

**NOTICE OF MEETING**

**STATE BOARD OF MENTAL HEALTH  
AND SUBSTANCE ABUSE SERVICES**

**ODMHSAS  
Main Conference Room  
1200 N.E. 13<sup>th</sup> Street  
Oklahoma City, Oklahoma 73117  
405-522-3877**

**March 22, 2013 – 9:00 a.m.**

**AGENDA**

- I. Determination of quorum, call to order  
and opening remarks..... J. Andy Sullivan, M.D.  
Chair
- II. Approval of minutes of the January 25, 2013, Meeting.....Dr. Sullivan
- III. Discussion and Possible Action.....John Hudgens  
Regarding Critical Incident Report Provider Certification  
Possible executive session pursuant to 25.O.S.  
§ 307 (B) (7) to discuss confidential information  
pursuant to state or federal law
- IV. Discussion and Possible Action.....Mr. Hudgens  
Regarding Approval of Program Certifications  
(see Attachment “A”)
- V. Discussion and Possible Action.....Durand Crosby  
Regarding ODMHSAS Administrative Rules Chief Operating Officer  
As follows:

**CHAPTER 1. ADMINISTRATION**

**PROPOSED RULES:**

**SUBCHAPTER 1. GENERAL INFORMATION**

- 450:1-1-1.1. Definitions [AMENDED]
- 450:1-1-2. Applicability [AMENDED]

**SUBCHAPTER 3. CONTRACTS FOR MENTAL HEALTH, SUBSTANCE ABUSE, AND  
RESIDENTIAL CARE SERVICES**

- 450:1-3-5. Staff qualifications for contracted entities [AMENDED]

- SUBCHAPTER 9. CERTIFICATION AND DESIGNATION OF FACILITY SERVICES**
- 450:1-9-1. Applicability of certification [AMENDED]
  - 450:1-9-3. Purpose of certification [AMENDED]
  - 450:1-9-4. Reviewing authority [AMENDED]
  - 450:1-9-5. Qualifications for certifications of facilities and programs and individuals [AMENDED]
  - 450:1-9-5.1. Types and duration of certification status for facilities and programs [AMENDED]
  - 450:1-9-5.2. Types and Duration of certification of individuals [AMENDED]
  - 450:1-9-5.3. Additional conditions related to certification [AMENDED]
  - 450:1-9-6. Procedures for application for certification [AMENDED]
  - 450:1-9-6.1. Expanding certification of facilities and programs to additional geographical areas; Adding new programs or levels of care [AMENDED]
  - 450:1-9-7. Procedures for completion of the Permit for Temporary Operations certification process [AMENDED]
  - 450:1-9-7.1. Procedures for completion of additional certification processes subsequent to a Permit for Temporary Operations [AMENDED]
  - 450:1-9-7.2. Procedures for renewal of certification [AMENDED]
  - 450:1-9-7.3. Additional certification procedures [AMENDED]
  - 450:1-9-7.4. Actions on Non-Certified Providers [AMENDED]
  - 450:1-9-8.1. Site reviews [AMENDED]
  - 450:1-9-9. Bases for a decision to issue administrative sanction of suspension, or revocation [AMENDED]

**AUTHORITY:**

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-110, 3-306, 3-306.1, 3-314.1, 3-315, 3-317, 3-318, 3-319 and 3-415; 74 O.S. §85.9G.

**SUMMARY:**

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 1 are part of the Department's review of Title 450. The proposed rules are intended to clarify existing rules, improve processes, and are intended to comply with statutory changes.

Proposed changes include updated definitions for target populations and definitions for staff requirements, clarifications on purpose and applicability related to certification, additional procedures to protect health and safety of persons served, procedures for additional reviews of facilities with limited experience in providing ODMHSAS certified services, and references to new types of ODMHSAS certification authorized by Title 43A.

**CHAPTER 15. CONSUMER RIGHTS**

**PROPOSED RULES:**

**SUBCHAPTER 1. GENERAL PROVISIONS**

- 450:15-1-2. Definitions [AMENDED]

**SUBCHAPTER 3. CONSUMER RIGHTS**

- 450:15-3-3. Notification of the Bill of Rights [AMENDED]

- 450:15-3-8. Right to freedom from maltreatment [AMENDED]
- 450:15-3-27. ~~Synopsis of the bill of rights~~ Synopsis of the bill of rights [AMENDED]
- 450:15-3-81. Resident rights [AMENDED]

**SUBCHAPTER 7. OFFICE OF CONSUMER ADVOCACY AND DEPARTMENT INVESTIGATIONS**

- 450:15-7-4. Office of Consumer Advocacy powers and duties [AMENDED]
- 450:15-7-6. Reporting suspected maltreatment [AMENDED]
- 450:15-7-7. Administrator's responsibilities regarding allegations reportable to the Department [AMENDED]
- 450:15-7-9. Investigation procedures [AMENDED]
- 450:15-7-14. Investigative interviews [AMENDED]
- 450:15-7-15. Investigative report and findings [AMENDED]

**AUTHORITY:**

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 2-108 and 2-109.

**SUMMARY:**

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 15 are part of the Department's review of Title 450. The proposed rules are intended to clarify existing rules, improve processes, and are intended to comply with statutory changes.

In an effort to provide increased clarity and uniformity, Chapter 15 proposed changes have been made throughout to further clarify terms used and to reflect terms that are more current, and additional language has been proposed to further clarify rights afforded consumers who are receiving services. Several of the proposed changes are to the "Synopsis of Rights" that must be posted by a provider. These changes are for clarification and for consistency with the enumerated rights already contained in the chapter. Additional proposed changes include reorganization of clarification of the roles of the Office of Consumer Advocacy, the Consumer Advocate General, and the Office of Inspector General.

**CHAPTER 17. STANDARDS AND CRITERIA FOR COMMUNITY MENTAL HEALTH CENTERS**

**PROPOSED RULES:**

**SUBCHAPTER 1. GENERAL PROVISIONS**

- 450:17-1-2. Definitions [AMENDED]

**SUBCHAPTER 3. REQUIRED SERVICES**

- 450:17-3-61. Outpatient therapy services [AMENDED]
- 450:17-3-191. Peer support services [AMENDED]
- 450:17-3-192. Peer Recovery Support Specialists staff requirements [AMENDED]
- 450:17-3-193. Peer Recovery Support services: Locale and frequency [AMENDED]

**AUTHORITY:**

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-306, 3-306.1 and 3-315; 74 O.S. §85.9G.

**SUMMARY:**

Community Mental Health Center rules are revised to update terms and definitions in order to comply with changes made to Oklahoma Health Care Authority rules found in Title 317 of the Oklahoma Administrative Code. Additional proposed changes are made to provide increased clarity and uniformity.

**CHAPTER 50. STANDARDS AND CRITERIA FOR CERTIFIED BEHAVIORAL HEALTH CASE MANAGERS**

**PROPOSED RULES:**

SUBCHAPTER 1. GENERAL PROVISIONS

450:50-1-2. Definitions [AMENDED]

SUBCHAPTER 3. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION APPLICATION

450:50-3-1. Qualifications for certification [AMENDED]

450:50-3-2. Applications for certification [AMENDED]

450:50-3-3. Duration of certification [AMENDED]

450:50-3-7. ~~Classifications~~Scope of Certified Behavioral Health Case ManagersManager Certifications [AMENDED]

SUBCHAPTER 5. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION TRAINING AND WEB-BASED COMPETENCY-~~EXAM~~ EXAMS

450:50-5-1. Case management certification training [AMENDED]

450:50-5-4. Continuing education requirements [AMENDED]

450:50-5-5. Web-based competency-~~exam~~ exams [AMENDED]

SUBCHAPTER 7. RULES OF PROFESSIONAL CONDUCT

450:50-7-1. Responsibility and scope of practice [AMENDED]

450:50-7-3. Reimbursement for services rendered [AMENDED]

**AUTHORITY:**

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-306 and 3-318.

**SUMMARY:**

Certified Behavioral Health Case Management rules are revised to enhance the education and training requirements for individuals applying to be certified as a Case Manager II. The scope of CM II's practice will now include psychiatric rehabilitation services so the training and examination requirements will now include a psychiatric rehabilitation component in order to better prepare individuals to provide these services. These proposed revisions create a certification process for individuals designated as Behavioral Health Rehabilitation Specialists (BHRS) and correspond with provider qualification requirements in the Oklahoma Health Care Authority's Administrative rules found in Title 317 of the Oklahoma Administrative Code. Proposed rules also remove the Case Manager III certification, as licensed behavioral health professionals (LBHPs) and Certified Alcohol and Drug Counselors (CADCs) will now be able to provide case

management and rehabilitation services pursuant to their respective licensures/certifications and will not be required to obtain certification through ODMHSAS.

## **CHAPTER 70. STANDARDS AND CRITERIA FOR OPIOID SUBSTITUTION TREATMENT PROGRAMS**

### **PROPOSED RULES:**

Chapter 70. Standards and Criteria for Opioid ~~Substitution~~ Treatment Programs  
[AMENDED]

### **AUTHORITY:**

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. § 3-601 et. seq.

### **SUMMARY:**

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 70 are part of the Department's regular review of Title 450. The proposed changes to rule are intended to clarify and simplify existing rules, improve processes and are intended to comply with recent federal rule changes.

- VI. Discussion ..... Terri White  
Regarding report of activities since last Board meeting Commissioner
  
- VII. Discussion ..... Durand Crosby  
Regarding report of activities since last Board meeting Chief Operating Officer
  
- VIII. Discussion regarding the.....Henry Haynes, Ed.D.  
Report from the Corporate Committee Member  
Accountability Committee concerning  
Department Investigations and  
Consumer Complaints  
Possible executive session as authorized  
by 25 O.S. § 307(B)(4) and (7), for:  
Discussion regarding pending investigations,  
claims, or actions and matters which are confidential  
pursuant to state or federal law
  
- IX. Discussion and Possible Action.....Kim Poff  
Regarding the Inspector General's Report Inspector General  
Possible executive session as authorized  
by 25 O.S. § 307(B) (4) and (7), for:  
Discussion regarding investigations by the  
ODMHSAS Inspector General's Division relating  
to consumer abuse, neglect and mistreatment  
which are confidential pursuant to 43A O.S. §§ 1-109,  
2-109 and 3-422; 42 C.F.R. Part 2; 45 C.F.R.  
Parts 160 and 164; and 63 O.S. § 1-1709

- X. Discussion and Possible Action.....Deneka Cain  
 Regarding the Consumer Advocate’s Report Advocate General  
 Possible executive session as authorized  
 by 25 O.S. § 307(B) (4) and (7), for:  
 Discussion regarding investigations by the  
 ODMHSAS Advocate General’s Division relating  
 to consumer abuse, neglect and mistreatment  
 which are confidential pursuant to 43A O.S. §§ 1-109,  
 2-109 and 3-422; 42 C.F.R. Part 2; 45 C.F.R.  
 Parts 160 and 164; and 63 O.S. § 1-1709
  
- XI. Discussion regarding the..... Larry McCauley, Ed.D.  
 Report from Performance Committee Chair  
 Improvement Committee
  
- XII. Discussion regarding the.....Henry Haynes, Ed.D.  
 Report from the Finance Committee Committee Chair  
 Including possible discussion of expenditures,  
 budget increases, reduction and revenues
  
- XIII. Discussion and Possible Action.....Juarez McCann  
 Regarding the Monthly Financial Report Chief Financial Officer  
 Including possible discussion of expenditures,  
 budget increases, reduction and revenues
  
- XIV. Presentation.....Carrie Slatton-Hodges  
 Deputy Commissioner  
 Treatment and Recovery Services
  
- XV. New Business.....Dr. Sullivan
  
- XVI. Adjournment.....Dr. Sullivan

**ATTACHMENT "A"**

**DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
BOARD MEETING OF MARCH 22, 2013  
PROGRAM CERTIFICATION RECOMMENDATIONS  
AND POSSIBLE ACTION REGARDING RECOMMENDATION  
BASED ON OAC 450:1, EFFECTIVE JULY 10, 2010**

**EFFECTIVE DATE - EXPIRATION DATE**

**I. Alcohol and Drug Treatment Programs**

**A. Permit for Temporary Operation**

- |    |  |                                   |
|----|--|-----------------------------------|
| 1. | Byte and Associates, L.L.C.  | March 22, 2013-September 23, 2013 |
| 2. | Four Winds Ranch Recovery Center<br>for Adolescent Females, L.L.C. | March 22, 2013-September 23, 2013 |
| 3. | Love Heals Church, Inc. dba<br>Restoring Lives Programs            | March 22, 2013-September 23, 2013 |
| 4. | Native Health Management, L.L.C.<br>dba Advanced Recovery Center   | March 22, 2013-September 23, 2013 |

**B. Two-Year Certification**

- |    |  |                                |
|----|--|--------------------------------|
| 1. | Mid-Del Youth & Family Center, Inc.                            | April 1, 2013-January 31, 2015 |
| 2. | Mi-Win, Inc. dba Justin's Lighthouse,<br>Pryor                 | March 22, 2013-March 31, 2015  |
| *  | 3. Norman Addiction Information &<br>Counseling, Inc. dba NAIC | April 1, 2013-January 31, 2015 |

**C. Certification with Special Distinction**

- |    |   |                                |
|----|---|--------------------------------|
| 1. | Central Oklahoma Family Medical<br>Center, Inc.   | April 1, 2013-March 31, 2016   |
| ** | 2. Children's Recovery Center of<br>Oklahoma  | April 1, 2013-March 31, 2016   |
| *  | 3. KiBois Community Action Foundation,<br>Inc. dba The Oaks Rehabilitative<br>Services Center | April 1, 2013-January 31, 2016 |
| *  | 4. Payne County Drug Court, Inc.  | April 1, 2013-March 31, 2016   |

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**EFFECTIVE DATE - EXPIRATION DATE**

5. ROCMND Area Youth Services, Inc. April 1, 2013-March 31, 2016

\* 6. Southwest Youth and Family Services, Inc. April 1, 2013-January 31, 2016

**II. Opioid Substitution Treatment Programs**

**A. Permit for Temporary Operation**

1. Native Health Management, L.L.C. dba Advanced Recovery Center PTO effective upon receipt of DEA, OBND, and SAMHSA approvals; PTO expires six (6) months from effective date

**III. Outpatient Mental Health Treatment Programs**

**A. Permit for Temporary Operation**

1. Area Youth Shelter, Inc. March 22, 2013-September 23, 2013

2. Community Counseling and Testing Services, L.L.C. March 22, 2013-September 23, 2013

3. Hope Family Clinic, P.L.L.C. March 22, 2013-September 23, 2013

4. Moore Alcohol and Drug Center, Inc. dba Moore Youth and Family Services March 22, 2013-September 23, 2013

5. Premier Behavioral Health Counseling, L.L.C. March 22, 2013-September 23, 2013

6. ROCMND Area Youth Services, Inc. March 22, 2013-September 23, 2013

7. Tri-City Youth and Family Center, Inc. March 22, 2013-September 23, 2013

8. Youth Services for Stephens County, Inc. March 22, 2013-September 23, 2013

**B. Two-Year Certification**

1. Phoenix Gate, Inc. March 22, 2013-March 31, 2015



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**EFFECTIVE DATE - EXPIRATION DATE**

**IV. Comprehensive Community Addiction Recovery Center Programs**

**A. Two-Year Certification**

- |   |   |                               |
|---|---|-------------------------------|
| * | 1. The Center for Therapeutic Interventions, P.L.L.C. | March 22, 2013-March 31, 2015 |
|---|---|-------------------------------|

**V. Eating Disorder Treatment Programs**

**A. Certification with Distinction**

- |    |  |                              |
|----|--|------------------------------|
| 1. | Laureate Psychiatric Clinic and Hospital, Inc. | April 1, 2013-March 31, 2016 |
|----|--|------------------------------|

**VI. Programs of Assertive Community Treatment**

**A. Certification with Special Distinction**

- |    |  |                              |
|----|--|------------------------------|
| ** | 1. Carl Albert Community Mental Health Center  | April 1, 2013-March 31, 2016 |
| ** | 2. Central Oklahoma Community Mental Health Center                                     | April 1, 2013-March 31, 2016 |
| ** | 3. Jim Taliaferro Community Mental Health Center                                       | April 1, 2013-March 31, 2016 |
| *  | 4. Oklahoma Mental Health Council, Inc. dba Red Rock Behavioral Health Services, Tulsa | April 1, 2013-March 31, 2016 |

**VII. Community-Based Structured Crisis Center Programs**

**A. Permit for Temporary Operation**

- |   |  |                                   |
|---|--|-----------------------------------|
| * | 1. Mental Health Services of Southern Oklahoma, Inc. | February 15, 2013-August 15, 2013 |
|---|--|-----------------------------------|

**DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
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**EFFECTIVE DATE - EXPIRATION DATE**

**B. Two-Year Certification**

- \* 1. Oklahoma Mental Health Council, Inc. March 22, 2013-March 31, 2015  
     dba Red Rock Behavioral  
     Health Services, Norman

**C. Certification with Special Distinction**

- \*\* 1. Children’s Recovery Center of April 1, 2013-March 31, 2016  
     Oklahoma

**VIII. Community Residential Mental Health Programs**

**A. Permit for Temporary Operation**

- \* 1. Miller’s Residential Care, L.L.C. January 29, 2013-July 29, 2013

**B. One-Year Certification**

- \* 1. Dow Residential Care Facility, Inc. April 1, 2013-March 31, 2014
- \* 2. Lake Francis Residential Care Home, April 1, 2013-March 31, 2014  
     Inc.

**C. Certification with Distinction**

- \* 1. Copp’s Residential Care, Inc. April 1, 2013-April 30, 2014
- \* 2. Duncan Community Residence, Inc. April 1, 2013-April 30, 2014
- \* 3. Fair Oaks Residential Care, L.L.C. April 1, 2013-March 31, 2014

\* Contracted programs  
 \*\* ODMHSAS-operated program