

An Act

ENROLLED SENATE
BILL NO. 86

By: Simpson and Jech of the
Senate

and

McEntire and Sanders of the
House

An Act relating to the Department of Mental Health and Substance Abuse Services; requiring that portions of certain appropriated funds be used for certain purposes; directing and prioritizing expenditures of certain funds; creating a pilot program; authorizing requests for early transfers of certain funds for specific purposes; providing for lapse of funds under certain conditions requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

SUBJECT: Department of Mental Health and Substance Abuse Services

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

SECTION 1. From the funds appropriated to the Department of Mental Health and Substance Abuse Services in Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature, the sum of Ten Million Dollars (\$10,000,000.00) shall be used for Smart on Crime.

SECTION 2. Any increase in federal funding related to an increase in the Federal Medical Assistance Percentage (FMAP) match rate shall be expended by the Department of Mental Health and

Substance Abuse Services with priority given to addressing the agency's maintenance needs first, which shall mean maintaining current levels of services, addressing provider rates and addressing caps in therapy and case management services imposed during the preceding twenty-four-month period.

SECTION 3. From the funds appropriated to the Department of Mental Health and Substance Abuse Services in Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature, the sum of One Million Seven Hundred Thousand Dollars (\$1,700,000.00) shall be used for program growth.

SECTION 4. From the funds appropriated to the Department of Mental Health and Substance Abuse Services in Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature, the sum of Five Hundred Thousand Dollars (\$500,000.00) shall be used for suicide prevention. These funds shall be used for providing services which would otherwise be eliminated by the reduction of federal funding.

SECTION 5. From the funds appropriated to the Department of Mental Health and Substance Abuse Services in Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature, the sum of One Million Nine Hundred Thousand Dollars (\$1,900,000.00) shall be used for asbestos abatement of the Griffin Memorial Hospital located in Norman, Oklahoma.

SECTION 6. From the funds appropriated to the Department of Mental Health and Substance Abuse Services in Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature, the sum of Five Hundred Thousand Dollars (\$500,000.00) shall be used to establish a pilot program to provide offenders incarcerated in county jails in the State of Oklahoma access to Federal Drug Administration-approved, evidence-based medication-assisted treatment for opioid and alcohol dependence. Treatment may be administered while the inmate is confined in the county jail and when participating in outpatient care upon release. Funding may only be used for medical evaluations, the purchase of Federal Drug Administration-approved medication to treat opioid or alcohol dependency, individual and group counseling services, cognitive behavioral therapies, and necessary medical and behavioral health staff needed to implement the program.

SECTION 7. The Commissioner of the Department of Mental Health and Substance Abuse Services may request through the Director of the Office of Management and Enterprise Services the early transfer by the Oklahoma Tax Commission of tax collections to the General Revenue Fund for the purpose of early allocation to the Department's disbursing funds to alleviate cash-flow problems.

SECTION 8. Appropriations made by Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2020 (hereafter FY-20), or may be budgeted for the fiscal year ending June 30, 2021 (hereafter FY-21). Funds budgeted for FY-20 may be encumbered only through June 30, 2020, and must be expended by November 15, 2020. Any funds remaining after November 15, 2020, and not budgeted for FY-21, shall lapse to the credit of the proper fund for the then-current fiscal year. Funds budgeted for FY-21 may be encumbered only through June 30, 2021. Any funds remaining after November 15, 2021, shall lapse to the credit of the proper fund for the then-current fiscal year. These appropriations shall not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-20, and not required to pay obligations for that fiscal year, may be budgeted for FY-21, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-20 budget work program and after such revision has been approved by the Office of Management and Enterprise Services.

SECTION 9. This act shall become effective July 1, 2019.

SECTION 10. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 22nd day of May, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of May, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____