
POLICY TRANSMITTAL NO. 04-29

DATE: APRIL 29, 2004

DEPARTMENT OF HUMAN SERVICES
OFFICE OF PLANNING, POLICY & RESEARCH

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

DHS:2-19, Table of Contents; 2-19-1; DHS:2-31, Table of Contents;
2-31-10; 2-31-15; 2-31-25 through 2-31-30; and 2-31-35

EXPLANATION: DHS:2-31 is revised to reflect the current organization and structure of the Oklahoma Department of Human Services (OKDHS) Office of Planning, Policy, and Research. DHS:2-19 is revoked and incorporated into DHS:2-31.

Original signed on 4-23-04

Marilynn Knott, Administrator
Office of Planning, Policy & Research

WF # 03-G (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following a “DHS” number, such as personnel policy at DHS:2-1 and personnel rules at OAC 340:2-1. The “340” is the Title number that designates DHS as the rulemaking agency; the “2” specifies the Chapter number; and the “1” specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, DHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, DHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at (405) 521-3611.

REMOVE

INSERT

DHS:2-19, Table of Contents

DHS:2-19-1

DHS:2-31, Table of Contents

DHS:2-31, Table of Contents, pages 1-2, revised 5-1-04

DHS:2-31-10, pages 1-2, issued 5-1-04

DHS:2-31-15, pages 1-2, issued 5-1-04

DHS:2-31-25

DHS:2-31-25, 1 page only, revised 5-1-04

DHS:2-31-26

DHS:2-31-26, pages 1-4, revised 5-1-04

DHS:2-31-27

DHS:2-31-27, pages 1-8, revised 5-1-04

DHS:2-31-28

DHS:2-31-28, pages 1-4, revised 5-1-04

DHS:2-31-29

DHS:2-31-29, 1 page only, revised 5-1-04

DHS:2-31-30

DHS:2-31-30, 1 page only, revised 5-1-04

DHS:2-31-35, 1 page only, issued 5-1-04

SUBCHAPTER 31. PLANNING, POLICY, AND RESEARCH**PART 1. FEDERAL/STATE COORDINATION UNIT [REVOKED]**

Section

- DHS:2-31-1. Purpose and scope of responsibilities [REVOKED]
DHS:2-31-2. Specific responsibilities [REVOKED]
DHS:2-31-3. Federal regulations [REVOKED]
DHS:2-31-4. State legislation [REVOKED]
DHS:2-31-5. DHS-proposed legislation [REVOKED]
DHS:2-31-6. Role of the FSCU during the legislative session [REVOKED]
DHS:2-31-7. Action following final disposition of a bill [REVOKED]

PART 2. PURPOSE AND SCOPE

- DHS:2-31-10. Responsibilities of OPPR

PART 4. BUSINESS PLAN

- DHS:2-31-15. Business Plan

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PART 6. STATISTICS AND RESEARCH

- DHS:2-31-35. Statistics and research

PART 7. PLANNING AND SYSTEMS DEVELOPMENT UNIT [REVOKED]

- DHS:2-31-46. Purpose [REVOKED]
DHS:2-31-47. Authority [REVOKED]
DHS:2-31-48. Management analysis [REVOKED]
DHS:2-31-49. Strategic planning system [REVOKED]
DHS:2-31-50. Federal plans [REVOKED]
DHS:2-31-51. Grants [REVOKED]

- DHS:2-31-52. Interagency coordination **[REVOKED]**
- DHS:2-31-53. DHS/Tribal Child Welfare agreements **[REVOKED]**

PART 9. PUBLICATIONS UNIT [REVOKED]

- DHS:2-31-70. Purpose, Scope and Authority **[REVOKED]**
- DHS:2-31-71. Definitions **[REVOKED]**
- DHS:2-31-72. Publications Unit **[REVOKED]**
- DHS:2-31-73. Accessing Publications Unit Services **[REVOKED]**
- DHS:2-31-74. Publications Unit Special Products **[REVOKED]**
- DHS:2-31-75. Publications Unit Policy and Procedure Support **[REVOKED]**
- DHS:2-31-76. Payment for Publications Unit services **[REVOKED]**

PART 2. PURPOSE AND SCOPE

DHS:2-31-10. Responsibilities of OPPR

The Office of Planning, Policy, and Research (OPPR) provides planning, policy, research, and statistical support to all program and administrative areas of the Oklahoma Department of Human Services (OKDHS). OPPR:

(1) promotes the growth and development of strategic planning within OKDHS by:

(A) providing technical assistance in the development of OKDHS strategic planning and its component parts;

(B) developing a planning system to support increased productivity;

(C) providing checks and balances to ensure that all federal laws that relate to the OKDHS mission are implemented; and

(D) providing technical assistance regarding maximizing the receipt of federal funding that relates to the OKDHS mission;

(2) ensures the orderly development and maintenance of OKDHS policy by:

(A) providing technical assistance in the development of OKDHS policy;

(B) ensuring compliance with the Oklahoma Administrative Procedures Act (APA), per Section 250 et seq. of Title 75 of the Oklahoma Statutes;

(C) coordinating the review of proposed policy;

(D) coordinating the preparation of proposed rules for presentation to the Commission for Human Services (Commission); and

(E) ensuring that all adopted rules are appropriately transmitted to the Governor and Legislature; and

(3) provides the mechanisms to support data-driven decisions by:

(A) conducting research and evaluation studies;

(B) contracting and monitoring research and evaluation activities;

(C) providing technical assistance for research;

(D) consulting with divisions on strategic planning data;

(E) analyzing available data and developing reports for program and financial decision making;

(F) preparing special on-demand reports for officers, the Director, the Commission, the Governor, the Legislature, Oklahoma Congressional offices, and others;

(G) compiling monthly and annual statistical reports;

(H) producing and submitting mandated federal statistical reports;

(I) sponsoring and supporting an enterprise data warehouse; and

(J) developing and maintaining information on the OKDHS InfoNet.

PART 4. BUSINESS PLAN

DHS:2-31-15. Business plan

(a) Purpose. The Oklahoma Department of Human Services (OKDHS) business plan is developed to implement the OKDHS Strategic Plan as described in OAC 340:1-1-18. Annually, each division is responsible for developing and submitting a business plan.

(b) Scope. Annually, the Office of Planning, Policy, and Research (OPPR) coordinates and updates the OKDHS business plan based on the individual division plans, per OAC 340:1-1-18. The OKDHS business plan includes:

(1) executive summary;

(2) mission and goals with critical success factors, per OAC 340:1-1-18;

(3) situation audit/environmental scan;

(4) objectives, including current and three year projected;

(5) description of services;

(6) statement of key indicators;

(7) management and organizational structure;

(8) technology plan;

(9) financial plan, including current and one year projected; and

(10) property plan.

(c) Business plan components.

(1) Situation audit/environmental scan. The situation audit/environmental scan provides facts, trends, and other information that substantiate the business plan. This includes a description of internal capabilities, clients to be served, and external factors that may impact division work. OPPR maintains on the OKDHS InfoNet information and statistics of a general nature for use in developing the business plan. This information is used to complement the division specific situation audit/environmental scan information.

(2) Objectives and implementation plan.

(A) Objectives are time-limited, measurable strategies targeted at the attainment of OKDHS goals. Objectives may be projected for up to three years but are submitted and updated each year with each division's proposed budget. For example, the fiscal year (FY) 2006 objective updates are submitted with the proposed FY-2006 budget at the beginning of FY-2005.

(B) The implementation plan identifies actions to be taken to effect each objective. The implementation plan is created for the division's use in managing planned activities and lists the staff responsible for each action described.

(3) Description of services. The description of services lists the programs or products for which the division is responsible.

(4) Statement of key indicators. Key indicators are performance measures for business functions. The statement of key indicators lists each key indicator and target for major business functions.

(5) Management and organizational structure. The management and organizational structure section includes a division organization chart with each position and a narrative description of the use of staff. Names of incumbents are not included.

(6) Technology plan. The technology plan describes the division's projected needs for electronic information use and may be projected for three years. This plan is coordinated with Data Services Division (DSD), as appropriate. DSD may reflect negotiated implementation strategies from other divisions in its division plan and objectives. The technology plan for DSD reflects the plan for the systems and hardware operated by that division.

(7) Financial plan. The financial plan describes the projected cost and means of funding programs and activities outlined in the other sections of the division plan. The financial plan may be projected for three years but must include justification for the upcoming year's budget. The financial plan is coordinated through the Finance Division, Budget Unit, and is used to justify budget requests.

(8) Property plan. The property plan describes the projected upgrades and renovations of OKDHS offices and other housing. The Office Support Services Division coordinates the property plan with other OKDHS divisions.

PART 5. POLICY MANAGEMENT

DHS:2-31-25. Purpose and authority

(a) **Purpose.** Policy management is the responsibility of the Policy Management Unit (PMU) within the Office of Planning, Policy, and Research (OPPR). The purpose of policy management is to:

(1) provide technical assistance to Oklahoma Department of Human Services (OKDHS) program and administrative divisions regarding the development and maintenance of OKDHS policy;

(2) process OKDHS policy for consideration and approval by the Commission for Human Services; and

(3) serve as a central clearinghouse for official publications, ensuring adherence to the requirements of the Administrative Procedures Act (APA).

(b) **Authority.** Sections 250 et seq. of Title 75 of the Oklahoma Statutes provide that every agency not specifically exempted is required to promulgate rules in accordance with APA.

DHS:2-31-26. Definitions

The following words or terms, when used in this Part, have the following meanings unless the context clearly indicates otherwise.

"Administrative memo (ADM)" means internal, sequentially numbered correspondence approved by a division director(s) consisting of time-limited regulations, directives, announcements, or informational items that apply to all employees of the Oklahoma Department of Human Services (OKDHS).

"Administrative Procedures Act (APA)" means Oklahoma Statutes [75 O.S. § 250 et seq.] that establish a comprehensive method for OKDHS rulemaking to ensure the opportunity for public input regarding rules that have an impact on the public.

"Adopted" means that the Oklahoma Commission for Human Services (Commission) has approved a proposed rule.

"Amendment" means the revision of a rule that adds, changes, or deletes characters, words, entire phrases, or sentences.

"Appendix" means material supplementary to rules or regulations, including, but not limited to, rates, lists of items, and standards described in rules or regulations.

"Division memo" means an internal, sequentially numbered correspondence electronically transmitted or in paper form signed by a division director(s) consisting of time-limited regulations, directives, announcements, or informational items that apply only to specified division(s) and not all employees of OKDHS. Any memo distributed from a subdivision of a division such as a unit to all staff impacted by the subject of the memo is considered a division memo.

"Emergency rule" means a rule as defined by APA, considered a temporary rule that must be submitted to the Governor and the Legislature within ten days of adoption by the Commission.

(A) Within 45 days of submission to the Governor, the Governor must approve or disapprove the rule. Failure to act within 45 days constitutes disapproval.

(B) An emergency rule may be initiated at any time but to promulgate a rule as emergency OKDHS must first determine that *an imminent peril exists to the preservation of the public health, safety, or welfare or that a compelling public interest requires the promulgation of an emergency rule.* [75 O.S. § 253(A)]

(C) An emergency rule is effective immediately upon approval by the Governor or on a date specified by OKDHS, whichever is later. [75 O.S. § 253(D)]

(D) If not superseded by a permanent rule, an emergency rule expires on July 15 following the next full legislative session. [75 O.S. § 253(F)]

"Finally adopted" means a permanent rule that has been approved by the Governor and by the Legislature, or a preemptive rule that has been approved by the Governor, and complies with the requirements of APA. [75 O.S. § 250.3(4)]

"Form" means any instrument used to collect information necessary to document adherence to policy.

"Instructions to staff" means the procedures or practice requirements of either Oklahoma Administrative Code rules or OKDHS regulations that relate to the internal management of OKDHS and do not affect the private rights or procedures available to the public.

"Non-APA" means non-rule policy statements that:

(A) apply exclusively to employees of OKDHS and do not affect private rights or procedures of other persons outside the employment of OKDHS; or

(B) describe internal operating procedures, including procedures that indirectly serve clients and providers but do not affect service delivery or rights and responsibilities, and do not involve client or provider participation.

"Originating division" means the program or administrative division that submits proposed policy.

"Permanent rule" means a rule that fully complies with the notice and review requirement of APA, including approval by the Governor and the Legislature. A permanent rule becomes effective ten days after publication in *The Oklahoma Register*.

"Policy" means the entire body of information that sets forth OKDHS functions and practices designed to attain the OKDHS mission as set forth in Title XXV of the Oklahoma Constitution.

"Policy Review Committee" means appointed members of the Commission and any other persons designated to participate by the Commission charged with the responsibility of previewing proposed policy and recommending Commission action on said policy.

"Policy transmittal" means a sequentially numbered cover memo signed by the division director responsible for the specific policy distributed, and by the administrator of the Office of Planning, Policy, and Research or designee.

"Preemptive rule" means a promulgated rule, as defined by APA, approved by the Commission and by the Governor to comply with federal law or rule, a state law enacted pursuant to federal law or rule, or order of a court of competent jurisdiction; and where the failure to adopt such rule(s) results in the imposition of a financial penalty, reduction, withholding, or loss of federal funds. [75 O.S. § 250.6] Failure of the Governor to approve the rule within 28 calendar days of submission constitutes denial of the rule as preemptive.

"Promulgated rule" means a finally adopted rule that has been filed and published in *The Oklahoma Register* in accordance with APA, such as an emergency rule or preemptory rule, that has been approved by the Governor. [75 O.S. § 250.3(14)]

"Publish" means the publication in *The Oklahoma Register* of rules and rule documents, such as an Emergency Preamble, Notice of Rulemaking Intent, or Permanent Preamble.

"Regulation" means any OKDHS statement or group of related statements of general internal applicability and future effect that implements or interprets rules of another state agency or prescribes policy relating to the internal management of OKDHS and do not affect the private rights or procedures available to the public. Regulations are numbered with a preceding "DHS." To expedite productivity regulations may be issued via a State Office, administrative, or division memo, if a draft of the new or revised regulation is submitted for processing with the correspondence. The correspondence becomes invalid upon issuance or revision of the regulation.

"Revocation" means the repeal of an existing rule, regulation, form, or appendix in its entirety.

"Rule" means *any agency statement or group of related statements of general applicability and future effect that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the agency. The term includes the amendment or revocation of an effective rule. [75 O.S. § 250.3(15)]* Rules are numbered with a preceding "OAC 340." OKDHS interprets the APA definition to mean a rule is a statement that:

- (A) describes the rights of applicants, recipients, and providers;

(B) describes the program requirements that applicants, recipients, and providers must meet;

(C) describes the federal and state requirements that OKDHS must meet; and

(D) serves as a means to inform the public.

"Standard" means statements set up and established by rules for the measure of quantity, weight, extent, value, or quality. OKDHS standards may appear as a numbered OKDHS publication either in electronic or paper format or as an OKDHS appendix.

"State Office memo (SOM)" means internal, sequentially numbered correspondence electronically transmitted or in paper form signed by the Director that consists of regulations, directives, announcements, or informational items that apply to all employees of OKDHS.

DHS:2-31-27. Policy-making**(a) Development of policy.**

(1) Policy is designed to ensure compliance with legal requirements and productive service delivery. Each office or division is responsible for ensuring policy that affects the work of the office or division is developed and revised based on needs identified, such as amendments to federal regulation, legislative mandate, Executive Order, or Director or Oklahoma Commission for Human Services (Commission) directive. Non-binding recommendations of advisory boards or committees, requests for clarification of existing policy, or public identification of a need for a rule may also result in policy revisions.

(A) If policy directly affects clients, vendors, or the general public, it is a rule and must meet the requirements of the Administrative Procedures Act (APA). ■ 1

(B) If policy directly affects only Oklahoma Department of Human Services (OKDHS) staff or describes internal procedures, it is a regulation or instruction to staff and does not meet the requirements of APA.

(2) Each division is responsible for ensuring regular review and updating of its policy. Each division notifies the Policy Management Unit (PMU) of proposed policy revisions and participates in the resolution of policy issues.

(b) Responsibilities of PMU. PMU is responsible for:

(1) maintaining OKDHS policy in paper copy and electronic format;

(2) ensuring adherence to the policy-making process; and ■ 2

(3) disseminating rules, regulations, instructions to staff, State Office memos, forms, and appendices.

(c) Rule, regulation, and instruction to staff effective dates. The effective date of rules approved through APA, regulations, and instructions to staff (ITS) is the date reflected on each Section. Failure of an employee to receive a copy of the rule, regulation, or instruction to staff revision does not negate the official effective date.

(d) Disapproval of rules by Governor or Legislature. In the event a rule is disapproved, PMU advises the originating division verbally and provides a copy of any written explanation offered by the disapproving authority. PMU ensures the Commission is advised of the disapproval at its next scheduled meeting. Any effort by

the originating division to correct a deficiency noted by the disapproving authority is processed by PMU as a newly submitted revision, subject to the circulation and other requirements of rulemaking, except that the originating division may request expedited review by the appropriate chief officer(s) and the Legal Division.

(e) **Rule, regulation, or ITS production.** During the period of time the adopted rules are before the Governor for required review and upon internal approval of regulations or ITS, PMU drafts the proposed revisions, ensures proper formatting, and submits the document and policy transmittal for review and approval of the originating division.

(1) The intent of review by the originating division is to provide a quality control check, and ensure that only revisions adopted by the Commission are incorporated into the rules.

(2) A decision by the originating division to delay issuance of the rules for any reason is made in writing to the Office of Planning, Policy, and Research (OPPR) stating the reasons for the requested delay.

(f) **Policy distribution.** Once approval is finalized, rules, regulations, and ITS are distributed by PMU via the Internet and the OKDHS InfoNet and maintained in this electronic format. Appendices, forms, State Office memos, and administrative memos are distributed by OPPR via the OKDHS InfoNet and maintained in electronic format. The originating division distributes division memos. Standards may be distributed as appendices or as numbered OKDHS publications.

INSTRUCTIONS TO STAFF

1. (a) All rules subject to the Administrative Procedures Act (APA) are approved by the Oklahoma Commission for Human Services (Commission). Annually, the Policy Management Unit (PMU) prepares, with the Secretary to the Commission, a calendar of crucial dates that impact preparation of an agenda for Commission meetings.

(1) The division director or designee submits the proposed rule for the Commission's consideration to PMU by the date specified on the Commission calendar in the Proposed Policy Due to PMU column.

(2) PMU notifies divisions as early as possible when Commission related changes require earlier deadlines.

(b) If hearings or meetings are held or sponsored by the originating division to solicit public comment, the division director or designee submits to PMU:

(1) a summary of oral or written comments received at the hearings or meetings;

(2) an explanation of revisions made in the rules as a result of the oral or written comments; and

(3) a list of persons or organizations who appeared or registered at the hearings or meetings or those who commented in writing before or after the hearings or meetings.

2. (a) Procedures for proposed revision to rule, regulation, or instruction to staff.

(1) Division responsibilities. Each division director appoints a policy liaison (liaison) who is responsible for coordinating the required procedures for submission of the proposed policy revision. PMU is available to train and serve as an ongoing consultant to the liaison regarding policy production.

(A) Prior to submitting the proposed rule, regulation, or instruction to staff revisions, the originating division's liaison requests a copy of the current approved rule, regulation, or instruction to staff in electronic format on which proposed revisions are made.

(i) The draft is prepared using the master text by overstriking all language to be deleted and underscoring all new language using official OKDHS wordprocessing software.

(ii) The entire Section(s) with revisions marked as directed in (a)(1)(A) of this Instruction is submitted to PMU according to (a)(1)(B) of this Instruction.

(B) To initiate revisions to rules, the division director or designee submits in paper and electronic copy:

(i) Form PMA-S-1, Policy Revision;

(ii) Form PMA-S-4, Rule Impact Statement;

(iii) the amended, revoked, or new Section(s) of rules; and

(iv) an explanation of revisions for all Sections submitted.

(C) To initiate revisions to regulations or instructions to staff, the division director or designee submits all information listed in Instructions to Staff 2(a)(1)(B) except Form PMA-S-4.

(D) The originating division forwards to PMU, either by e-mail or intra-agency mail, a copy of comments, recommendations, and critical concerns that were received during the comment period.

(2) PMU responsibilities. Upon receipt of the appropriate information described in (a)(1)(B) of this Instruction, the PMU programs manager or designee determines, based on the information provided, whether the material is subject to the requirements of the Administrative Procedures Act (APA).

(A) PMU assigns a work folder number to submitted material based on whether it is subject to APA or is non-APA requiring internal approval only as delegated by the Commission.

(i) Comments, legal authority, Governor's approval, preambles, position papers, and any discussion of the proposed rule is maintained in the record for three years after a rule is finally adopted.

(ii) The work folder is destroyed only after official scheduling for destruction is approved by the Archives and Records Commission, and after optical imaging.

(B) The PMU programs manager or designee assigns staff to provide technical assistance, coordinate with other affected divisions, and negotiate problem resolution. PMU:

(i) provides liaisons with a handbook, "The Rulemaking Process," that provides technical information, such as common word usage, grammar, punctuation, computer formatting, and procedures;

(ii) provides consultation to the liaison of the originating division. PMU assesses the status of the project and level of assistance needed for the technical writing and specialized technical wordprocessing, and suggests and assists in the development of a work plan in cases where the need for assistance or scope of the project is extensive;

(iii) reviews the draft rule, regulation, or instruction to staff to determine if the language is clear and concise, grammatically correct, free of typographical errors, and formatted correctly, and sufficiently advises the public or individuals subject to the rule, regulation, or instruction to staff of the criteria to be applied. PMU advises the liaison when corrections are indicated;

(iv) circulates the proposed rule, regulation, or instruction to staff electronically on the OKDHS InfoNet and Internet and indicates a date when comments are due; and

(v) in major projects, works with the originating division to develop a work plan for preparing the material for review.

(C) PMU ensures the impact on other divisions is accurately identified and that the originating division has obtained the signature from the relevant division director or designee on Form PMA-S-1 indicating agreement with the proposed revision.

(D) PMU corrects typographical errors, numbering, and other minor technical problems. Suggestions for grammatical or substantial language revisions are only incorporated with the concurrence of the originating division.

(i) PMU may coordinate and negotiate between interested parties when disputes and problems of substance are identified.

(ii) The originating division provides feedback to the commenter(s) when substantial recommendations are made and to the Policy Review Committee in all instances when recommendations are made.

(E) When rule, regulation, or instruction to staff revisions have a significant impact on OKDHS, or when specific significant problems are identified through the circulation and review process, PMU coordinates a meeting of relevant Executive Team members to ensure that all problematic issues are addressed and that key executive staff are informed of the revisions in progress.

(b) Procedures for revisions determined subject to APA.

(1) The Director, any officer, inspector general, advocate general, Office for Civil Rights administrator, or Office of Planning, Policy, and Research (OPPR) administrator may withdraw a specific proposed rule from the Commission Agenda, or may direct the withdrawal of the item if specified conditions are not met or specified problems are not resolved through further negotiation.

(2) If problems of style, technical elements, or content are substantial, PMU may recommend that a rule be withdrawn from the Commission Agenda. The appropriate officer(s), advocate general, inspector general, Office for Civil Rights administrator, Director, and Chair of the Commission, determine which items are recommended for placement on the Commission Agenda.

(3) A final draft is compiled with an agenda and presented to the Policy Review Committee for review, recommendations, and placement on the next Commission Agenda.

(4) Following approval of the proposed rules by the Commission, PMU incorporates amendments and prepares a preamble that indicates the type of rulemaking action and specific information required by the APA, including:

(A) OKDHS legal authority for rulemaking in the matter;

(B) an analysis of the issue(s), specifically listing the Sections of rules amended;

(C) the date(s) of a public hearing, adoption, and submission to the Governor, House of Representatives (House), and Senate; and

(D) other information required by APA and identified in the Administrative Rules on Rulemaking in OAC 655:10.

(5) PMU submits the rules adopted by the Commission to the Governor's office, House, and Senate within ten calendar days following Commission approval.

(A) If problems are detected during this intervening period that delay submission to the Governor, PMU notifies the affected division and coordinates resolution of the problem(s).

(B) From the date of receipt of the adopted rules, the Governor's office has 28 days to approve or disapprove preemptive rules, and 45 days to approve or disapprove emergency and permanent rules.

(C) The Legislature has 30 legislative days to disapprove permanent rules. Failure to disapprove rules within the time limit constitutes approval by the Legislature on the 31st day.

(6) The PMU programs manager is authorized to withdraw rules submitted to the Governor's office when there are technical errors in the document requiring correction and resubmission. If withdrawal results in a probable delay in the effective date of the rules, PMU notifies the originating division prior to withdrawal. Otherwise, rules submitted to the Governor and Legislature following Commission adoption may only be withdrawn at the direction of the Commission chair or the Director.

(c) Procedures for rule, regulation, or instruction to staff revisions after approval. After the Governor and Legislature have approved the rule(s), or upon internal approval as delegated by the Commission of regulations or instructions to staff:

(1) PMU records the effective date of revision on the rule, regulation, or instruction to staff, at which time the revisions are official.

(A) No employee is authorized to disseminate the new or revised rule, regulation, or instruction to staff prior to the recorded effective date.

(B) The goal of PMU and the originating division is to obtain all internal approvals by the date of the Governor and legislative approval to expedite delivery of rule, regulation, or instruction to staff revisions to staff responsible for implementation;

(2) PMU:

(A) removes all strikethrough, adds the effective dates to each Section of revised rule, regulation, or instruction to staff, and prepares a policy transmittal (PT);

(B) routes the revised rule, regulation, or instruction to staff and the PT to the originating division for review and division director signature; and

(C) obtains the signature of the OPPR administrator when the PT and revised rule, regulation, or instruction to staff are returned to PMU by the originating division; and

(3) OPPR updates the OKDHS InfoNet and Internet Policy websites with the revised rule, regulation, or instruction to staff and a copy of the PT. A notice of rule, regulation, or instruction to staff update is included in the OKDHS General Daily News broadcast message on Outlook.

DHS:2-31-28. Policy central clearinghouse

(a) **Purpose.** The purpose of the policy central clearinghouse is to:

- (1) ensure adherence to the Administrative Procedures Act (APA);
- (2) address other issues of a particularly sensitive or legal nature; and
- (3) safeguard procedural changes that may affect divisions not identified in specific documents.

(b) **Scope.** The Policy Management Unit (PMU) audits existing, and reviews proposed, Oklahoma Department of Human Services (OKDHS) information, including State Office, administrative, and division memos; publications; web sites; ■ 1 and forms, standards, and appendices to determine if the document:

- (1) accurately clarifies existing policy;
- (2) introduces new rules or interpretations of rules or laws of applicability to the public that are subject to APA;
- (3) introduces new procedures that are subject to internal approval;
- (4) conflicts with existing OKDHS policy;
- (5) introduces issues that are subject to legal review; or
- (6) has applicability beyond the scope identified, such as a division memo that applies to employees of other divisions and has not been reviewed by the other division.

(c) **Memos.** State Office, administrative, and division memos are reviewed by PMU for APA compliance. The Office of Planning, Policy, and Research (OPPR) assigns numbers to State Office and administrative memos and maintains copies of them in accordance with the OKDHS records destruction plan. Division memos are numbered and maintained by the originating division. OPPR maintains a log of division memos.
■ 2

(d) **Forms and appendices.** OPPR reviews for compliance with APA all OKDHS forms and appendices, whether new, revised, or revoked, electronic or paper copy. OPPR maintains a log of all official OKDHS forms and appendices that includes date issued, reissued, revised, or revoked. Upon request by a division director or designee, OPPR

creates or revises forms and appendices in coordination with the division policy liaison.

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(1) OPPR disseminates forms and appendices created via the OKDHS InfoNet.

(2) To conserve paper and to reduce administrative cost, forms and appendices are made available for printing on the OKDHS InfoNet. The OKDHS Print Shop in the Office Support Services Division (OSSD) only prints forms and appendices if there is a compelling reason, which may include, but is not limited to forms:

(A) provided for completion to entities that do not have access to the OKDHS InfoNet;

(B) that must be completed on no carbon required (NCR) paper; and

(C) that are used extensively and are completed by clients.

(e) **Electronic mail (e-mail).** PMU audits widely distributed e-mail to ensure compliance with APA. If an e-mail is not in compliance with APA, PMU immediately notifies the originating division and advises of steps necessary to bring the document into compliance, which may include removing the e-mail from the OKDHS electronic mail system and processing the information as a rule.

(f) **OKDHS publications.** PMU reviews OKDHS publications to ensure APA compliance and to ensure that no policy language is included in a publication that has not been approved in accordance with DHS:2-31-27. This includes information in any OKDHS numbered publication, information on the OKDHS InfoNet and OKDHS Internet sites, publications created by entities outside of OKDHS for OKDHS, and publications that are created by divisions or individuals that are distributed outside OKDHS regardless whether they are processed through the Publications Section of the OSSD.

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(1) If an online document is not in compliance with APA, PMU immediately notifies the originating division and advises of steps necessary to bring the document into compliance, which may include removing the document from the InfoNet or Internet and processing the information as policy.

(2) Electronic linkages may be established with any information or policy that has been approved under DHS:2-31-27 or DHS:2-31-28 and such information may otherwise be transmitted in electronic format without additional review.

INSTRUCTIONS TO STAFF

1. PMU conducts unannounced random audits of and, upon request, reviews websites prior to publication to the OKDHS InfoNet and Internet.

2. (a) The originating division director or designee:

(1) completes Form PMA-S-6, Division Memo Approval, for each State Office, administrative, and division memo;

(2) attaches the form to a paper copy of the document;

(3) submits them to the Policy Management Unit (PMU) for processing; and

(4) e-mails an electronic copy of the memo to the PMU programs manger.

(b) PMU reviews the submitted document. Proofreading for typographical or grammatical errors is not the responsibility of PMU. As a courtesy, such errors, if noted, may be called to the attention of the originating division.

(1) If no Administrative Procedures Act (APA) compliance issues are identified, PMU authorizes the memo within two working days of receipt.

(2) If an APA compliance issue is identified, a solution is negotiated with the division director or designee of the originating division.

(c) Upon approval, OPPR assigns a number to each State Office and administrative memo and publishes it on the OKDHS InfoNet.

3. To initiate issuance, revision, or revocation of forms or appendices, the originating division submits to OPPR:

(1) Form ADM-83-A, Request for Forms and Appendices;

(2) an explanation in electronic and paper copy of the proposed revisions; and

(3) a paper copy of the form with revisions indicated.

4. (a) Submission of publications for review.

(1) For publications processed internally, the Publications Section of the Office Support Services Division (OSSD) or the originating division submits Form ADM-114, Reproduction Request, to PMU with a draft of the proposed publication.

(2) For publications processed externally, the originating division submits a memo, e-mail or paper copy, to the PMU programs manager and attaches a draft of the proposed publication.

(3) For electronic publications, the originating division submits a draft of the electronic publication or a draft URL link via e-mail to *STO.OPPR.POLICY with a request for review. PMU e-mails approval within two working days of receipt to the originating division, with a copy to the Data Services Division, Web Services.

(b) PMU approval. PMU reviews the document submitted, and authorizes and transmits the approved document and Form ADM-114, Reproduction Request, to OSSD Publications Section within two working days of receipt:

(1) provided PMU identifies no APA compliance issues; and

(2) except when PMU identifies APA compliance issues. When compliance issues are identified, PMU negotiates a solution with the initiating division director or designee, and upon implementation of the solution, PMU authorizes and transmits the document and Form ADM-114.

DHS:2-31-29. Policy studies

Upon the request of the Director, officers, or division directors, the Office of Planning, Policy, and Research completes policy studies, briefs, analyses, and impact reports on important issues facing the Oklahoma Department of Human Services. These reports are completed within a time frame negotiated with the persons who make the request.

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INSTRUCTIONS TO STAFF

- 1. To request a policy study, a memo or e-mail is sent to the Office of Planning, Policy and Research (OPPR) administrator or directly to one of the research staff, outlining the parameters of the research needed, including the time frame. Upon receipt of a request for a policy study, a staff person or team is assigned within resource limits, and a contact is made to clarify the request or offer assistance in obtaining an evaluation from another source. Although a request may be directed to a specific staff person, the project may be assigned to a more appropriate staff person.**

DHS:2-31-30. Policy availability

PMU is the official repository for approved current Oklahoma Department of Human Services (OKDHS) policy. OKDHS rules, regulations, and instructions to staff are available via the Internet at <http://www.okdhs.org> or internally on the OKDHS InfoNet. OKDHS State Office, administrative, and division memos are available on the OKDHS InfoNet. Paper copies of these documents may be maintained at local offices at the discretion of the county director or other lead staff who are also responsible for ensuring that, if paper copies are used, they are current.

PART 6. STATISTICS AND RESEARCH

DHS 2-31-35. Statistics and research

(a) Statistical data. The Office of Planning, Policy, and Research (OPPR) is responsible for providing agency wide statistics in support of the Oklahoma Department of Human Services (OKDHS) Strategic Plan. The Web/Statistics Unit (WSU) has primary responsibility for collating and disseminating data related to the services provided by OKDHS. This includes but is not limited to:

- (1) electronic and paper copy publication of a monthly statistical bulletin;
- (2) electronic and paper copy publication of an annual report;
- (3) sponsoring and supporting the (OKDHS) enterprise data warehouse;
- (4) ad hoc information requested by the Director, Commission for Human Services, Governor, Legislature, or Oklahoma Congressional offices;
- (5) ad hoc information requested by other entities as resources permit; and
- (6) statistical information provided on the OKDHS home page on the Internet.

(b) Research.

(1) The OPPR Research Unit (RU) conducts analysis at the request of the Director, officers, division directors, or their designees in support of program development and management productivity. ■ 1

(2) RU is available to provide technical assistance or to help prepare an invitation to bid or grant that includes a program or management analysis component.

INSTRUCTIONS TO STAFF

1. To request a research project or technical assistance, a memo or e-mail is sent to the Office of Planning, Policy and Research (OPPR) administrator or directly to one of the research staff, outlining the parameters of the research needed, including the time frame. Upon receipt of a request for research, a staff person or team is assigned within resource limits, and a contact is made to clarify the request or offer assistance in obtaining an evaluation from another source. Although a request may be directed to a specific staff person, the project may be assigned to a more appropriate staff person.