

NOTICE OF MEETING

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

**ODMHSAS
Board Room
2000 N. Classen, 2-600
Oklahoma City, Oklahoma 73106
405-248-9201**

March 25, 2022 – 9:00 a.m.

A meeting of the Oklahoma State Board of Mental Health and Substance Abuse Services will be held March 25, 2022, at 9:00 a.m. in accordance with the Open Meeting Act of Oklahoma.

AGENDA

- I. Determination of quorum and welcoming remarks Courtney Knoblock, MPA
Chair
- II. Approval of minutes of the January 28, 2022, meeting.....Ms. Knoblock
- III. Discussion and Possible Action..... Kelli Reid
Regarding Approval of Program Certifications Director, Provider
(see Attachment "A") Compliance and Assistance
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 regarding theCarisa Wilsie, Ph.D.
Report from the Administrative Committee Chair
Rules Committee
- V. Discussion and Possible Action.....Melissa Miller
Regarding ODMHSAS Senior Director, Policy and Planning
Administrative Rules
Possible executive session as authorized
by 25 O.S. § 307(B)(4)

CHAPTER 1. ADMINISTRATION

PROPOSED RULES:

Subchapter 1. General Information

450:1-1-1.1 [AMENDED]

450:1-1-2 [AMENDED]

450:1-1-3 [AMENDED]

Subchapter 9. Certification and Designation of Facility Services

450:1-9-4 [AMENDED]

450:1-9-5 [AMENDED]

450:1-9-5.4 [AMENDED]

450:1-9-5.5 [AMENDED]

450:1-9-5.6 [AMENDED]

450:1-9-5.7 [AMENDED]

450:1-9-5.8 [AMENDED]

450:1-9-5.9 [AMENDED]

450:1-9-6 [AMENDED]

450:1-9-6.1 [AMENDED]

450:1-9-6.2 [NEW]

450:1-9-7 [AMENDED]

450:1-9-7.1 [AMENDED]

450:1-9-7.2 [AMENDED]

450:1-9-7.3 [AMENDED]

450:1-9-7.4 [AMENDED]

450:1-9-8.1 [AMENDED]

450:1-9-13 [AMENDED]

450:1-9-14 [AMENDED]

AUTHORITY:

Oklahoma Board of Mental Health and Substance Abuse Services; 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:

The proposed rule revisions to Chapter 1 make changes and clarifications to provider certification processes and criteria, including Commissioner approval scope, definitions of and thresholds for critical and necessary standards, clarifications to certain general program standards, and procedures for Permits for Temporary Operations, Probationary Certification, and the addition of new programs. Revisions also add new references to rule language newly added through HB 2006 and other clean-up language.

CHAPTER 15. CONSUMER RIGHTS

PROPOSED RULES:

Subchapter 3. Consumer Rights

Part 1. Mental Health and Drug or Alcohol Abuse Services Consumer Bill of Rights

450:15-3-20.1 [AMENDED]

Part 3. Consumer Grievance Procedure

450:15-3-45 [AMENDED]

AUTHORITY:

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

SUMMARY:

The proposed rule revisions to Chapter 15 make clarifications regarding consumer grievance and notification procedures.

CHAPTER 17. STANDARDS AND CRITERIA FOR COMMUNITY MENTAL HEALTH CENTERS

PROPOSED RULES:

Subchapter 1. General Provisions

450:17-1-1 [AMENDED]

450:17-1-2 [AMENDED]

450:17-1-6 [AMENDED]

Subchapter 3. Required Services

Part 9. Medication Clinic Services

450:17-3-81 [AMENDED]

450:17-3-82 [AMENDED]

Part 11. Case Management

450:17-3-101 [AMENDED]

Subchapter 5. Optional Services

Part 11. Community Living Programs

450:17-5-56 [AMENDED]

450:17-5-59.1 [REVOKED]

450:17-5-60 [REVOKED]

450:17-5-64 [REVOKED]

450:17-5-66 [REVOKED]

450:17-5-67.2 [REVOKED]

450:17-5-67.3 [REVOKED]

Part 23. Certified Community Behavioral Health Clinics

450:17-5-174 [AMENDED]

450:17-5-176 [AMENDED]

450:17-5-177 [AMENDED]

450:17-5-179 [AMENDED]

450:17-5-185 [AMENDED]

450:17-5-189.1 [NEW]

450:17-5-191 [AMENDED]

Subchapter 7. Facility Clinic Records

450:17-7-1 [REVOKED]

450:17-7-4 [REVOKED]

450:17-7-8 [AMENDED]

450:17-7-10 [AMENDED]

Subchapter 15. Performance Improvement and Quality Management

450:17-15-5 [AMENDED]

Subchapter 25. Governing Authority

450:17-25-2 [AMENDED]

AUTHORITY:

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

SUMMARY:

The proposed rule revisions to Chapter 17 remove language that duplicates rules in Chapter 1, remove language regarding compliance with open meetings laws, and revise language regarding documentation requirements and medication clinic services. Language regarding specific housing programs is removed. Revisions also add language regarding required CCBHC and CMHC services and new requirements regarding CCBHC service locations.

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

PROPOSED RULES:

Subchapter 1. General Provisions

450:18-1-1 [AMENDED]

450:18-1-2 [AMENDED]

Subchapter 5. Organizational and Facility Management

450:18-5-3.2 [AMENDED]

450:18-5-10 [REVOKED]

Subchapter 7. Facility Clinical Records

Part 1. Record System [REVOKED]

450:18-7-1 [REVOKED]

450:18-7-2 [REVOKED]

450:18-7-4 [REVOKED]

Part 3. Screening and Assessment

450:18-7-21 [AMENDED]

450:18-7-23 [AMENDED]

450:18-7-24 [REVOKED]

450:18-7-25 [REVOKED]

450:18-7-26 [REVOKED]

Part 7. Case Management

450:18-7-61 [AMENDED]

450:18-7-63 [AMENDED]

Part 9. Service Planning

450:18-7-81 [AMENDED]

450:18-7-82 [REVOKED]

Part 11. Progress Notes

450:18-7-101 [AMENDED]

Part 13. Discharge Planning

450:18-7-121 [AMENDED]

450:18-7-122 [AMENDED]

Subchapter 9. Services Support and Enhancement [REVOKED]

Part 1. Staff Support [REVOKED]

450:18-9-1 [REVOKED]

Subchapter 13. Substance Use Disorder Treatment Services

Part 1. Levels of Care

450:18-13-2 [AMENDED]

Part 3. Outpatient Services, ASAM Level 1

450:18-13-21 [AMENDED]

450:18-13-22 [REVOKED]

450:18-13-23 [REVOKED]

Part 7. Medically Supervised Withdrawal Management, ASAM Level 3.7

450:18-13-62 [REVOKED]

450:18-13-63 [REVOKED]

Part 11. Residential Treatment, ASAM Level 3.5

450:18-13-101 [AMENDED]

450:18-13-101.1 [REVOKED]

450:18-13-102 [REVOKED]

450:18-13-103 [REVOKED]

Part 13. Residential Treatment for Persons with Dependent Children and Pregnant Women, ASAM Level 3.5

450:18-13-121 [AMENDED]

450:18-13-122 [REVOKED]

450:18-13-123 [REVOKED]

450:18-13-124 [REVOKED]

Part 15. Residential Treatment for Adults with Co-occurring Disorders, ASAM Level 3.3

450:18-13-141 [AMENDED]

450:18-13-142 [REVOKED]

450:18-13-143 [REVOKED]

Part 17. Residential Treatment for Adolescents, ASAM Level 3.5

450:18-13-161 [AMENDED]

450:18-13-161.1 [REVOKED]

450:18-13-162 [REVOKED]

450:18-13-163 [REVOKED]

Part 19. Halfway House Services, ASAM Level 3.1

450:18-13-181 [AMENDED]

450:18-13-182 [REVOKED]

450:18-13-183 [REVOKED]

Part 20. Adolescent Halfway House Services, ASAM Level 3.1

450:18-13-190 [AMENDED]

450:18-13-191 [REVOKED]

450:18-13-192 [REVOKED]

Part 21. Halfway House Services for Persons with Dependent Children and Pregnant Women, ASAM Level 3.1

450:18-13-201 [AMENDED]

450:18-13-202 [REVOKED]

450:18-13-203 [REVOKED]

AUTHORITY:

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

SUMMARY:

The proposed rule revisions to Chapter 18 remove language that is addressed elsewhere or is otherwise unnecessary, including discharge and admission criteria, outreach requirements, weekly required treatment hours, group size limitations, and timeframes for assessments and service plans. Language regarding intensive levels of care are removed and standards are simplified to address American Society of Addiction Medicine (ASAM) level of care and population-specific standards.

CHAPTER 21. ALCOHOL AND DRUG SUBSTANCE ABUSE COURSES (ADSAC) AND ASSESSMENTS

PROPOSED RULES:

Subchapter 1. General Provisions
450:21-1-3 [AMENDED]

Subchapter 4. Certification of Alcohol and Drug Substance Abuse Courses (ADSAC), Organizations and Instructors
450:21-4-2 [AMENDED]

Subchapter 7. Certification of Alcohol and Drug Assessors Related to Driver's License Revocation
450:21-7-3 [AMENDED]
450:21-7-5 [AMENDED]
450:21-7-8 [AMENDED]
450:21-7-9 [AMENDED]

AUTHORITY:

Oklahoma Board of Mental Health and Substance Abuse Services; 43A O.S. §§ 2-101, 3-451 through 3-453.1, and 3-460; 47 O.S. §§ 6-212.2, 11-902 and 761(D); 22 O.S. §§ 991a and 991c.

SUMMARY:

The proposed rule revisions to Chapter 21 clarify and amend requirements for photograph and background check submissions, participant data entry, assessments, and evaluation instruments.

CHAPTER 23. STANDARDS AND CRITERIA FOR COMMUNITY-BASED STRUCTURED CRISIS CENTERS

PROPOSED RULES:

Subchapter 1. General Provisions
450:23-1-1 [AMENDED]

Subchapter 3. ~~Facility-Based Crisis~~ Facility-Based Crisis Stabilization
450:23-3-5 [AMENDED]

Subchapter 5. CBSCC Clinical Records
450:23-5-2 [AMENDED]
450:23-5-3 [REVOKED]
450:23-5-4 [AMENDED]
450:23-5-5 [AMENDED]
450:23-5-6 [AMENDED]

Subchapter 21. Facility Environment
450:23-21-1 [AMENDED]

AUTHORITY:

Oklahoma Board of Mental Health and Substance Abuse Services; 43A O.S. § 3-317

SUMMARY:

The proposed rule revisions to Chapter 23 remove language regarding documentation requirements, clarify assessment requirements, and include other clean up language.

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

PROPOSED RULES:

Subchapter 1. General Provisions
450:24-1-1 [AMENDED]

Subchapter 3. Required Services
Part 3. Screening, Assessment and Referral
450:24-3-21 [AMENDED]
450:24-3-22 [AMENDED]
Part 15. Case Management
450:24-3-141 [AMENDED]
450:24-3-143 [AMENDED]

Subchapter 7. Facility Clinical Records
450:24-7-5 [AMENDED]
450:24-7-9 [AMENDED]
450:24-7-11 [AMENDED]
450:24-7-12 [AMENDED]

Subchapter 23. Governing Authority
450:24-23-2 [AMENDED]

AUTHORITY:

Oklahoma Board of Mental Health and Substance Abuse Services; 43A O.S. §§ 2-101, and 3-415

SUMMARY:

The proposed rule revisions to Chapter 24 remove language regarding documentation requirements for assessments, progress notes, and discharge plans. Other clean up language is also included.

CHAPTER 27. STANDARDS AND CRITERIA FOR MENTAL ILLNESS SERVICE PROGRAMS

PROPOSED RULES:

Subchapter 1. General Provisions
450:27-1-1 [AMENDED]

Subchapter 3. Organization Structure and Administrative Operations
Part 5. Safety and Risk Management
450:27-3-43 [AMENDED]
450:27-3-44 [REVOKED]

Subchapter 5. Quality Management of Operations
Part 3. Operations for Service Documentation
450:27-5-21 [REVOKED]
450:27-5-22 [REVOKED]
450:27-5-23 [REVOKED]

Subchapter 7. Clinical Services
Part 1. Required Services
450:27-7-1 [REVOKED]
450:27-7-3 [AMENDED]
Part 3. Additional or Optional Services
450:27-7-21 [AMENDED]
450:27-7-22 [AMENDED]
Part 5. Clinical Documentation
450:27-7-41 [AMENDED]
450:27-7-42 [AMENDED]
450:27-7-44 [AMENDED]

AUTHORITY:

Oklahoma Board of Mental Health and Substance Abuse Services; 43A O.S. §§ 2-101, and 3-323A

SUMMARY:

The proposed rule revisions to Chapter 27 remove language regarding hygiene and sanitation, clinical documentation, assessments, progress notes, and service plans that is addressed elsewhere or is otherwise unnecessary. Other clean up language is also included.

CHAPTER 53. STANDARDS AND CRITERIA FOR CERTIFIED PEER RECOVERY SUPPORT SPECIALISTS

PROPOSED RULES:

Subchapter 3. Peer Recovery Support Specialists Certification Application
450:53-3-1 [AMENDED]
450:53-3-2 [AMENDED]
450:53-3-5 [AMENDED]

AUTHORITY:

Oklahoma Board of Mental Health and Substance Abuse Services; 43A O.S. §§ 2-101, and 3-326

SUMMARY:

The proposed rule revisions to Chapter 53 clarify employment documentation requirements, change language regarding education requirements, and add language

which requires criminal history reports to be submitted. Language addressing criteria for criminal convictions is also added.

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

PROPOSED RULES:

Subchapter 1. General Provisions
450:55-1-1 [AMENDED]

Subchapter 5. PACT Clinical Documentation
450:55-5-2 [REVOKED]
450:55-5-4 [AMENDED]
450:55-5-9 [AMENDED]

Subchapter 19. Facility Environment
450:55-19-1 [AMENDED]

AUTHORITY:

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

SUMMARY:

The proposed rule revisions to Chapter 55 remove language regarding consumer records, progress notes, assessments, and service plans that is addressed elsewhere or is otherwise unnecessary. Other clean up language is also included.

CHAPTER 60. STANDARDS AND CRITERIA FOR CERTIFIED EATING DISORDER TREATMENT PROGRAMS

PROPOSED RULES:

Subchapter 1. General Provisions
450:60-1-1 [AMENDED]

Subchapter 3. Required Services
450:60-3-3 [AMENDED]

Subchapter 7. Facility Clinical Records
450:60-7-1 [REVOKED]
450:60-7-3 [REVOKED]
450:60-7-4 [REVOKED]
450:60-7-5 [REVOKED]
450:60-7-6 [AMENDED]
450:60-7-8 [AMENDED]

AUTHORITY:

Oklahoma Board of Mental Health and Substance Abuse Services; 43A O.S. § 3-320

SUMMARY:

The proposed rule revisions to Chapter 60 clarify and remove language regarding consumer records, progress notes, assessments, and service plans that is addressed elsewhere or is otherwise unnecessary. Other clean up language is also included.

CHAPTER 65. STANDARDS AND CRITERIA FOR GAMBLING TREATMENT PROGRAMS

PROPOSED RULES:

Subchapter 1. General Provisions

450:65-1-1 [AMENDED]

450:65-1-2 [AMENDED]

Subchapter 3. Gambling Treatment Services and Documentation

450:65-3-4 [AMENDED]

450:65-3-4.1 [NEW]

450:65-3-6 [AMENDED]

450:65-3-8 [AMENDED]

450:65-3-10 [REVOKED]

Subchapter 7. Organizational and Facility Management

450:65-7-9 [REVOKED]

AUTHORITY:

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

SUMMARY:

The proposed rule revisions to Chapter 65 amend language regarding service plans, case management services, and continuing care plans. Language regarding consumer records and outreach that is addressed elsewhere or is otherwise unnecessary is removed. Language regarding requirements for progress notes is added. Other clean up language is also included.

CHAPTER 70. STANDARDS AND CRITERIA FOR OPIOID TREATMENT PROGRAMS

PROPOSED RULES:

Subchapter 1. General Provisions

450:70-1-1 [AMENDED]

450:70-1-2 [AMENDED]

450:70-1-4 [AMENDED]

Subchapter 3. Facility Record System

Part 1. Record System

450:70-3-3 [REVOKED]

Part 3. Intake and Admission Assessment

450:70-3-5.6 [AMENDED]

450:70-3-5.8 [AMENDED]

450:70-3-5.9 [AMENDED]

Part 7. Service Planning
450:70-3-8 [AMENDED]
Part 9. Progress Notes
450:70-3-9 [AMENDED]

Subchapter 4. Services Support and Enhancement
Part 3. Organizational and Facility Management
450:70-4-6 [AMENDED]
450:70-4-12 [REVOKED]

Subchapter 6. Substance Use Disorder Treatment Services
Part 2. Levels of Treatment
450:70-6-10 [AMENDED]
Part 3. Phases of Services
450:70-6-15 [AMENDED]
450:70-6-17.2 [AMENDED]
450:70-6-17.3 [AMENDED]
450:70-6-17.4 [AMENDED]
450:70-6-17.5 [AMENDED]
450:70-6-17.6 [AMENDED]
450:70-6-17.7 [AMENDED]

AUTHORITY:

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

SUMMARY:

The proposed rule revisions to Chapter 70 removes language regarding patient records, service planning, progress notes, and outreach that is addressed elsewhere or is otherwise unnecessary. Requirements regarding treatment hours and services for each phase of treatment are amended. Other clarifying and clean up language is also included.

CHAPTER 75. STANDARDS AND CRITERIA FOR CERTIFIED PROBLEM GAMBLING TREATMENT COUNSELORS

PROPOSED RULES:

Subchapter 1. General Provisions [NEW]
450:75-1-1 [NEW]
450:75-1-2 [NEW]
450:75-1-3 [NEW]

Subchapter 3. Certification Criteria and Application Requirements [NEW]
450:75-3-1 [NEW]
450:75-3-3 [NEW]
450:75-3-5 [NEW]
450:75-3-7 [NEW]
450:75-3-9 [NEW]
450:75-3-11 [NEW]

Subchapter 5. Rules of Professional Conduct [NEW]
450:75-5-1 [NEW]

450:75-5-3 [NEW]

450:75-5-5 [NEW]

450:75-5-7 [NEW]

Subchapter 7. Enforcement [NEW]

450:75-7-1 [NEW]

450:75-7-3 [NEW]

AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-322a

SUMMARY:

The proposed rules establish standards and procedures for certification of Problem Gambling Treatment Counselors, including criteria for certification and renewal, fees, application requirements, education and training requirements, continuing education requirements, and rules of professional conduct.

- VI. Discussion Carrie Slatton-Hodges
Regarding report of activities since last Board meeting Commissioner

- VII. Discussion regarding the.....Shannon O’Doherty
Report from the Corporate Committee Chair
Accountability Committee Concerning
Department Auditor’s Report, Investigations,
Consumer Complaints and Legal Matters
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.....Misty Capps
Regarding the Internal Audit Report Auditor
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 and 2-109; 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.....Joseph Mickey
Regarding the Advocate General’s Report Advocate General
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 and 2-109; 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.....Dewayne Moore
 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 and
 2-108; 42 C.F.R. Part 2; 45 C.F.R.
 Parts 160 and 164; and 63 O.S. § 1-1709

- XI. Discussion and Possible Action.....Durand Crosby, J.D., Ph.D.
 Regarding the Legal Report Chief of Staff and Operations
 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 and 2-109; 42 C.F.R.
 Part 2; 45 C.F.R. Parts 160 and 164; and 63 O.S. § 1-1709

- XII. Discussion regarding theCarisa Wilsie, Ph.D.
 Report from the Performance Committee Chair
 Improvement Committee

- XIII. Discussion and Possible Action.....Dr. Crosby
 Regarding Critical Incidents Report Chief of Staff and Operations
 Possible executive session pursuant to 25.O.S.
 § 307 (B) (7) to discuss confidential information
 pursuant to state or federal law

- XIV. Discussion regarding the.....Ms. O’Doherty
 Report from the Finance Committee Committee Chair
 Including possible discussion of expenditures,
 budget increases, reduction, and revenues

- XV. Discussion and Possible Action.....Rich Edwards
 Regarding 1) the Monthly Financial Reports Chief Financial Officer
 Including possible discussion of expenditures,
 budget increases, reduction, and revenues

- XII. Discussion and Possible Action.....Rich Edwards
 Regarding declaration of emergency at the Chief Financial Officer
 Oklahoma Forensic Center pursuant to 61 O.S.§ 130 (A) (1).

- XVI. Presentation.....Carrie Slatton-Hodges
 Commissioner

- XVII. Presentation.....Carrie Slatton-Hodges
 Commissioner

XVIII. New Business.....Ms. Knoblock

XIX. Adjournment.....Ms. Knoblock