An Act

ENROLLED SENATE
BILL NO. 534

By: Griffin of the Senate

and

Nelson of the House

An Act relating to child abuse; amending 63 O.S. 2011, Section 1-316a, which relates to heirloom birth certificates; clarifying use of certificate proceeds; creating a revolving fund for the Oklahoma Commission on Children and Youth; naming fund the Child Abuse Multidisciplinary Team Account Fund; exempting fund from fiscal year limitations; providing for expenditures; providing for administration of fund; stating purpose; stating contents of fund; prohibiting specified uses and transfers of money; providing for certain transfers; amending 10A O.S. 2011, Sections 1-9-103, as amended by Section 38, Chapter 304, O.S.L. 2012 and 1-9-104 (10A O.S. Supp. 2014, Section 1-9-103), which relate to the Child Abuse Multidisciplinary Account; providing exception for transferring monies; modifying allocation of monies in the Child Abuse Multidisciplinary Account; requiring monies be used to fund multidisciplinary teams; specifying funding distributions; setting annual deadline for contracts and funds transfer; directing Commission to issue multidisciplinary team 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; mandating Commission to contract with eligible providers; directing Commission and Department to promulgate rules; providing for codification; and providing an effective date.

SUBJECT: Child Abuse Multidisciplinary Team Operations

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

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

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

SECTION 2. 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:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Commission on Children and Youth to be designated the "Child Abuse Multidisciplinary Team Account (CAMTA) Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Commission from any source as specified in paragraph 1 of subsection B of Section 3 of this act. All monies accruing to the credit of the fund are hereby appropriated and shall be budgeted and expended

by the Commission for the purposes of contracting with eligible freestanding multidisciplinary child abuse teams. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

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

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

B. 1. The fund shall consist of:

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

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

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

d. money received from the Child Abuse Multidisciplinary Account (CAMA) as established in Section 1-9-104 of Title 10A of the Oklahoma Statutes.

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

other state agency or reimbursing any other state agency for any expense.

SECTION 4. AMENDATORY 10A O.S. 2011, Section 1-9-103, as amended by Section 38, Chapter 304, O.S.L. 2012 (10A O.S. Supp. 2014, Section 1-9-103), is amended to read as follows:

Section 1-9-103. A. 1. There is hereby created in the Department of Human Services a revolving fund to be designated the "Child Abuse Multidisciplinary Account".

2. The account shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Department pursuant to the provisions of this section and Section 1-9-104 of this title.

3. All monies accruing to the credit of the fund are hereby appropriated and shall be budgeted and expended by the Department for the purposes provided in Sections 1-9-102 and 1-9-104 of this title.

4. Expenditures from the account shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

B. The account shall be administered by the Department for the benefit of children of Oklahoma and made available to eligible:

1. Coordinated multidisciplinary child abuse teams;

2. Nonurban child advocacy centers;

3. Mid-level nonurban child advocacy centers; and

4. Urban child advocacy centers.

C. 1. The Child Abuse Multidisciplinary Account shall consist of:

a. all monies received by the Department pursuant to the provisions of Section 1-9-104 of this title,

b. interest attributable to investment of money in the Account, and

c. money received by the Department in the form of gifts, grants, reimbursements, or from any other source intended to be used for the purposes specified or collected pursuant to the provisions of this section and Section 1-9-102 of this title.

2. The monies deposited in the Child Abuse Multidisciplinary Account shall at no time become monies of the state and shall not become part of the general budget of the Department or any other state agency. Except as otherwise authorized by this section and Section 3 of this act, no monies from the Account shall be transferred for any purpose to any other state agency or any account of the Department or be used for the purpose of contracting with any other state agency or reimbursing any other state agency for any expense.

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

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

1. ~~One functioning freestanding multidisciplinary child abuse team per county, as provided in Section 1-9-102 of this title~~ The Child Abuse Multidisciplinary Team Account (CAMTA) Fund created by Section 2 of this act. Monies made available to the CAMTA shall be used for the purposes of funding one functioning freestanding multidisciplinary child abuse team in each county of this state, utilizing the funding distributions as provided in subsection B of this section;

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

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

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

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

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

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

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

a. freestanding multidisciplinary child abuse team - 1,

b. hospital team - 1,

c. nonurban centers - 4,

d. mid-level nonurban centers - 6, and

e. urban centers - 24;

2. Adding together the weighted results for all categories;

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

4. Equally distributing funding to each applicant in the corresponding category based on the amounts obtained by multiplying the total available funding by the calculated percentages. The total amount for all freestanding multidisciplinary teams as determined by the formula provided in this subsection shall be transferred to the Child Abuse Multidisciplinary Team Account (CAMTA) Fund established by Section 2 of this act and contracts with each freestanding multidisciplinary team shall be completed no later than January 1 of each year.

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

~~2.~~ D. A report issued by the Oklahoma Commission on Children and Youth to the Oklahoma Legislature outlining performance measures for all multidisciplinary teams, including those associated with

child advocacy centers, and recommendations on the funding formula provided for in this section shall be transmitted to the Oklahoma Legislature no later than December 31, 2015. The Department, the ~~Child Abuse Training and Coordinating Council~~ Commission, and the Children's Advocacy Centers of Oklahoma, Inc., shall meet annually~~, after September 30, 2002,~~ to review and certify the amount of CAMA and CAMTA funds to be disbursed.

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

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

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

The Oklahoma Commission on Children and Youth shall contract with eligible providers as authorized by this act.

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

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

SECTION 8. This act shall become effective November 1, 2015.

Passed the Senate the 29th day of April, 2015.

Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of April, 2015.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 30th day of April, 2015, at 2:25 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 6th day of May, 2015, at 10:09 o'clock A M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 6th day of May, 2015, at 5:23 o'clock P. M.

By: C. Benge