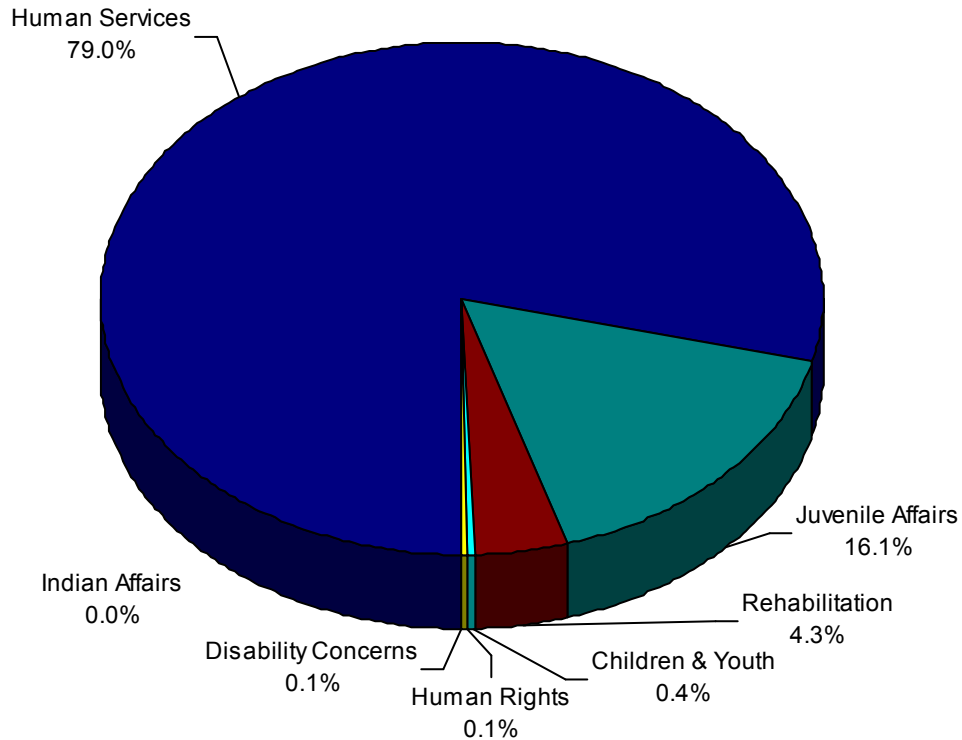


# Human Services Subcommittee

## Distribution of FY-10 Appropriations



Department of Human Services	\$549,712,113
Juvenile Affairs	112,388,578
Rehabilitation Services	30,453,770
Children and Youth	2,480,232
Human Rights	664,061
Disability Concerns	392,769
Indian Affairs	<u>240,373</u>
<b>Committee Total</b>	<b>\$696,331,896</b>

Excludes supplemental appropriations, reappropriations, and Rainy Day spillover transfers.  
Includes capital and one-time expenditures.

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# OKLAHOMA COMMISSION ON CHILDREN AND YOUTH

Lisa Smith, Director

Agency #127

## FY-10 Appropriations Adjustments

	<u>Funding</u>	<u>FTE</u>
<b>FY-09 Appropriation and FTE Authorization</b>	<b>\$2,608,473</b>	<b>33.5</b>
FY-10 Funding Adjustments:		
a. Budget Cut (4.9%)	-\$128,241	0.0
Total Adjustments	(128,241)	0.0
<b>FY-10 Appropriation and FTE Authorization</b>	<b>\$2,480,232</b>	<b>33.5</b>
<b>Percent Change from FY-09</b>	<b>-4.9%</b>	<b>0.0%</b>

## II. FY-09 Appropriations Adjustments Detail

- a. The Oklahoma Commission on Children and Youth (OCCY) in FY-10 received a budget cut of \$128,241 or a decrease of 4.9% from its FY-09 appropriation level.

## III. Policy Issues

**HB 1734** affects the Office of Juvenile System Oversight (OJSO) by moving the certification process of two Department of Human Services (DHS) state operated shelters from DHS to OJSO and by affecting changes in the child protective system monitored by OJSO.

**HB 2032** provides OJSO with discretion on conducting state operated visits between annually and semiannually, strengthens oversight regarding interviewing residents at facilities and adds a systemic provision for the oversight of private facilities.

**SB 659** allows current Post-Adjudication Advisory Review Board members to attend board reviews to assist in training members, allows the Director of OCCY to designate a temporary local PARB and provides civil immunity for PARB members acting when performing their duties.

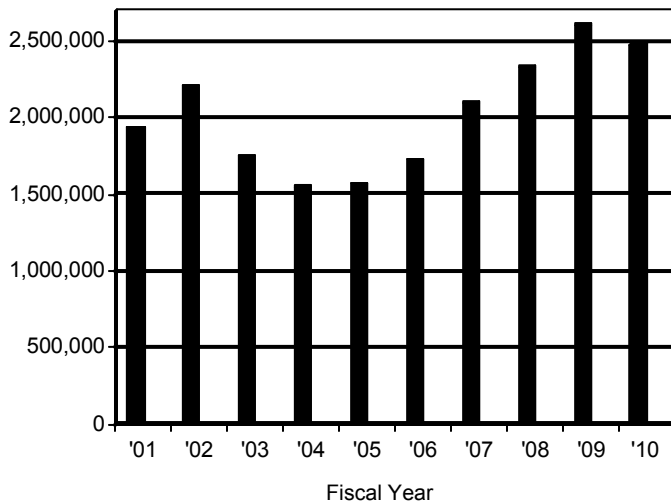
#### IV. Budget Resources

	<u>FY-09</u>	<u>FY-10</u>	<u>% Change</u>
General Revenue Fund	\$2,608,473	\$2,480,232	-4.9%
Carryover	337,585	351,218	4.0%
Revolving Funds	135,000	247,723	83.5%
Federal Funds	936,359	717,495	-23.4%
<b>Total</b>	<b>\$4,017,417</b>	<b>\$3,796,668</b>	<b>-5.5%</b>

#### V. Budget References

SB 216, Section 74; SB 125, Sections 1 through 5

#### VI. Ten Year Appropriation History



FY-01	\$1,940,308	FY-06	\$1,725,018
FY-02	\$2,209,406	FY-07	\$2,101,609
FY-03	\$1,751,885	FY-08	\$2,334,473
FY-04	\$1,550,000	FY-09	\$2,608,473
FY-05	\$1,569,789	FY-10	\$2,480,232

# OFFICE OF DISABILITY CONCERNS

Steve Stokes, Director

Agency #326

## I. FY-10 Appropriations Adjustments

	<u>Funding</u>	<u>FTE</u>
<b>FY-09 Appropriation and FTE Authorization</b>	<b>\$412,769</b>	<b>8.0</b>
FY-10 Funding Adjustments:		
a. Budget Cut (4.8%)	<u>-\$20,000</u>	
Total Adjustments	(20,000)	0.0
<b>FY-10 Appropriation and FTE Authorization</b>	<b>\$392,769</b>	<b>8.0</b>
<b>Percent Change from FY-09</b>	<b>-4.8%</b>	<b>0.0%</b>

## II. FY-09 Appropriations Adjustments Detail

- a. The Office of Disability Concerns in FY-10 received a budget cut of \$20,000 or a decrease of 4.8% from its FY-09 appropriation level.

## III. Policy Issues

None

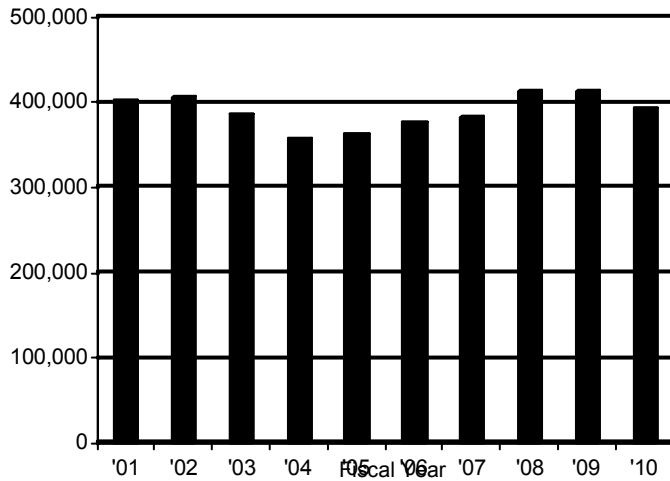
## IV. Budget Resources

	<u>FY-09</u>	<u>FY-10</u>	<u>% Change</u>
General Revenue Fund	\$412,769	\$392,769	5.1%
Carryover (Federal)	2,602		NA
Federal Funds	135,000	140,000	3.7%
<b>Total</b>	<b>\$550,371</b>	<b>\$532,769</b>	<b>3.3%</b>

## V. Budget References

SB 216, Section 75; SB 127, Sections 1 through 5

## VI. Ten Year Appropriation History



FY-01	\$402,233	FY-06	\$376,944
FY-02	\$406,608	FY-07	\$381,813
FY-03	\$386,278	FY-08	\$412,769
FY-04	\$356,000	FY-09	\$412,769
FY-05	\$362,128	FY-10	\$392,769

# Human Rights Commission

Ken Kendricks, Director

Agency # 355

## I. FY-10 Appropriations Adjustments

	<u>Funding</u>	<u>FTE</u>
<b>FY-09 Appropriation and FTE Authorization</b>	<b>\$710,226</b>	<b>28.0</b>
FY-10 Funding Adjustments:		
a. Budget Cut (6.5%)	<u>-\$46,165</u>	
Total Adjustments	(46,165)	0.0
<b>FY -10 Appropriation and FTE Authorization</b>	<b>\$664,061</b>	<b>28.0</b>
<b>Percent Change from FY-09</b>	<b>-6.5%</b>	<b>0.0%</b>

## II. FY-09 Appropriations Adjustments Detail

- a. FY-10 appropriations reduced by 6.5 percent reflecting overall decreases in available state funds

## III. Policy Issues

None

## IV. Budget Resources

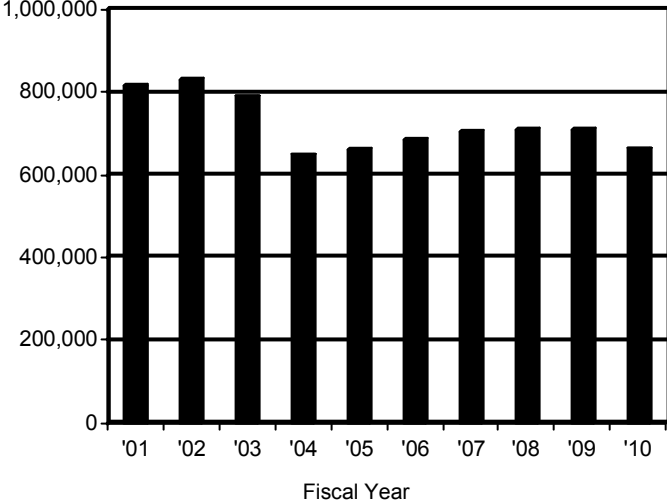
	<u>FY-09</u>	<u>FY-10</u>	<u>% Change</u>
General Revenue Fund	\$710,226	\$664,061	-6.5%
Carryover (State)	6,037	5,000	-17.2%
Federal Funds	315,000	315,000	0.0%
Carryover (Federal)	<u>280,000</u>	<u>365,000</u>	30.4%
<b>Total</b>	<b>\$1,311,263</b>	<b>\$1,349,061</b>	<b>2.9%</b>

\*Represents original budget passed during regular session for FY-10.

### V. Budget References

SB 216, Section 76; SB 133, Sections 1 through 5

### VI. Ten Year Appropriation History



FY-01	\$816,753	FY-06	\$686,563
FY-02	\$831,973	FY-07	\$704,310
FY-03	\$790,374	FY-08	\$710,226
FY-04	\$650,000	FY-09	\$710,226
FY-05	\$662,762	FY-10	\$664,061

\*Represents original budget passed during regular session for FY-10.

# Department of Human Services

Howard Hendrick, Director

Agency #830

## I. FY-10 Appropriations Adjustments

	<u>Funding</u>	<u>FTE</u>
<b>FY-09 Appropriation and FTE Authorization</b>	<b>\$559,107,190</b>	<b>7,919.0</b>
FY-10 Funding Adjustments:		
a. Budget Cut	-80,750,717	
b. Child Welfare	1,000,000	
c. Available 2009 ARRA Funds	<u>71,355,640</u>	
Total Adjustments	(8,395,077)	0.0
<b>FY-10 Appropriation and FTE Authorization</b>	<b>\$550,712,113</b>	<b>7,919.0</b>
<b>Percent Change from FY-09</b>	<b>-1.5%</b>	<b>0.0%</b>

## II. FY-10 Appropriations Adjustments Detail

- a. FY-10 appropriations reduced by 1.5 percent reflecting overall decreases in available state funds.
- b. Funding is provided to augment its child welfare program.
- c. Represents American Recovery and Reinvestment Act (ARRA) funds that Department of Human Services (DHS) is authorized to apply related to the FY-10 agency budget. Section 10 of **HB 1216** specifically states that only the available Federal Medical Assistance Percentage funds (FMAP) portion of the stimulus funds will be used by the agency in its the FY-10 budget.

\*Represents original budget passed during regular session for FY-10.

### III. Policy Issues

**HB 1216** contains several important policy issues including:

- Section 4 directs \$194,000 be used to administer the agency's autism program as required in SB 135.
- Section 5 directs \$300,000 be used for the one-time reconstruction of a swimming pool and roof at the Northern Oklahoma Resource Center (NORCE) in Enid.
- Section 6 directs \$1,150,000 be used to administer certain recommendations in the House of Representatives performance audit report of the agency. Specifically, funds are to be expended to establish a new statewide child abuse hotline, create medical Passport Program for foster children, and to update the child safety assessment program.
- Section 7 prohibits DHS from proceeding with the Mosaic IT Project beyond the initial planning phase without the passage of a legislative resolution authorizing continuance of the project.
- Section 8 prohibits the agency from expending more than the FY-09 amount for online training classes of the developmentally disabled direct support staff.
- Section 9 states the legislative intent that the Commission for Human Services continue to fund in its entirety the Advantage Waiver Program within the Aging Services Division in FY-10 with all the state, federal, and other existing financial resources available to the Commission

**HB 1138** expands the definition of child endangerment in Title 21 to include permitting a child to ride in a vehicle when the parent or guardian has knowledge or a reasonable belief that the driver is impaired by alcohol or another substance or when the parent or guardian drives under the influence with the child in the vehicle.

**HB 1734** based on the House performance audit recommendations, seeks to reduce the number of children in state custody, strengthen families in crisis or need of services, improve cooperation between parties involved in child welfare issues, assist foster families and to align resources, responsibility, and accountability more efficiently.

**HB 1738** requires all health care professionals to provide, upon request, copies of the results of exams in alleged child abuse and neglect cases to law enforcement conducting criminal investigations and to employees of DHS conducting assessments or investigations of alleged abuse or neglect.

**HB 1739** provides that in custody disputes of a minor child determination by the court that domestic violence, stalking or harassment has occurred raises a rebuttable presumption that it is not in the best interest of the child to reside with the perpetrator. The legislation provides for safety measures to be in place in any visitation orders, provides that a parent who, in good faith and with a reasonable belief supported by fact, determines that the child is a victim of child abuse or suffers from the effects of domestic violence may take necessary actions to protect the child, including refusing to permit visitation. The measure further provides for a suspension of visitation when there is evidence to substantiate abuse or neglect.

**HB 1742** amends the Oklahoma Child Care Facilities Licensing Act into three separate and distinct areas covering child care licensing, residential program licensing and child placing agency regulations to provide for clear and consistent requirements. The measure exempts hospitals and psychiatric treatment facilities from background check requirements, as background checks are already required on employees as part of their hospital licensure by national accreditation organizations. The act also modifies background checks for persons employed by child care facilities by directing the facility to submit to DHS a criminal history search, documentation of records searched in the Oklahoma child care worker registry and a request for the agency to search the Oklahoma Supreme Court Network (OSCN).

**HB 1893** enables the Aging Services Division to establish an Aging and Disability Resource Consortium (ADRC), which provides a single point of entry for the elderly, persons with disabilities and their caregivers into the service delivery system. Broad enabling language sends a clear message to the federal government that the state fully supports the implementation of a single point of entry system. The Aging Services Division is working towards establishing such a system, seeking federal grants to fund the Consortium.

**HB 2028** recodifies statutes related to child welfare by incorporating the recommendations of the Oklahoma Children and Juvenile Law Reform Committee, charged with restructuring Title 10 of the Oklahoma statutes to reconcile conflicting sections, eliminate duplications, delete obsolete language, reorder into chronological sequences and simplify numbering. The measure further clarifies definitions, court proceedings, time frames, jurisdiction issues, medical and behavioral health references and updates state agency references.

**HB 2030** creates a Silver Alert system (similar to the existing Amber Alert system) for missing vulnerable adults to be implemented in cooperation with the Department of Transportation, DHS, local law enforcement agencies, the Oklahoma Association of Broadcasters and other state or local agencies. The Commissioner of Public Safety is designated as the statewide coordinator and is in charge with the adopting of rules and to issue directives to ensure proper implementation of the alert.

**HB 2032** expands the duties of the Office of Juvenile System Oversight within the Oklahoma Commission on Children and Youth (OCCY) to monitor agencies providing the children and youth services to include those not licensed by DHS. The act eliminates duplication in investigating and monitoring duties among agencies.

**SB 135** relates to the Developmental Disabilities Services Division (DDSD), provides licensing requirements for Board Certified Behavior Analyst (BCBA) and Board Certified Assistant Behavior Analyst based on the National Behavior Analyst Certification Board criteria. The measure establishes DDSD as the licensing authority for BCBA providers and directs DDSD to serve as the authority in determining the qualifying field of study requirements for licensure candidates, set a license renewal fee, investigate complaints and promulgate rules.

**SB 292** eliminates the paper voucher system for baby products while the mother receives Temporary Assistance for Needy Families (TANF) and returns to an increased electronic incremental cash benefit. Receipt of TANF is time limited to five years, regardless of the number of children added to the TANF benefit.

**SB 337** authorizes the agency to sell the Laura Dester Shelter in Tulsa and requires the shelter be consistent with the Pearl District neighborhood revitalization plan and the Sixth Street Infill Plan as adopted by the Tulsa City Council in 2006.

**SB 339** brings the state into compliance with the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 requiring states to improve practices that promote educational stability, joint sibling placements, increased kinship placements and assistance for youth transitioning to adulthood.

**SB 478** requires child care facilities to carry insurance covering injury to a child due to negligence. An insurance verification form is to be available for review by child care licensing officials. The act removes requirement that parents be notified when a facility is uninsured and instead requires posting a notice of no insurance and notification when coverage lapses. The measure also removes lack of insurance as grounds for child care license suspension or revocation and specifies which child care facilities are subject to the posting requirement.

**SB 794** directs the publishing of adoption statistics, to include statistics on adoption dissolutions, including the average number of months between the finalization of the adoptions and the effective date of dissolution. "Adoption dissolution" is defined as those adoptions that dissolve after the adoption is finalized and prior to the time the child reaches 18 years of age.

**SB 796** limits site restrictions of transitional living facilities relating to the proximity to schools or residential neighborhood to those housing sex offenders or persons convicted of a capital offense, provides that prior to the location of any such facility the operator is required to obtain permission from a municipality and requires notification be made to each elected official with jurisdiction over the location not less than 30 days prior to any public hearing.

#### **IV. Budget Resources**

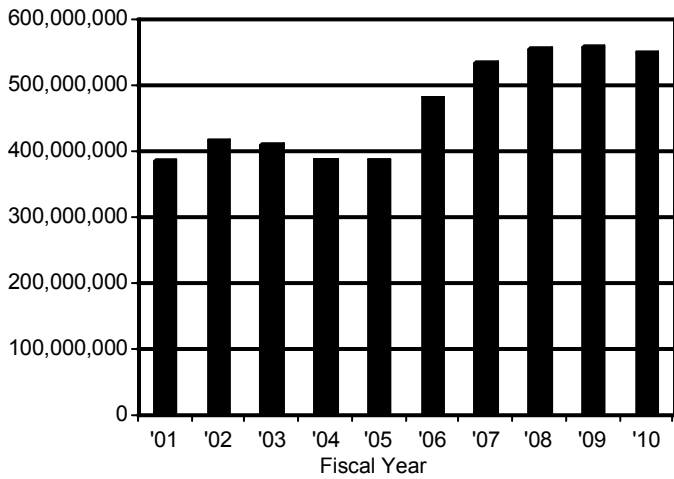
	<b><u>FY-09</u></b>	<b><u>FY-10</u></b>	<b><u>% Change</u></b>
General Revenue Fund	\$529,107,190	\$419,356,473	-20.7%
Special Cash Fund	20,000,000	60,000,000	200.0%
Tobacco Settlement Fund	10,000,000	-	NA
ARRA Enhanced FMAP	-	71,355,640.00	NA
Carryover (State)	52,119,609	56,707,365	8.8%
Federal Funds	1,162,073,047	1,453,786,418	25.1%
<b>Total</b>	<b>\$1,773,299,846</b>	<b>\$2,061,205,896</b>	<b>16.2%</b>

\*Represents original budget passed during regular session for FY-10.

## V. Budget References

SB 216, Section 77-89; HB 1216, Sections 1 through 18

## VI. Ten Year Appropriation History



FY-01	\$386,227,781	FY-06	\$481,991,177
FY-02	\$416,396,819	FY-07	\$535,797,324
FY-03	\$410,923,039	FY-08	\$557,107,190
FY-04	\$387,923,039	FY-09	\$559,107,190
FY-05	\$387,455,619	FY-10	\$550,712,113

\*Represents original budget passed during regular session for FY-10.

# Indian Affairs Commission

Barbara Warner, Director

Agency # 360

## I. FY-10 Appropriations Adjustments

	<u>Funding</u>	<u>FTE</u>
<b>FY-09 Appropriation and FTE Authorization</b>	<b>\$258,466</b>	<b>6.0</b>
FY-10 Funding Adjustments:		
a. Budget Cut (7.0%)	<u>-\$18,093</u>	
Total Adjustments	(18,093)	0.0
<b>FY-10 Appropriation and FTE Authorization</b>	<b>\$240,373</b>	<b>6.0</b>
<b>Percent Change from FY-09</b>	<b>-7.0%</b>	<b>0.0%</b>

## II. FY-10 Appropriations Adjustments Detail

- a. FY-10 appropriations reduced by 7 percent reflecting overall decreases in available state funds.

## III. Policy Issues

None

## IV. Budget Resources

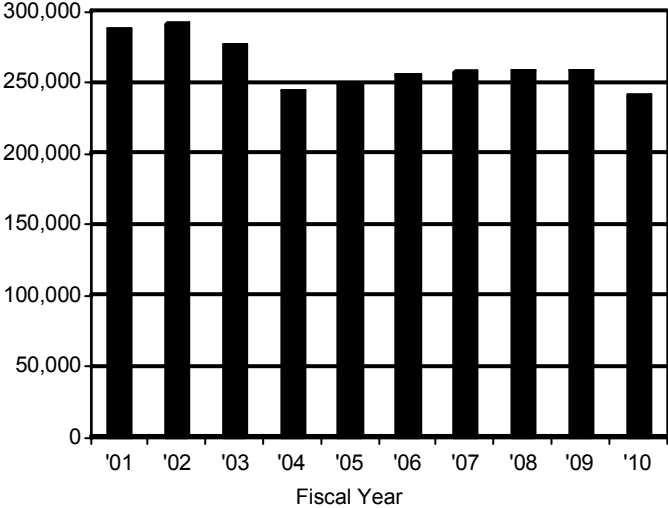
	<u>FY-09</u>	<u>FY-10</u>	<u>% Change</u>
General Revenue Fund	\$258,466	\$240,373	-7.0%
Carryover	76,350	50,000	-34.5%
<b>Total</b>	<b>\$334,816</b>	<b>\$290,373</b>	<b>-13.3%</b>

## V. Budget References

SB 216, Section 81; SB 137, Sections 1 through 6

\*Represents original budget passed during regular session for FY-10.

## VI. Ten Year Appropriation History



FY-01	\$287,843	FY-06	\$55,530
FY-02	\$291,247	FY-07	\$257,732
FY-03	\$276,685	FY-08	\$258,466
FY-04	\$244,000	FY-09	\$258,466
FY-05	\$248,942	FY-10	\$240,373

\*Represents original budget passed during regular session for FY-10.

# Office of Juvenile Affairs

Gene Christian, Executive Director

Agency # 400

## I. FY-10 Appropriations Adjustments

	<u>Funding</u>	<u>FTE</u>
<b>FY-09 Appropriation and FTE Authorization</b>	<b>\$112,254,258</b>	<b>1,055.0</b>
FY-10 Funding Adjustments:		
a. Budget Cut	-4,030,029	
b. Tulsa County Juvenile Justice Center	1,000,000	
c. Level E Detention Center	500,000	
d. General Operations	1,965,680	
e. Available 2009 ARRA Funds	<u>698,669</u>	
Total Adjustments	134,320	0.0
<b>FY-10 Appropriation and FTE Authorization</b>	<b>\$112,388,578</b>	<b>1,055.0</b>
<b>Percent Change from FY-09</b>	<b>0.1%</b>	<b>0.0%</b>

## II. FY-09 Appropriations Adjustments Detail

- a. FY-10 appropriations reduced by 0.1 percent reflecting overall decreases in available state funds.
- b. Funding is provided for the construction of a new Tulsa County Juvenile Justice Center expected to have a total cost \$56 million.
- c. Appropriation is made allowing a school building in Butler to be converted for use of a 14-bed Level E detention center.
- d. Funding is provided for operational increases within the agency.
- e. Represents the American Recovery and Reinvestment Act (ARRA) funds that OJA is authorized to apply related to the FY-10 agency budget.

\*Represents original budget passed during regular session for FY-10.

### III. Policy Issues

**HB 1676** transfers the Criminal Justice Resource Center to Oklahoma State Bureau of Investigation (OSBI) and the Attorney General's office.

**HB 2028** recodifies statutes related to child welfare by incorporating the recommendations of the Oklahoma Children and Juvenile Law Reform Committee, charged with restructuring of Title 10 of the Oklahoma Statutes to reconcile conflicting sections, eliminate duplications, delete obsolete language, reorder into chronological sequences and to simplify numbering. The measure further clarifies definitions, court proceedings, time frames, jurisdiction issues, medical and behavioral health references and updates state agency references.

**HB 2029** recodifies statutes related to juvenile delinquency by incorporating the recommendations of the Oklahoma Children and Juvenile Law Reform Committee, charged with restructuring of Title 10 of the Oklahoma Statutes to reconcile conflicting sections, eliminate duplications, delete obsolete language, reorder into chronological sequences and to simplify numbering of the Oklahoma Children's Code.

**HB 2032** eliminates duplication in investigation and monitoring duties among agencies by directing one and two periodic unannounced inspections of state-operated children's institutions and facilities. The act also allows interviews, subpoenas, public hearings and mediation programs for and of residents of children and youth facilities.

**SB 270** modifies the conditions under which a pre-sentenced Youthful Offender is to be held in the custody of the Office of Juvenile Affairs (OJA). Youthful Offender custody procedures are clarified. Specifically, the language regarding the return of an 18-year-old Youthful Offender to sentencing court is clarified.

**SB 339** requires each foster child in OJA custody to be enrolled and provided an education.

**SB 411** authorizes an OJA to serve on the Domestic Violence Fatality Review Board.

**SB 595** is the Juvenile Justice Public Works Act requiring the licensing of secure facilities and creating penalties associated with contraband in the secure facilities. The agency is required to implement the provisions of the Act, to implement guidelines on selection, assignment, duties, civil rights, employee consideration, Workers' Compensation Act exemptions, tort liability exemptions, and maintenance of property. OJA is also required to certify all secure facilities and establish penalties for persons knowingly and willfully bringing tobacco products into a certified facility.

**SB 659** clarifies Postadjudication Review Board procedures and creates a rebuttable presumption that a person participating in a judicial proceeding of a Board is acting in good faith and is immune from civil liability. The measure allows non-Board Members to attend hearings and for the appointment of alternate Board.

**SB 730** provides an exception for placing convicted felons, delinquent children or Youthful Offenders otherwise prohibited from being in the presence of firearms, to be placed in a home with a full-time CLEET certified officer.

**SB 789** prohibits false statements during investigations, creating a misdemeanor for persons who knowingly make a false statement in a state internal agency investigation. The measure specifies that a false statement must be a materially false and persons being interviewed must be informed prior to commencement of the interview that providing a false statement will result in a criminal prosecution.

**SB 110** is Juli's Law requiring individuals found guilty of certain offenses to submit to DNA testing for inclusion in the OSBI Combined DNA Index System Database.

#### IV. Budget Resources

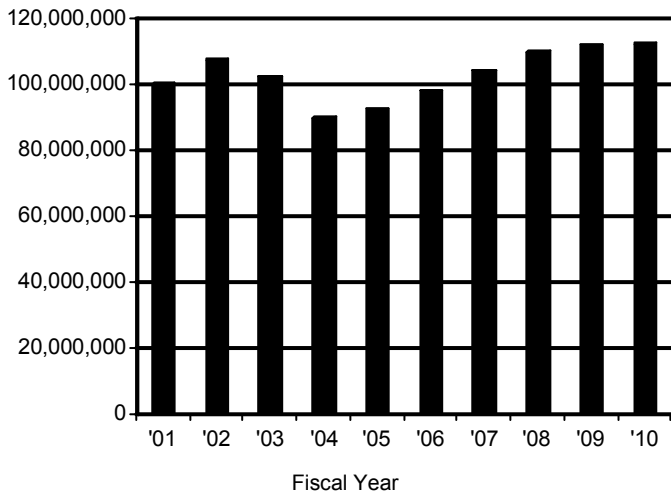
	<u>FY-09</u>	<u>FY-10</u>	<u>% Change</u>
General Revenue Fund	\$112,254,258	\$112,388,578	0.1%
Carryover	1,116,286	898,985	-19.5%
Revolving Funds	1,519,212	2,205,890	45.2%
Federal Funds	8,619,416	12,456,006	44.5%
<b>Total</b>	<b>\$123,509,172</b>	<b>\$127,949,459</b>	<b>3.6%</b>

\*Represents original budget passed during regular session for FY-10.

## V. Budget References

SB 216, Section 82-83; HB 1220, Sections 1 through 9

## VI. Ten Year Appropriation History



FY-01	\$100,422,925	FY-06	\$98,323,348
FY-02	\$107,466,872	FY-07	\$104,219,585
FY-03	\$102,368,528	FY-08	\$110,060,812
FY-04	\$90,000,000	FY-09	\$112,254,258
FY-05	\$92,858,160	FY-10	\$112,388,578

\*Represents original budget passed during regular session for FY-10.

# Department of Rehabilitation Services

Mike O'Brien, Director

Agency #805

## I. FY-10 Appropriations Adjustments

	<u>Funding</u>	<u>FTE</u>
<b>FY-09 Appropriation and FTE Authorization</b>	<b>\$30,053,770</b>	<b>784.0</b>
FY-10 Funding Adjustments:		
a. One-time Capital Needs	400,000	
Total Adjustments	400,000	0.0
<b>FY-10 Appropriation and FTE Authorization</b>	<b>\$30,453,770</b>	<b>784.0</b>
<b>Percent Change from FY-09</b>	<b>1.3%</b>	<b>0.0%</b>

## II. FY-09 Appropriations Adjustments Detail

- a. FY-10 appropriations reduced by 1.3 percent reflecting overall decreases in available state funds.
- b. Agency appropriation is made for one-time lease-purchase of capital needs at the Oklahoma School for the Blind and the Oklahoma School for the Deaf.

## III. Policy Issues

None

\*Represents original budget passed during regular session for FY-10.

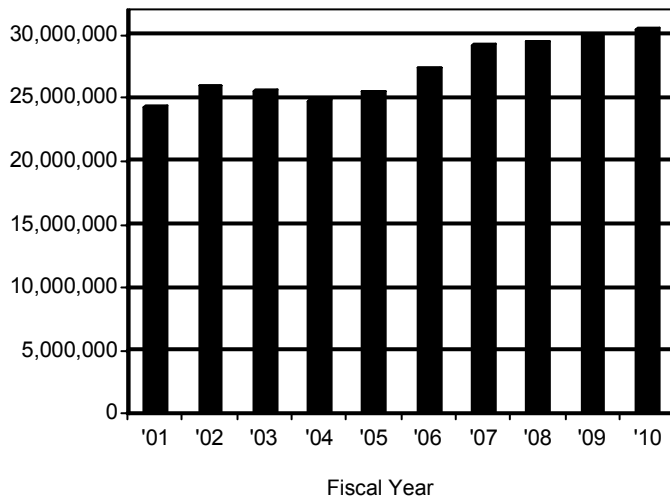
#### IV. Budget Resources

	<u>FY-09</u>	<u>FY-10</u>	<u>% Change</u>
General Revenue Fund	\$30,053,770	\$30,453,770	1.3%
Education Lottery Fund	-	-	NA
Revolving Funds	3,185,400	3,167,100	-0.6%
Carryover (State)	723,668	575,000	-20.5%
Carryover (Federal)	6,000,000	9,000,000	50.0%
Federal Stimulus Funds	-	8,331,874	NA
Federal Funds	99,760,830	104,099,256	4.3%
<b>Total</b>	<b>\$139,723,668</b>	<b>\$155,627,000</b>	<b>11.4%</b>

#### V. Budget References

SB 216, Section 80; HB 1222, Sections 1 through 11

#### VI. Ten Year Appropriation History



FY-01	\$24,283,206	FY-06	\$27,365,925
FY-02	\$25,953,544	FY-07	\$29,213,250
FY-03	\$25,576,817	FY-08	\$29,474,679
FY-04	\$24,750,000	FY-09	\$30,053,770
FY-05	\$25,479,628	FY-10	\$30,453,770

\*Represents original budget passed during regular session for FY-10.