

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 21, 2019

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB 86

By: Simpson of the Senate and McEntire and Sanders of the House

Title: Crimes and punishments; expanding assault and battery to all medical providers. Effective date.

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House recede from all Amendments.
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

SENATE CONFEREES:



Simpson



Shaw

Bice



Paxton



Brooks

Matthews

Senate Action _____ Date _____ House Action _____ Date _____



1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL NO. 86

By: Simpson and Jech of the
Senate

6 and

7 McEntire and Sanders of the
8 House

9 CONFERENCE COMMITTEE SUBSTITUTE

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

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

22 SECTION 1. From the funds appropriated to the Department of
23 Mental Health and Substance Abuse Services in Enrolled House Bill
24 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.

1 SECTION 2. Any increase in federal funding related to an
2 increase in the Federal Medical Assistance Percentage (FMAP) match
3 rate shall be expended by the Department of Mental Health and
4 Substance Abuse Services with priority given to addressing the
5 agency's maintenance needs first, which shall mean maintaining
6 current levels of services, addressing provider rates and addressing
7 caps in therapy and case management services imposed during the
8 preceding twenty-four-month period.

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

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

21 SECTION 5. From the funds appropriated to the Department of
22 Mental Health and Substance Abuse Services in Enrolled House Bill
23 No. 2765 of the 1st Session of the 57th Oklahoma Legislature, the
24 sum of One Million Nine Hundred Thousand Dollars (\$1,900,000.00)

1 shall be used for asbestos abatement of the Griffin Memorial
2 Hospital located in Norman, Oklahoma.

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

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

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1 SECTION 8. Appropriations made by Enrolled House Bill No. 2765
2 of the 1st Session of the 57th Oklahoma Legislature, not including
3 appropriations made for capital outlay purposes, may be budgeted for
4 the fiscal year ending June 30, 2020 (hereafter FY-20), or may be
5 budgeted for the fiscal year ending June 30, 2021 (hereafter FY-21).
6 Funds budgeted for FY-20 may be encumbered only through June 30,
7 2020, and must be expended by November 15, 2020. Any funds
8 remaining after November 15, 2020, and not budgeted for FY-21, shall
9 lapse to the credit of the proper fund for the then-current fiscal
10 year. Funds budgeted for FY-21 may be encumbered only through June
11 30, 2021. Any funds remaining after November 15, 2021, shall lapse
12 to the credit of the proper fund for the then-current fiscal year.
13 These appropriations shall not be budgeted in both fiscal years
14 simultaneously. Funds budgeted in FY-20, and not required to pay
15 obligations for that fiscal year, may be budgeted for FY-21, after
16 the agency to which the funds have been appropriated has prepared
17 and submitted a budget work program revision removing these funds
18 from the FY-20 budget work program and after such revision has been
19 approved by the Office of Management and Enterprise Services.

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

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

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