

NOTICE OF MEETING

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

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

March 25, 2016 – 9:00 a.m.

AGENDA

- I. Determination of quorum, call to order
and opening remarks..... Brent Bell, D.O
Chair

- II. Approval of minutes of the January 22, 2016, Meeting.....Dr. Bell

- III. Discussion and Possible Action.....Stephanie Gay
Regarding Approval of Program Certifications Director, Provider Certification
(see Attachment “A-1” and Attachment “A-2”)
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

- IV. Discussion and Possible Action.....Traylor Rains-Sims
Regarding ODMHSAS Director, Policy & Planning
Administrative Rules
As follows:

CHAPTER 1. ADMINISTRATION

PROPOSED RULES:

SUBCHAPTER 9. CERTIFICATION AND DESIGNATION OF FACILITY SERVICES

450:1-9-6.1 Expanding certification of facilities and programs to additional
geographic areas; Adding new programs or levels of care
[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:

Proposed Revisions to Chapter 1 are made in order to allow facilities certified by ODMHSAS to expand their service areas to include offices in other counties and geographic areas beyond counties that are contiguous to their primary site.

CHAPTER 16. STANDARDS AND CRITERIA FOR COMMUNITY RESIDENTIAL MENTAL HEALTH FACILITIES

PROPOSED RULES:

SUBCHAPTER 1. GENERAL PROVISIONS

450:16-1-2. Definitions [AMENDED]

SUBCHAPTER 21. PERSONNEL, STAFFING, AND TRAINING

450:16-21-4. Residential care staff licensure and training requirements, administrator [AMENDED]

AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101 and 3-315.

SUMMARY:

Proposed revisions to Chapter 16 are made to update definitions as well as clarify continuing education requirements for residential care facility administrators.

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

PART 5. EMERGENCY SERVICES

450:17-3-41. Emergency services [AMENDED]

PART 9. MEDICATION CLINIC SERVICES

450:17-3-81. Medication clinic services [AMENDED]

450:17-3-82. Medication clinic, medication monitoring [AMENDED]

SUBCHAPTER 5. OPTIONAL SERVICES

PART 21. GAMBLING DISORDER TREATMENT SERVICES [REVOKED]

450:17-5-128. Gambling Disorder Treatment Services [REVOKED]

450:17-5-129. Level of Care [REVOKED]

450:17-5-130. Admission criteria [REVOKED]

- 450:17-5-131. Discharge criteria [REVOKED]
- 450:17-5-132. Treatment services [REVOKED]

PART 23. BEHAVIORAL HEALTH HOME [NEW]

- 450:17-5-144. Treatment team; general requirements [AMENDED]
- 450:17-5-145. Treatment team; adult team [AMENDED]
- 450:17-5-146. Treatment team; children and adolescent team [AMENDED]
- 450:17-5-150. Initial assessment [AMENDED]
- 450:17-5-156. Behavioral Health Home medication monitoring [AMENDED]
- 450:17-5-157. Behavioral Health Home pharmacy services [AMENDED]

PART 25. CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS [NEW]

- 450:17-5-170. Certified Community Behavioral Health Clinic [NEW]
- 450:17-5-171. Organizational authority, governance and accreditation [NEW]
- 450:17-5-172. Staff Training [NEW]
- 450:17-5-173. Staffing; Treatment team [NEW]
- 450:17-5-174. Staff Training [NEW]
- 450:17-5-175. Linguistic Competence [NEW]
- 450:17-5-176. Availability and Accessibility of Services [NEW]
- 450:17-5-177. General Service Provisions [NEW]
- 450:17-5-178. Initial Screening, Assessment and Comprehensive Evaluation [NEW]
- 450:17-5-179. Primary care screening and monitoring [NEW]
- 450:17-5-180. Person-Centered and Family-Centered Service Planning [NEW]
- 450:17-5-181. Service plan; content [NEW]
- 450:17-5-182. Review of plan [NEW]
- 450:17-5-183. Care Coordination [NEW]
- 450:17-5-184. Crisis Services [NEW]
- 450:17-5-185. Outpatient therapy services [NEW]
- 450:17-5-186. Case management services [NEW]
- 450:17-5-187. Behavioral health rehabilitation services [NEW]
- 450:17-5-188. Peer Support Services [NEW]
- 450:17-5-189. Community-based mental health care for members of the Armed Forces and Veterans [NEW]
- 450:17-5-190. Electronic health records and data sharing [NEW]
- 450:17-5-191. Consumer (Patient Care) Registries and Population Health Management [NEW]
- 450:17-5-192. Data reporting, performance measurement and quality improvement [NEW]

SUBCHAPTER 7. FACILITY CLINICAL RECORDS

- 450:17-7-3. Basic requirements [AMENDED]
- 450:17-7-5. Clinical record content, screening, intake and assessment [AMENDED]
- 450:17-7-8. Behavioral Health Service plan [AMENDED]

SUBCHAPTER 21. STAFF DEVELOPMENT AND TRAINING

- 450:17-21-3. Annually required in-service training for all employees [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.

SUMMARY:

Proposed revisions to Chapter 17 are made to add standards and criteria for Certified Community Behavioral Health Clinics (CCBHCs). CCBHCs are federally recognized entities designed to serve individuals with serious mental illnesses and substance use disorders that provide intensive, person-centered, multidisciplinary, evidence-based screening, assessment, diagnostic, treatment, prevention, and wellness services. Rules are also revised to update Health Home certification standards in order to clarify inconsistencies. Optional standards and criteria to provide gambling disorder treatment services are removed, since these services will be allowed to be provided by facilities under standard outpatient services utilizing qualified providers without having to obtain the additional optional certification.

CHAPTER 18. STANDARDS AND CRITERIA FOR SUBSTANCE RELATED AND ADDICTIVE DISORDER TREATMENT SERVICES

PROPOSED RULES:

SUBCHAPTER 1. GENERAL PROVISIONS

450:18-1-2 Definitions [AMENDED]

SUBCHAPTER 7. FACILITY CLINICAL RECORDS

PART 3. SCREENING, INTAKE, AND ASSESSMENT

450:18-7-21. Clinical record content, screening, intake, and assessment [AMENDED]

PART 13. DISCHARGE PLANNING

450:18-7-123. Discharge Summary [AMENDED]

SUBCHAPTER 13. SUBSTANCE USE DISORDER TREATMENT SERVICES

PART 1. LEVELS OF CARE

450:18-13-1. Levels of Care and optional programs [AMENDED]

PART 3. OUTPATIENT SERVICES

450:18-13-22. Outpatient services, admission criteria [AMENDED]

450:18-13-23. Outpatient services, discharge criteria [AMENDED]

SUBCHAPTER 15. GAMBLING DISORDER TREATMENT SERVICES [REVOKED]

18-15-1. Purpose [REVOKED]

18-15-2. Level of care [REVOKED]

18-15-3. Admission criteria [REVOKED]

18-15-4. Discharge criteria [REVOKED]

18-15-5. Treatment services [REVOKED]

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:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 18 are part of the Department's review of Title 450. Proposed rules remove optional standards and criteria for providing gambling disorder treatment services, since these services will be allowed to be provided by facilities under standard outpatient services utilizing qualified providers without having to obtain the additional optional certification. Rules also revise provider qualifications for Gambling Treatment Professionals.

CHAPTER 21. CERTIFICATION OF ALCOHOL AND DRUG SUBSTANCE ABUSE COURSES (ADSAC) ORGANIZATIONS AND FACILITATORS

PROPOSED RULES:

SUBCHAPTER 1. CERTIFICATION OF ALCOHOL AND DRUG SUBSTANCE ABUSE COURSES (ADSAC), ORGANIZATIONS AND INSTRUCTORS

- 450:21-1-3. Definitions [AMENDED]
- 450:21-1-5. Compliance with laws, rules [AMENDED]
- 450:21-1-6. Applications [AMENDED]
- 450:21-1-7.6. Participant records, basic requirements [AMENDED]
- 450:21-1-9. Facilities, equipment and instructional material [AMENDED]
- 450:21-1-10. ADSAC facilitator certification, qualification and disqualification [AMENDED]
- 450:21-1-10.1. Inactive status/closure [AMENDED]

AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-451 through 3-453.1; 47 O.S. §§ 6-212.2, 11-902 and 761(D); 22 O.S. §§ 991a and 991c.

SUMMARY:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 21 are part of the Department's review of Title 450. The proposed rules revise reporting requirements for individuals certified under this Chapter as well as revises timelines for steps within the application process in order to assist applicants with timely completion.

CHAPTER 22. CERTIFICATION OF ALCOHOL AND DRUG ASSESSMENT AND EVALUATIONS RELATED TO DRIVER'S LICENSE REVOCATION

PROPOSED RULES:

- 450:22-1-3. Definitions [AMENDED]
- 450:22-1-6. ADSAC assessors and assessment agencies [AMENDED]
- 450:22-1-9. Certified approved sites [AMENDED]
- 450:22-1-10. Participant evaluation [AMENDED]
- 450:22-1-11. Standardized evaluation instruments [AMENDED]
- 450:22-1-11.3. Participant records, basic requirement assessors, assessment agencies [AMENDED]
- 450:22-1-11.4. Participant record storage, retention and disposition [AMENDED]
- 450:22-1-11.7. Biopsychsocial assessment [AMENDED]

- 450:22-1-12. Assessor applicants [AMENDED]
- 450:22-1-15. Assessor responsibilities [AMENDED]
- 450:22-1-15.1. Fitness of applicants [AMENDED]
- 450:22-1-20. Inactive status and closure [AMENDED]

AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-453 and 3-460; 47 O.S. §§ 6-212.2 and 11-902; 22 O.S. §§ 991a and 991c.

SUMMARY:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 22 are part of the Department's review of Title 450. The proposed rules revise reporting requirements for individuals certified under this Chapter. Changes are also made regarding acceptable locations of ADSAC assessment sites based on legislative changes made during the 2015 Legislative Session. Revisions are also made to make processes and terminology more consistent across Chapters within Title 450.

CHAPTER 24. STANDARDS AND CRITERIA FOR COMPREHENSIVE COMMUNITY ADDICTION RECOVERY CENTERS

PROPOSED RULES:

SUBCHAPTER 1. GENERAL PROVISIONS

- 450:24-1-2. Definitions [AMENDED]

SUBCHAPTER 5. OPTIONAL SERVICES

PART 19. GAMBLING DISORDER TREATMENT SERVICES [REVOKED]

- 450:24-5-162. Gambling Disorder Treatment Services [REVOKED]
- 450:24-5-163. Level of Care [REVOKED]
- 450:24-5-164. Admission criteria [REVOKED]
- 450:24-5-165. Discharge criteria [REVOKED]
- 450:24-5-166. Treatment services [REVOKED]

SUBCHAPTER 19. STAFF DEVELOPMENT

- 450:24-19-3. Annually required in-service training for all employees [AMENDED]

AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 3-415.

SUMMARY:

Proposed rules remove optional standards and criteria for providing gambling disorder treatment services, since these services will be allowed to be provided by facilities under standard outpatient services utilizing qualified providers without having to obtain the additional optional certification. Rules also revise provider qualifications for Gambling Treatment Professionals.

CHAPTER 27. STANDARDS AND CRITERIA FOR MENTAL ILLNESS SERVICE PROGRAMS

PROPOSED RULES:

SUBCHAPTER 1. GENERAL PROVISIONS

450:27-1-2. Definitions [AMENDED]

SUBCHAPTER 3. ORGANIZATION STRUCTURE AND ADMINISTRATIVE OPERATIONS

PART 3. HUMAN RESOURCES ORGANIZATION

450:27-3-26. Annually required in-service training for all employees [AMENDED]

450:27-3-27. Clinical supervision [NEW]

SUBCHAPTER 7. CLINICAL SERVICES

PART 3. ADDITIONAL OR OPTIONAL SERVICES

450:27-7-24. Medication clinic services [AMENDED]

450:27-7-25. Pharmacy services [REVOKED]

450:27-7-26. Pharmacy services [REVOKED]

SUBCHAPTER 9. BEHAVIORAL HEALTH HOME

450:27-9-5. Treatment team; general requirements [AMENDED]

450:27-9-6. Treatment team; adult team [AMENDED]

450:27-9-7. Treatment team; children and adolescent team [AMENDED]

450:27-9-11. Initial assessment [AMENDED]

450:27-9-17. Behavioral Health Home medication monitoring [AMENDED]

450:27-9-18. Behavioral Health Home pharmacy services [REVOKED]

AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 3-323A.

SUMMARY:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 27 are part of the Department's review of Title 450. The proposed rules update Health Home certification standards in order to clarify inconsistencies and update provider qualifications. Revisions also add requirements for clinical supervision within facilities certified under this Chapter.

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

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

450:50-3-4. Fees [AMENDED]

AUTHORITY:

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

SUMMARY:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 50 are part of the Department's review of Title 450. The proposed rules require that applicants seeking behavioral health case management certification submit a criminal background report from the Oklahoma State Bureau of Investigation.

CHAPTER 55. STANDARDS AND CRITERIA FOR PROGRAMS OF ASSERTIVE COMMUNITY TREATMENT

PROPOSED RULES:

SUBCHAPTER 17. STAFF DEVELOPMENT AND TRAINING

450:55-17-3. In-service [AMENDED]

SUBCHAPTER 25. BEHAVIORAL HEALTH HOME

450:55-25-5. Treatment team; general requirements [AMENDED]

450:55-25-6. Treatment team composition [AMENDED]

450:55-25-11. Initial assessment [AMENDED]

450:55-25-16. Behavioral Health Home medication monitoring [AMENDED]

450:55-25-17. Behavioral Health Home pharmacy services [REVOKED]

AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-306 and 3-319.

SUMMARY:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 55 are part of the Department's review of Title 450. The proposed rules update Health Home certification standards in order to clarify inconsistencies and update provider qualifications.

CHAPTER 65. STANDARDS AND CRITERIA FOR GAMBLING TREATMENT PROGRAMS

PROPOSED RULES:

SUBCHAPTER 1. GENERAL PROVISIONS

450:65-1-2. Definitions [AMENDED]

AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-306, 3-317, 3-403(1), 3-404, 3-406, 3-415 and 3-416.

SUMMARY:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 65 are part of the Department’s review of Title 450. Proposed rules revise provider qualifications for Gambling Treatment Professionals.

- V. Discussion Terri White
Regarding report of activities since last Board meeting Commissioner

- VI. Discussion..... Durand Crosby, Ph.D.
Regarding report of activities since last Board meeting Chief of Staff
and Operations

- VII. Discussion regarding the.....Joel Carson
Report from the Corporate Committee Chair
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

- VIII. Discussion and Possible Action.....Joseph Mickey
Regarding the Consumer Advocate’s Report Consumer Advocate
Possible executive session as authorized
by 25 O.S. § 307(B) (4) and (7), for: Discussing
any matter where disclosure of information would
violate confidentiality requirements of state or federal law
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

- IX. Discussion and Possible Action.....Jason Maddox
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 regarding the Gail Henderson, M.Ed.
Report from Performance Committee Chair
Improvement Committee

- XI. Discussion and Possible Action..... Dr. Crosby
 Regarding Critical Incident Reports
 Possible executive session pursuant to 25.O.S.
 § 307 (B) (7) to discuss confidential information
 pursuant to state or federal law

- XII. Discussion regarding the.....Mr. Carson
 Report from the Finance Committee
 Committee Chair
 Including possible discussion of expenditures,
 budget increases, reduction and revenues

- XIII. Discussion and Possible Action.....Rich Edwards
 Regarding the Monthly Financial Report
 Chief Budget Officer
 Including possible discussion of expenditures,
 budget increases, reduction and revenues

- XIV. Discussion and Possible Action.....Dr. Crosby
 Regarding the declaration of an emergency
 at Jim Taliaferro Community Mental Health Center
 for the replacement of the main chiller pursuant
 to 61 O.S § 130

- XV. Presentation.....Commissioner White

- XVI. Presentation.....Commissioner White

- XVII. New Business.....Dr. Bell

- XVIII. Adjournment.....Dr. Bell