

1 STATE OF OKLAHOMA

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

3 SUBCOMMITTEE RECOMMENDATION
4 FOR ENGROSSED

5 SENATE BILL NO. 534

6 By: Griffin of the Senate

7 and

8 Nelson of the House

9 SUBCOMMITTEE RECOMMENDATION

10 An Act relating to child abuse; amending 63 O.S.
11 2011, Section 1-316a, which relates to heirloom birth
12 certificates; clarifying use of certificate proceeds;
13 creating a revolving fund for the Oklahoma Commission
14 on Children and Youth; naming fund the Child Abuse
15 Multidisciplinary Team Account Fund; exempting fund
16 from fiscal year limitations; providing for
17 expenditures; providing for administration of fund;
18 stating purpose; stating contents of fund;
19 prohibiting specified uses and transfers of money;
20 providing for certain transfers; amending 10A O.S.
21 2011, Section 1-9-104, which relates to allocation of
22 monies in the Child Abuse Multidisciplinary Account;
23 directing Commission to issue multidisciplinary team
24 performance measure report; providing deadline for
transmission of report to Legislature; requiring
annual meeting to certify funds with the Commission
and other listed entities; transferring
administrative fee from Department of Human Services
to the Commission; authorizing administrative fee for
Department; directing Commission and Department to
promulgate rules; providing for codification; and
providing an effective date.

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

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

3 Section 1-316a. A. The State Department of Health shall
4 provide for the issuance of an heirloom birth certificate. The
5 Department shall design the form of the heirloom birth certificate
6 with the advice and assistance of the Oklahoma Arts Council and may
7 promote and sell copies of the certificate. An heirloom birth
8 certificate shall not be used as evidence of live birth nor
9 identification purposes.

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

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

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

21 There is hereby created in the State Treasury a revolving fund
22 for the Oklahoma Commission on Children and Youth to be designated
23 the "Child Abuse Multidisciplinary Team Account (CAMTA) Fund". The
24 fund shall be a continuing fund, not subject to fiscal year

1 limitations, and shall consist of all monies received by the
2 Commission from any source as specified in paragraph 1 of subsection
3 B of Section 3 of this act. All monies accruing to the credit of
4 the fund are hereby appropriated and shall be budgeted and expended
5 by the Commission for the purposes of contracting with eligible
6 freestanding multidisciplinary child abuse teams. Expenditures from
7 the fund shall be made upon warrants issued by the State Treasurer
8 against claims filed as prescribed by law with the Director of the
9 Office of Management and Enterprise Services for approval and
10 payment.

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

14 A. The Child Abuse Multidisciplinary Team Account (CAMTA) Fund
15 shall be administered by the Oklahoma Commission on Children and
16 Youth for the benefit of children of Oklahoma and made available to
17 eligible freestanding multidisciplinary child abuse teams.

18 B. 1. The fund shall consist of:

19 a. all monies received by the Commission from state
20 appropriations made for the purposes of contracting
21 with eligible freestanding multidisciplinary child
22 abuse teams,

23 b. interest attributable to investment of money in the
24 fund, and

1 c. money received by the Commission in the form of gifts,
2 grants, reimbursements or from any other source
3 intended to be used for the purposes of contracting
4 with eligible freestanding multidisciplinary child
5 abuse teams.

6 2. The monies deposited in the fund shall at no time become
7 monies of the state and shall not become part of the general budget
8 of the Commission or any other state agency. Except as otherwise
9 authorized by this section, no monies from the fund shall be
10 transferred for any purpose to any other state agency or any account
11 of the Commission or be used for the purpose of contracting with any
12 other state agency or reimbursing any other state agency for any
13 expense.

14 SECTION 4. AMENDATORY 10A O.S. 2011, Section 1-9-104, is
15 amended to read as follows:

16 Section 1-9-104. A. The Department of Human Services shall
17 allocate monies available in the Child Abuse Multidisciplinary
18 Account (CAMA) to:

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

21 2. One hospital team pursuant to subsection E of Section 1-9-
22 102 of this title; and
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1 3. One child advocacy center, accredited by the National
2 Children's Alliance, per district attorney's district. A child
3 advocacy center shall:

4 a. be eligible for Child Abuse Multidisciplinary Account
5 (CAMA) funding upon accreditation by the National
6 Children's Alliance,

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

19 c. remain the center for the district attorney's district
20 as long as the center is accredited and eligibility is
21 maintained pursuant to the provisions of Section 1-9-
22 102 of this title. If a center does not remain
23 eligible pursuant to the provisions of Section 1-9-102
24 of this title, endorsement by the district attorney as

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

14 B. Funding distribution pursuant to the provisions of this
15 section shall be determined:

16 1. By multiplying the number of applicants in each category by
17 the corresponding weight as follows:

- 18 a. freestanding multidisciplinary child abuse team - 1,
- 19 b. hospital team - 1,
- 20 c. nonurban centers - 4,
- 21 d. mid-level nonurban centers - 6, and
- 22 e. urban centers - 24;

23 2. Adding together the weighted results for all categories;

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1 3. Dividing the weighted result for each category by the sum of
2 the weighted results for all categories; and

3 4. Equally distributing funding to each applicant in the
4 corresponding category based on the amounts obtained by multiplying
5 the total available funding by the calculated percentages.

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

16 ~~2.~~ D. A report issued by the Oklahoma Commission on Children
17 and Youth to the Oklahoma Legislature outlining performance measures
18 for all multidisciplinary teams, including those associated with
19 child advocacy centers, and recommendations on the funding formula
20 provided for in this section shall be transmitted to the Oklahoma
21 Legislature no later than December 31, 2015. The Department, the
22 ~~Child Abuse Training and Coordinating Council~~ Commission, and the
23 Children's Advocacy Centers of Oklahoma, Inc., shall meet annually,
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1 ~~after September 30, 2002,~~ to review and certify the amount of CAMA
2 and CAMTA funds to be disbursed.

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

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

18 SECTION 5. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1-9-104a of Title 10A, unless
20 there is created a duplication in numbering, reads as follows:

21 The Oklahoma Commission on Children and Youth shall contract
22 with eligible providers as authorized by this act.
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1 SECTION 6. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-9-104b of Title 10A, unless
3 there is created a duplication in numbering, reads as follows:

4 The Oklahoma Commission on Children and Youth and the Department
5 of Human Services shall promulgate rules to implement the provisions
6 of this act.

7 SECTION 7. This act shall become effective November 1, 2015.

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