

1 STATE OF OKLAHOMA

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

3 SENATE BILL 703

By: Griffin

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5  
6 AS INTRODUCED

7 An Act relating to the Oklahoma Commission on  
8 Children and Youth; creating certain revolving fund;  
9 exempting fund from fiscal limitations; providing for  
10 expenditures; providing for administration of fund;  
11 stating purpose; stating contents of fund;  
12 prohibiting certain uses and transfers of money;  
13 providing for certain transfers; directing  
14 promulgation of rules; amending 10A O.S. 2011,  
15 Section 1-9-104, which relates to allocation of  
16 certain monies; transferring expenditure authority to  
17 Oklahoma Commission on Children and Youth; deleting  
18 certain formula for disbursement; directing the  
19 Commission to contract with certain entities on a  
20 certain basis; deleting carryover provisions;  
21 providing for establishment of fees; directing  
22 promulgation of rules; repealing 10A O.S. 2011,  
23 Section 1-9-103, as amended by Section 38, Chapter  
24 304, O.S.L. 2012 (10A O.S. Supp. 2014, Section 1-9-  
103), which relates to the Child Abuse  
Multidisciplinary Account; providing for  
codification; providing an effective date; and  
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 1-9-103a of Title 10A, unless  
there is created a duplication in numbering, reads as follows:

1        There is hereby created in the State Treasury a revolving fund  
2 for the Oklahoma Commission on Children and Youth to be designated  
3 the "Child Abuse Multidisciplinary Account Fund". The account shall  
4 be a continuing fund, not subject to fiscal year limitations, and  
5 shall consist of all monies received by the Commission from any  
6 source. All monies accruing to the credit of the fund are hereby  
7 appropriated and shall be budgeted and expended by the Commission  
8 for the purposes of contracting with eligible multidisciplinary  
9 child abuse teams and eligible child advocacy teams. Expenditures  
10 from the fund shall be made upon warrants issued by the State  
11 Treasurer against claims filed as prescribed by law with the  
12 Director of the Office of Management and Enterprise Services for  
13 approval and payment.

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

17        A.        The Child Abuse Multidisciplinary Account Fund shall be  
18 administered by the Oklahoma Commission on Children and Youth for  
19 the benefit of children of Oklahoma and made available to eligible:

- 20        1.        Coordinated multidisciplinary child abuse teams;
- 21        2.        Nonurban child advocacy centers;
- 22        3.        Mid-level nonurban child advocacy centers; and
- 23        4.        Urban child advocacy centers.

24

1 B. 1. The Child Abuse Multidisciplinary Account Fund shall  
2 consist of:

3 a. all monies received by the Commission from state  
4 appropriations made for the purposes of contracting  
5 with eligible multidisciplinary child abuse teams and  
6 eligible child advocacy teams,

7 b. interest attributable to investment of money in the  
8 fund, and

9 c. money received by the Commission in the form of gifts,  
10 grants, reimbursements, or from any other source  
11 intended to be used for the purposes of contracting  
12 with eligible multidisciplinary child abuse teams and  
13 eligible child advocacy teams.

14 2. The monies deposited in the Child Abuse Multidisciplinary  
15 Account fund shall at no time become monies of the state and shall  
16 not become part of the general budget of the Commission or any other  
17 state agency. Except as otherwise authorized by this section, no  
18 monies from the fund shall be transferred for any purpose to any  
19 other state agency or any account of the Commission or be used for  
20 the purpose of contracting with any other state agency or  
21 reimbursing any other state agency for any expense.

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

1 On July 1, 2015, any unallotted cash balance in the fund created  
2 in Section 1-9-103 of this title shall be transferred to the Child  
3 Abuse Multidisciplinary Account Fund created in this act. All  
4 outstanding financial obligations and encumbrances of the fund  
5 created in Section 1-9-103 of this title are hereby transferred to  
6 the Oklahoma Commission on Children and Youth. After November 15,  
7 2015, any unexpended balance in the fund created in Section 1-9-103  
8 of this title shall be transferred to the Child Abuse  
9 Multidisciplinary Account Fund.

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

13 The Oklahoma Commission on Children and Youth shall establish  
14 reasonable fees for services provided under contracts authorized by  
15 this act.

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

19 The Oklahoma Commission on Children and Youth shall promulgate  
20 rules to implement the provisions of this act.

21 SECTION 6. AMENDATORY 10A O.S. 2011, Section 1-9-104, is  
22 amended to read as follows:

23 Section 1-9-104. A. The ~~Department of Human Services~~ Oklahoma  
24 Commission on Children and Youth shall ~~allocate~~ expend monies

1 available in the Child Abuse Multidisciplinary Account (CAMA) on  
2 fee-for-service contracts to:

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

5 2. One hospital team pursuant to subsection E of Section 1-9-  
6 102 of this title; and

7 3. One child advocacy center, accredited by the National  
8 Children's Alliance, per district attorney's district. A child  
9 advocacy center shall:

10 a. be eligible for Child Abuse Multidisciplinary Account  
11 (CAMA) funding upon accreditation by the National  
12 Children's Alliance,

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

1 c. remain the center for the district attorney's district  
2 as long as the center is accredited and eligibility is  
3 maintained pursuant to the provisions of Section 1-9-  
4 102 of this title. If a center does not remain  
5 eligible pursuant to the provisions of Section 1-9-102  
6 of this title, endorsement by the district attorney as  
7 the child advocacy center for the district may be  
8 sought by any entity beginning with the calendar year  
9 after the center is determined to be ineligible. The  
10 two centers in district number (4) and district number  
11 (13) that were accredited as of the effective date of  
12 this act shall continue to receive funding at the  
13 nonurban level. Should one of the exempted centers  
14 close or no longer meet the criteria for a child  
15 advocacy center pursuant to the provisions of Section  
16 1-9-102 of this title, the center shall not be allowed  
17 to reopen in that district or to receive CAMA funds.  
18 The remaining center shall become the sole child  
19 advocacy center for the district attorney's district.

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

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

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

1           ~~b. hospital team - 1,~~

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

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

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

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

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

8           ~~4. Equally distributing funding to each applicant in the~~  
9 ~~corresponding category based on the amounts obtained by multiplying~~  
10 ~~the total available funding by the calculated percentages.~~

11           ~~C. 1. Pursuant to the provisions of Section 1-9-103 of this~~  
12 ~~title, by January 31, 2003, and by January 31 of each year~~  
13 ~~thereafter, the Department Commission shall disburse monies from the~~  
14 ~~Child Abuse Multidisciplinary Account to eligible contract with~~  
15 ~~multidisciplinary child abuse teams and to eligible child advocacy~~  
16 ~~centers on a fee-for-service basis. A child advocacy center shall~~  
17 ~~be in compliance with the provisions of Section 1-9-102 of this~~  
18 ~~title to be eligible for Child Abuse Multidisciplinary Account~~  
19 ~~funding. The disbursement shall be a single, annual disbursement,~~  
20 ~~for the collection period of the preceding year beginning October 1~~  
21 ~~through September 30.~~

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

1 Oklahoma, Inc., shall meet annually, after September 30, 2002, to  
2 review the amount of CAMA funds to be disbursed.

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

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

14 SECTION 7. REPEALER 10A O.S. 2011, Section 1-9-103, as  
15 amended by Section 38, Chapter 304, O.S.L. 2012 (10A O.S. Supp.  
16 2014, Section 1-9-103), is hereby repealed.

17 SECTION 8. This act shall become effective July 1, 2015.

18 SECTION 9. It being immediately necessary for the preservation  
19 of the public peace, health and safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

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23 55-1-258 AM 1/22/2015 7:08:00 PM  
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