follows:

20 The Oklahoma Commission on Children and Youth and the Department
21 of Human Services shall promulgate rules to implement the provisions
22 of this act.

23 SECTION 7. This act shall become effective July 1, 2015.

24

1 SECTION 8. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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