

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE
SERVICES
CHAPTER 1. ADMINISTRATION**

SUBCHAPTER 1. GENERAL INFORMATION

450:1-1-1.1. Definitions

The following words or terms, as defined below, when used in Chapters 1, 15, 16, 17, 18, 21, 23, 24, 27, 30, 50, 53, 55, 60, 65, 70, and 75 shall have the following meaning, unless the context clearly indicates otherwise and will prevail in the event there is a conflict with definitions included elsewhere in Chapters 1, 15, 16, 17, 18, 21, 23, 24, 27, 30, 50, 53, 55, 60, 65, 70 and 75:

"Administrative Hearing Officer" means an individual who is an attorney licensed to practice law in the State of Oklahoma and is appointed by the Commissioner of ODMHSAS to preside over and issue a proposed order in individual proceedings.

"AOA" means American Osteopathic Association.

"Behavioral Health Aide (BHA)" ~~means individuals must have completed sixty (60) hours or equivalent of college credit or may substitute one year of relevant employment and/or responsibility in the care of children with complex emotional needs for up to two years of college experience, and:~~ an individual who is credentialed by ODMHSAS to provide therapeutic behavioral services. In order to qualify as a BHA an individual must possess certification as a Behavioral Health Case Manager I and successfully complete training as prescribed by ODMHSAS.

~~(A) must have successfully completed the specialized training and education curriculum provided by the ODMHSAS; and~~

~~(B) must be supervised by a bachelor's level individual with a minimum of two years case management experience or care coordination experience; and~~

~~(C) treatment plans must be overseen and approved by a LBHP or Licensure Candidate; and~~

~~(D) must function under the general direction of a LBHP, Licensure Candidate and/or systems of care team, with a LBHP or Licensure Candidate available at all times to provide back up, support, and/or consultation.~~

"Behavioral Health Case Manager" or "CM" means any person who is certified by the ODMHSAS as a Behavioral Health Case Manager pursuant to Oklahoma Administrative Code, Title 450, Chapter 50.

"Board" means the Oklahoma State Board of Mental Health and Substance Abuse Services.

"CARF" means Commission on Accreditation of Rehabilitation Facilities (CARF).

"Certification" means a status which is granted to a person or an entity by the Oklahoma State Board of Mental Health and Substance Abuse Services or the ODMHSAS, and indicates the provider is in compliance with minimum standards as incorporated in OAC 450 to provide a particular service. In accordance with the Administrative Procedures Act, 75 O.S. § 250.3(8), certification is defined as a "license."

"Certified Alcohol and Drug Counselor (CADC)" means Oklahoma certification as an Alcohol and Drug Counselor.

~~**"Certified Behavioral Health Case Manager"** or **"CM"** means any person who is certified by the ODMHSAS as a Behavioral Health Case Manager pursuant to Oklahoma Administrative Code, Title 450, Chapter 50.~~

"Certified facility" means any facility which has received a certification status by the Oklahoma State Board of Mental Health and Substance Abuse Services or the ODMHSAS.

"Certification report" means a summary of findings documented by ODMHSAS related to an applicant's compliance with certification standards.

"COA" means the Council on Accreditation of Services for Families and Children, Inc.

"Consumer" means an individual who has applied for, is receiving or has received evaluation or treatment services from a facility operated or certified by ODMHSAS or with which ODMHSAS contracts and includes all persons referred to in OAC Title 450 as client(s) or patient(s) or resident(s) or a combination thereof.

"Critical incident" means an occurrence or set of events inconsistent with the routine operations of a facility, service setting, or otherwise routine care of a consumer. Critical incidents specifically include, but are not necessarily limited to the following: adverse drug events; self-destructive behavior; deaths and injuries to consumers, staff, and visitor; medication errors; residential consumers that have absent without leave (AWOL); neglect or abuse of a consumer; fire; unauthorized disclosure of information; damage to or theft of property belonging to consumers or the facility; other unexpected occurrences; or events potentially subject to litigation. A critical incident may involve multiple individuals or results.

"Critical standard" means a standard that ODMHSAS deems to have the potential to significantly impact the safety, well-being, and/or rights of consumers, or consumers' access to appropriate services.

"Discharge summary" means a clinical document in the treatment record summarizing the consumer's progress during treatment, with goals reached, continuing needs, and other pertinent information including documentation of linkage to aftercare.

"Contractor" or **"contractors"** means any person or entity under contract with ODMHSAS for the provision of goods, products or services.

"Employment Consultant (EC)" means an individual who (i) has a high school diploma or equivalent; and (ii) successful completion of Job Coach training.

"Entities" or **"entity"** means sole proprietorships, partnerships and corporations.

"Facilities" or **"facility"** means entities as described in 43A O.S. § 1-103(7), community mental health centers, residential mental health facilities, community-based structured crisis centers, certified services for the alcohol and drug dependent, programs of assertive community treatment, eating disorder treatment, gambling addiction treatment, and narcotic treatment programs.

"Family" means the parents, brothers, sisters, other relatives, foster parents, guardians, and others who perform the roles and functions of family members in the lives of consumers.

"Family Support and Training Provider (FSP)" means an individual who is credentialed through the ODMHSAS to provide training and support necessary to ensure engagement and active participation of family members during treatment. In order to qualify as an FSP, individuals shall:

(A) Have a high school diploma or equivalent;

(B) Be 21 years of age and have successful experience as a family member of a child or youth with serious emotional disturbance, or have lived experience as the primary caregiver of a child or youth who has received services for substance use disorder and/or co-occurring substance use and mental health, or have lived experience being the caregiver for a child with Child Welfare/Child Protective Services involvement;

(C) Complete Family Support Training according to a curriculum approved by the ODMHSAS and pass the examination with a score of 80% or better;

(D) Pass an OSBI background check and

(E) An FSP must also:

(i) Utilize treatment plans that are overseen and approved by a LBHP or Licensure Candidate; and

(ii) Function under the general direction of a LBHP, Licensure Candidate or systems of care team, with a LBHP or Licensure Candidate available at all times to provide back-up, support, and/or consultation.

"Family Peer Recovery Support Specialist" or "F-PRSS" means any person who is certified by the Department of Mental Health and Substance Abuse Services as a Family Peer Recovery Support Specialist pursuant to requirements found in OAC 450:53.

"Follow-up" means the organized method of systematically determining the status of consumers after they have been discharged to determine post-treatment outcomes and utilization of post-treatment referrals.

"Governing authority" means the individual or group of people who serve as the treatment facility's board of directors and who are ultimately responsible for the treatment facility's activities and finances.

"Individual proceeding" means the formal process employed by an agency having jurisdiction by law to resolve issues of law or fact between parties and which results in the exercise of discretion of a judicial nature.

"Institutional Review Board" or "IRB" means the ODMHSAS board established in accordance with 45 C.F.R. Part 46 for the purposes expressed in this Chapter.

"Intensive Case Manager (ICM)" means an individual who is designated as an ICM and carries a caseload size of not more than twenty-five (25) individuals. They are a LBHP, Licensure Candidate, CADC, or certified as a Behavioral Health Case Manager II, and have: a minimum of two (2) years Behavioral Health Case Management experience and crisis diversion experience.

(A) a minimum of two (2) years Behavioral Health Case Management experience,

(B) crisis diversion experience, and

(C) successfully completed ODMHSAS ICM training.

"IRB approval" means the determination of the IRB that the research has been reviewed and may be conducted within the constraints set forth by the IRB and by other agency and Federal requirements.

"Levels of performance" or **"level of performance"** means units of service by types of service.

"Licensed Alcohol and Drug Counselor" or **"LADC"** means any person who is licensed through the State of Oklahoma pursuant to the provisions of the Licensed Alcohol and Drug Counselors Act.

"Licensed Behavioral Health Professional" or **"LBHP"** means:

(A) An Allopathic or Osteopathic Physician with a current license and board certification in psychiatry or board eligible in the state in which services are provided, or a current resident in psychiatry;

(B) An Advanced Practice Registered Nurse licensed as a registered nurse with a current certification of recognition from the board of nursing in the state in which services are provided and certified in a psychiatric mental health specialty;

(C) A Clinical Psychologist who is duly licensed to practice by the State Board of Examiners of Psychologists;

(D) A Physician Assistant who is licensed in good standing in Oklahoma and has received specific training for and is experienced in performing mental health therapeutic, diagnostic, or counseling functions;

(E) A practitioner with a license to practice in the state in which services are provided issued by one of the following licensing boards:

(i) Social Work (clinical specialty only);

(ii) Professional Counselor;

(iii) Marriage and Family Therapist;

(iv) Behavioral Practitioner; or

(vi) Alcohol and Drug Counselor.

"Licensed dietitian" means a person licensed by the Oklahoma Board of Medical Licensure and Supervision as a dietitian.

"Licensed mental health professional" or **"LMHP"** means a practitioner who meets qualifications as defined in Title 43A §1-103(11).

"Licensed physician" means an individual with an M.D. or D.O. degree who is licensed in the state of Oklahoma to practice medicine.

"Licensed practical nurse" means an individual who is a graduate of an approved school of nursing and is licensed in the State of Oklahoma to provide practical nursing services.

"Licensure candidate" means a practitioner actively and regularly receiving board approved supervision, and extended supervision by a fully licensed clinician if board's supervision requirement is met but the individual is not yet licensed, to become licensed by one of the following licensing boards:

(A) Psychology;

(B) Social Work (clinical specialty only);

(C) Professional Counselor;

- (D) Marriage and Family Therapist;
- (E) Behavioral Practitioner; or
- (F) Alcohol and Drug Counselor.

"Minimal risk" means that the probability and magnitude of harm or discomfort anticipated in the research are not greater, in and of themselves, than those ordinarily encountered in daily life or during the performance of routine physical or psychological examination or tests.

"Necessary standard" means a certification standard that ODMHSAS deems important for an entity's overall functioning but generally does not have a significant, immediate impact on consumers.

"ODMHSAS" or **"Department"** means the Oklahoma Department of Mental Health and Substance Abuse Services.

"Oklahoma Administrative Code" or **"OAC"** means the publication authorized by 75 O.S. § 256 known as The Oklahoma Administrative Code, or, prior to its publication, the compilation of codified rules authorized by 75 O.S. § 256(A)(1)(a) and maintained in the Office of Administrative Rules.

"Paraprofessional" means a person who does not have an academic degree related to the scope of treatment or support services being provided but performs prescribed functions under the general supervision of that discipline.

"Peer Recovery Support Specialist" or **"PRSS"** means an individual certified by ODMHSAS as a Peer Recovery Support Specialist pursuant to requirements found in OAC 450:53.

"Performance improvement" means an approach to the continuous study and improvement of the processes of providing services to meet the needs of consumers and others.

"Probationary certification" means a certification status granted for a one-year period for programs or facilities that have changed majority ownership or majority board composition but operations of the program or facility continue.

"Psychiatrist" means a licensed physician who specialized in the assessment and treatment of individuals having psychiatric disorders and who is fully licensed to practice medicine in the state in which he or she practices and is certified in psychiatry by the American Board of Psychiatry and Neurology, or has equivalent training or experience.

"Registered nurse" means an individual who is a graduate of an approved school of nursing and is licensed in the state of Oklahoma to practice as a registered nurse.

"Rehabilitative services" means face-to-face individual or group services provided by qualified staff to develop skills necessary to perform activities of daily living and successful integration into community life.

"Reimbursement rates" means the rates at which all contractors are reimbursed (paid) for services they provide under their ODMHSAS contract.

"Research" means a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge. Activities which meet this definition constitute research for purposes of this Chapter, whether or not they are conducted or supported under a program that is considered

research for other purposes. For example, some demonstration and service programs may include research activities.

"Respondent" means the person(s) or entity(ies) named in a petition for an individual proceeding against whom relief is sought.

"Sentinel event" means a type of critical incident that is an unexpected occurrence involving the death or serious physical or psychological injury to a consumer, staff member, or visitor, or risk thereof. Serious injury specifically includes loss of limb or function. The phrase "or risk thereof" includes a variation in approved processes which could carry a significant chance of a serious adverse outcome. These events signal the need for immediate investigation and response. Sentinel events include, but are not limited to suicide, homicide, assault and other forms of violence, including domestic violence or sexual assault, and adverse drug events resulting in serious injury or death. Sentinel events include occurrences that take place at the facility and/or during the delivery of services, as well as suicide and unintentional drug overdose deaths that occur at any time while an outpatient consumer is an active consumer and within seventy-two (72) hours of discharge from inpatient and residential settings, including sites certified under Chapter 23 of this Title.

"Service area" means a geographic area established by the Department of Mental Health and Substance Abuse Services for support of mental health [43A O.S. § 3-302(1)].

"Service Provider" means a person who is allowed to provide substance abuse services within the regulation and scope of their certification level or license.

"Site Review Protocol" means an ODMHSAS document developed as a work document in the certification site visit(s) that is based primarily upon the rules (standards/criteria) being reviewed. The Site Review Protocol is used in preparing the Certification Report, which is provided to the facility as well as to the Board for its consideration and action related to certification.

"Staff privileging" means an organized method for facilities and programs to authorize an individual to provide specific care and treatment services to consumers within well-defined limits, based on the evaluation of the individual's license, education, certification, training, experience, competence, judgment, and other credentials.

"Substantial compliance" means the demonstration of compliance by an entity subject to certification to ODMHSAS of a minimum percentage of all applicable critical and necessary standards in accordance with these rules. The determination of whether an individual standard is deemed compliant may be done on a pass/fail basis or as a minimum percentage of required elements.

"Support Services Provider (SSP)" means an individual age eighteen (18) or older with a high school diploma or equivalent.

"TJC" means The Joint Commission formerly referred to as the Joint Commission on Accreditation of Healthcare Organizations or JCAHO.

"Tobacco" means any nicotine delivery product or device that is not approved by the U.S. Food and Drug Administration (FDA) for the purpose of nicotine dependence treatment, including, but not limited to cigarettes, cigars, snuff, chewing tobacco, electronic cigarettes and vaping devices.

"Volunteer" means any person who is not on the program's payroll, but provides services and fulfills a defined role within the program and includes interns and practicum students.

SUBCHAPTER 9. CERTIFICATION AND DESIGNATION OF FACILITY SERVICES

450:1-9-5.6. Quality clinical standards for facilities and programs

(a) Staff qualifications.

- (1) All staff who provide clinical services within facilities and programs shall have documented qualifications or training specific to the clinical services they provide.
- (2) Each facility or program shall have policies and procedures for documenting and verifying the training, experience, education, and other credentials of service providers prior to their providing treatment services for which they were hired. All staff shall be documented as privileged prior to performing treatment services.
- (3) All direct care staff shall be at least eighteen (18) years old.
- (4) Each facility or program shall minimally perform a review each calendar year of current licensure, certifications, and current qualifications for privileges to provide specific treatment services.

(b) Staff development and training.

- (1) All facilities and programs shall have a written staff development and training plan for all administrative, professional and support staff. This plan shall include, at a minimum:
 - (A) Orientation procedures;
 - (B) In-service training and education programs;
 - (C) Availability of professional reference materials;
 - (D) Mechanisms for ensuring outside continuing educational opportunities for staff members; and
 - (E) Performance improvement activities and their results.
- (2) In-service training shall be conducted each calendar year and shall be required within thirty (30) days of each employee's hire date and each calendar year thereafter for all employees on the following topics:
 - (A) Fire and safety, including the location and use of all fire extinguishers and first aid supplies and equipment;
 - (B) Universal precautions and infection control;
 - (C) Consumer's rights and the constraints of the Mental Health Patient's Bill of Rights;
 - (D) Confidentiality;
 - (E) Oklahoma Child Abuse Reporting and Prevention Act, 10 O.S. §§ 7101-7115;
 - (F) Facility policy and procedures;
 - (G) Cultural competence (including military culture if active duty or veterans are being served);
 - (H) Co-occurring disorder competency and treatment principles;
 - (I) Trauma informed service provision;
 - (J) Crisis intervention;
 - (K) Suicide risk assessment, prevention, and response; and

- (L) Age and developmentally appropriate trainings, where applicable.
- (3) All clinical staff, direct care staff, and/or volunteers providing direct care shall have non-physical intervention training in techniques and philosophies addressing appropriate non-violent interventions for potentially physical interpersonal conflicts, staff attitudes which promote dignity and enhanced self-esteem, keys to effective communication skills, verbal and non-verbal interaction and non-violent intervention within thirty (30) days of being hired with updates each calendar year thereafter. Staff and volunteers shall not participate in an intervention without first completing this training. This standard shall not apply to facilities or programs subject to Chapter 27 of this Title or outpatient programs subject to Chapter 18 of this Title.
- (4) The local facility Executive Director shall designate which positions and employees, including temporary employees, will be required to successfully complete physical intervention training. A designated employee or volunteer shall not provide direct care services to consumers until completing this training. This standard shall not apply to facilities or programs subject to Chapter 16 or Chapter 27 of this Title, or outpatient programs subject to Chapter 18 of this Title.
- (5) The training curriculum for (3) and (4) of this subsection must be approved by the ODMHSAS commissioner or designee.
- (6) Each site providing residential level of care services and/or subject to Chapter 23 of this Title shall have staff during all hours of operation who maintain current certification in basic first aid and Cardiopulmonary Resuscitation (CPR).

(c) Clinical supervision.

- (1) With the exception of facilities certified under Chapter 16 of this Title, all facilities and programs shall have written policies and procedures, operational methods, and documentation of the provision of clinical supervision for all direct treatment and service staff. For facilities that employ only one service provider, supervision will be in the form of clinical consultation from a qualified service provider in the same field. These policies shall include, but are not limited to:
- (A) Credentials required for the clinical supervisor;
 - (B) Specific frequency for case reviews with treatment and service providers;
 - (C) Methods and time frames for supervision of individual, group, and educational treatment services; and
 - (D) Written policies and procedures defining the program's plan for appropriate counselor-to-consumer ratio, and a plan for how exceptions may be handled.
- (2) Ongoing clinical supervision shall be provided and shall address:
- (A) The appropriateness of treatment selected for the consumer;
 - (B) Treatment effectiveness as reflected by the consumers meeting their individual goals; and
 - (C) The provision of feedback that enhances the clinical skills of service providers.

(d) Clinical record keeping, basic requirements.

- (1) All facilities and programs shall establish and maintain an organized clinical record system for the collection and documentation of information appropriate to the treatment processes; and which insures organized, easily retrievable, usable clinical records stored under confidential conditions and with planned retention and disposition.
- (2) Each facility or program shall maintain an individual record for each consumer.
- (3) The facility's or program's policies and procedures shall:

- (A) Define the content of the consumer record in accordance with all applicable state and federal rules, requirements, and statutes;
 - (B) Define storage, retention and destruction requirements for consumer records in a manner that prevents unauthorized information disclosures;
 - (C) Require consumer records not in electronic format be maintained in locked equipment which is kept within a locked room, vehicle, or premise;
 - (D) Require legible entries in consumer records, signed with first name or initial, last name, and dated by the person making the entry;
 - (E) Require the consumer's name or unique identifier be typed or written on each page in consumer records not in electronic format;
 - (F) Require a signed consent for treatment before a consumer is admitted on a voluntary basis; and
 - (G) Require consent for release of information in accordance with federal and state laws, guidelines, and standards, including OAC 450:15-3-20.1 and OAC 450:15-3-20.2. For disclosure of information related to substance use disorder referral, payment, and follow up, a signed consent is required.
- (4) If electronic clinical (medical) records are maintained, there shall be proof of compliance with all applicable state and federal rules and statutes related to electronic medical records, encryption, and other required features.
 - (5) ODMHSAS operated facilities shall comply with Records Disposition Schedule 82-17 as approved by the Oklahoma Archives and Records Commission.
 - (6) The facility or program shall assure consumer records are readily accessible to all staff providing services to consumers. Such access shall be limited to the minimum necessary to carry out the staff member's job functions or the purpose for the use of the records.
- (e) **Discharge summary.**
- (1) A completed discharge summary shall be entered in each consumer's record within fifteen (15) days of the consumer completing, transferring, or discontinuing services. The summary shall be signed and dated by the staff member completing the summary. Consumers who have received no services for one hundred eighty (180) days shall be discharged if it is determined that services are no longer needed or desired.
 - (2) A discharge summary shall include, but not be limited to, the consumer's progress made in treatment, initial condition and condition of the consumer at discharge, diagnoses, summary of current medications, when applicable, and recommendations for referrals, if deemed necessary. It shall include a discharge plan which lists written recommendations and specific referrals for implementing aftercare services, including medications. Discharge plans shall be developed with the knowledge and cooperation of the consumer, when possible. This standard shall not apply to facilities certified under Chapter 16 of this Title.
 - (3) The signature of the staff member completing the summary and the date of completion shall be included in the discharge summary.
 - (4) In the event of death of a consumer, in lieu of a discharge summary, a summary statement including applicable information shall be documented in the record.
- (f) **Critical incidents.**

- (1) All facilities and programs shall have written policies and procedures requiring documentation and reporting of critical incidents and analysis of the contributors to the incident to ODMHSAS.
- (2) The documentation of critical incidents shall contain, at a minimum:
 - (A) Facility name and signature of the person(s) reporting the incident;
 - (B) Names of the consumer(s), and/or staff member(s) involved;
 - (C) Time, date, and physical location of the incident;
 - (D) Time and date incident was reported and name of person within the facility to whom it was reported;
 - (E) Description of incident;
 - (F) Severity of each injury, if applicable. Severity shall be indicated as follows:
 - (i) No off-site medical care required or first aid care administered on-site;
 - (ii) Medical care by a physician or nurse or follow-up attention required; or
 - (iii) Hospitalization or immediate off-site medical attention was required;
 - (G) Resolution or action taken and date resolution or action was taken; and
 - (H) Signature of the facility administrator, or designee of the facility administrator. Designees shall be identified in the facility's policy and procedures.
- (3) Critical incidents shall be reported to ODMHSAS with specific timeframes, as follows:
 - (A) Critical incidents requiring medical care by a physician or nurse or follow-up attention and incidents requiring hospitalization or immediate off-site medical attention shall be ~~delivered via fax, or ODMHSAS designated electronic system,~~ reported to ODMHSAS within seventy-two (72) hours of the incident. Critical incidents shall be reported in a form and manner prescribed by ODMHSAS.
 - (B) Critical incidents involving allegations constituting a sentinel event or consumer abuse shall be reported to ODMHSAS immediately, ~~via telephone or fax, but within not more than~~ not to exceed twenty-four (24) hours of the incident. ~~If reported by telephone, the report shall be followed with a written report within twenty-four (24) hours of the incident.~~ Critical incidents shall be reported in a form and manner prescribed by ODMHSAS.

450:1-9-13. Designated emergency examination sites

- (a) ODMHSAS shall maintain a list of facilities designated by the Commissioner as appropriate to conduct emergency examinations to determine if emergency detention is warranted. All hospitals licensed by the Oklahoma State Department of Health who have a designated emergency department and who have an LMHP on staff, under contract, or on call, shall automatically be designated as an emergency examination site.
- (b) The following types of facilities may be placed on the list of designated emergency examination facilities:
 - (1) Hospitals licensed by the Oklahoma State Department of Health;
 - (2) Community Mental Health Centers certified by the Board pursuant to Chapter 17 of Title 450 of the Oklahoma Administrative Code;
 - (3) Community-based Structured Crisis Centers certified by the Board pursuant to Chapter 23 of Title 450 of the Oklahoma Administrative Code;
 - (4) Facilities operated by ODMHSAS; or

(5) Hospitals accredited by JCAHO, CARF, the Accreditation Commission for Health Care/Health Facility Accreditation Program (ACHC/HFAP), or the Center for Improvement in Health Care Quality (CIHQ).

(c) A facility may request the Commissioner to designate the facility as an emergency examination facility to be placed on the list. The facility shall make a request in writing to the Provider Certification Division of ODMHSAS and verify it has the ability to conduct emergency examinations as defined in 43A O.S. § 5-206(4) and has one or more licensed mental health professionals as defined in 43A O.S. § 1-103(11) capable of performing the functions set forth in 43A O.S. §§ 5-207 and 5-208.

(d) The facility shall receive a letter from the Commissioner notifying the facility whether its request to be placed on the list of designated emergency examination facilities has been granted.

SUBCHAPTER 13. BEHAVIORAL HEALTH WORKFORCE DEVELOPMENT FUND

450:1-13-1. Purpose

The purpose of this Subchapter is to set forth criteria and procedures for the disbursement of monies from the Behavioral Health Workforce Development Fund. All monies allocated to the Behavioral Health Workforce Development Fund by the Oklahoma Legislature will be appropriated to and budgeted for use by ODMHSAS for the purpose of repaying student loans for qualified behavioral health practitioners, increasing the number of psychiatric residencies, expanding licensure cohorts to increase the number of clinicians at master's level and above, and developing training, recruitment and supervision capacity. The aim of the fund is to increase the number of behavioral health practitioners providing services in underserved areas of the State by helping to recruit and retain qualified individuals.

450:1-13-3. Applicability

This Subchapter is applicable to ODMHSAS and individual practitioners who are eligible for or applicants of student loan repayment and behavioral health graduate cohort programs funded through the Behavioral Health Workforce Development Fund.

450:1-13-5. Student Loan Repayment

(a) Eligibility. ODMHSAS will provide student loan repayment to behavioral health practitioners in accordance with the rules in this Subchapter and state law. To be eligible for these funds the practitioner must:

(1) Be a Licensed Behavioral Health Professional as defined in this Chapter. Licensure candidates are not eligible until fully licensed;

(2) Be appropriately licensed and in good standing with the applicable state licensing entity;

(3) Be an Oklahoma resident;

(4) Be employed as a practitioner of clinical mental health and/or substance use disorder/addiction services at a behavioral health provider organization with a physical service location in the State of Oklahoma; and

(5) Commit to providing direct clinical care in Oklahoma in a full-time (at least 32 hours

per week) capacity for a period of two (2) years, or an equivalent amount of hours over a period of more than two (2) but not more than four (4) years. A minimum of twenty (20) hours per week over the employment period is required to be eligible.

(b) Eligibility does not guarantee that student loan repayment will be provided. Funds will be disbursed to eligible practitioners as funds are available through the Behavioral Health Workforce Development Fund at the discretion of ODMHSAS. The following factors may be considered in the selection of which practitioners will receive student loan repayment:

- (1) Date of application submission;
- (2) Type of clinical services provided (e.g., primarily mental health or substance related; outpatient or inpatient);
- (3) Demographics of the service area and/or service recipients;
- (4) Eligibility for other loan repayment programs;
- (5) Number of prior applicants in the service area who have received repayment through the fund.

(c) Application. Applications for student loan repayment from the Behavioral Health Workforce Development Fund shall be submitted to ODMHSAS on a form and in a manner prescribed by the Commissioner or designee. The application must include the following:

- (1) Application form completed in full according to its instructions;
- (2) Proof of Oklahoma residency in the form of:
 - (A) An Oklahoma driver's license or identification card;
 - (B) An Oklahoma voter identification card; or
 - (C) A utility bill dated within three (3) months prior to the application date, excluding internet and cellular phone bills.
- (3) Documentation of current, valid license to practice in the State of Oklahoma by the appropriate licensing entity;
- (4) Verification of current employment with a behavioral health organization in Oklahoma, including number of hours worked per week;
- (5) Employer information, including name of organization and location(s) where the applicant will be providing services;
- (6) Job description and/or written documentation from an authorized representative of the employing organization describing the job duties; and
- (7) Signed Commitment Letter.

(d) Optional items that may be submitted with the application include:

- (1) Reference letters from previous or current employer(s); and
- (2) Documentation of additional certifications, credentials, and/or licenses related to behavioral health.

(e) Disbursement.

- (1) Successful applicants will be eligible to receive up to \$30,000 in direct student loan repayment over a maximum of four (4) years of eligible employment.
- (2) Full-time practitioners (at least thirty-two [32] hours per week over the employment period) will be eligible for an initial payment of up to \$20,000 after the completion of twenty-four (24) months of eligible employment. Subsequently, full-time practitioners may renew for a third year to receive an additional \$10,000 in student loan repayment.
- (3) For practitioners working less than full-time (twenty [20] to thirty-one [31] hours per

week over the employment period) during the first two (2) years, initial student loan repayment will be provided in the amount of up to \$15,000 after the completion of twenty-four (24) months of eligible employment. Subsequently, part-time practitioners may renew for a third year and fourth year to receive up to an additional \$7,500 in student loan repayment for each additional year.

(4) Payment is dependent upon the practitioner providing all requested information and documentation to substantiate employment and student loan information. Failure of the practitioner to provide requested items within requested timeframes may delay or terminate eligibility for student loan repayment.

(5) Funds will be paid directly by ODMHSAS to the current lender associated with the student loan and shall not exceed the total student loan debt.

450:1-13-7. Tuition Assistance

(a) **Eligibility.** ODMHSAS will provide tuition assistance to eligible applicants selected for an approved behavioral health graduate level cohort program with a university partner established by ODMHSAS which will provide an educational path to become a Licensed Behavioral Health Professional as defined in this Chapter. Funds will be disbursed to eligible applicants as funds are available through the Behavioral Health Workforce Development Fund at the discretion of ODMHSAS. To be eligible for these funds the applicant must:

(1) Possess a bachelor's degree with an undergraduate grade point average (GPA) of 3.0 or higher. Some exceptions may apply for GPAs of 2.5 – 2.99;

(2) Be attending or planning to attend a master's level program with a university partner established by ODMHSAS;

(3) Be an Oklahoma resident;

(4) Be employed at a behavioral health provider organization with a physical service location in the State of Oklahoma; and

(5) Commit to continued employment with a behavioral health provider organization with a physical service location in Oklahoma in a full-time (at least thirty-two [32] hours per week) capacity for a period of two (2) years, or an equivalent number of hours over a period of more than two (2) but not more than four (4) years. A minimum of twenty (20) hours per week over the employment period is required to be eligible.

(b) **Eligibility does not guarantee that tuition assistance will be provided.** Funds will be disbursed to accepted applicants as funds are available through the Behavioral Health Workforce Development Fund at the discretion of ODMHSAS. The following factors may be considered in the selection of which applicants will receive tuition assistance:

(1) Date of application submission;

(2) Type of clinical services provided by the employer of the applicant;

(3) Demographics of the service area and/or service recipients of the employer of the applicant; and

(4) Number of prior applicants in the service area who have received tuition assistance through the fund.

(c) **Application.** Applications for tuition assistance from the Behavioral Health Workforce Development Fund for an approved behavioral health graduate cohort program with an established university partner shall be submitted to ODMHSAS on a form and in a manner prescribed by the Commissioner or designee. The application must include the following:

(1) Application form completed in full according to its instructions;

(2) Proof of Oklahoma residency in the form of:

(A) An Oklahoma driver's license or identification card;

(B) An Oklahoma voter identification card; or

(C) A utility bill dated within three (3) months prior to the application date, excluding internet and cellular phone bills.

(3) Verification of current employment with a behavioral health organization in Oklahoma, including number of hours worked per week;

(4) Employer information, including name of organization and location(s) where the applicant is working;

(5) Three reference letters from previous or current employer(s); and

(6) Signed Commitment Letter.

(d) Optional items that may be submitted with the application include documentation of additional certifications, credentials, and/or licenses related to behavioral health.

(e) Disbursement.

(1) Successful applicants for the graduate cohort program will be eligible to receive tuition assistance in an amount not to exceed \$2,500 per semester, paid directly to the university established by ODMHSAS on a semester-by-semester basis. The Behavioral Health Workforce Development Fund shall not pay for the cost of textbooks, supplies, transportation, meals, lodging or any of the expenses or fees incurred in pursuing the education program.

(2) Participants shall maintain a passing grade for each of the required courses. The fund will not pay for the cost to retake a failed course.

(3) Participants shall remain employed to a qualified behavioral health provider and maintain their scheduled hours of a minimum of twenty (20) hours per week.

(4) Payment is dependent upon the participant providing all requested information and documentation to substantiate employment and hours worked. Failure of the participant to provide requested items within requested timeframes may delay or terminate eligibility for tuition assistance.

(5) Funds will be paid directly by ODMHSAS to the established university for the behavioral health graduate cohort program and shall not exceed the tuition amount.