

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 3016

By: Randleman

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to mental health; amending 43A O.S.
9 2021, Sections 3-306, 3-310, and 3-317, which relate
10 to the Department of Mental Health and Substance
11 Abuse Services; limiting authority; modifying
12 requirement; modifying definition; and providing an
13 effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 43A O.S. 2021, Section 3-306, is
16 amended to read as follows:

17 Section 3-306. A. The Board of Mental Health and Substance
18 Abuse Services shall have the responsibility and authority to:

19 1. Promulgate rules governing eligibility of public agencies or
20 mental health facilities to contract with the Department of Mental
21 Health and Substance Abuse Services;

22 2. Prescribe standards for qualifications of personnel and
23 quality of professional services;

1 3. Ensure eligibility for community mental health services so
2 that no person will be denied services on the basis of race, color
3 or creed or inability to pay; and

4 4. Promulgate such other rules as may be necessary to carry out
5 the provisions of the Unified Community Mental Health Services Act.

6 B. The Department shall have the following responsibilities and
7 authority to:

8 1. Provide technical assistance to community mental health
9 facilities and boards;

10 2. Provide clinical, fiscal and management ~~audit~~ audits of
11 services and facilities;

12 3. Approve and compile catchment area plans and budget requests
13 into a statewide mental health plan and budget for submission to the
14 Governor, Legislature and federal funding sources as appropriate;
15 and

16 4. Assist mental health facilities in the recruitment of
17 qualified personnel and in conducting in-service training programs.

18 C. The Department shall not have the authority to limit the
19 number of certified community mental health centers in each service
20 area.

21 SECTION 2. AMENDATORY 43A O.S. 2021, Section 3-310, is
22 amended to read as follows:

23 Section 3-310. Any ~~nonprofit~~ private agency providing services
24 pursuant to a contract or subcontract with the Department of Mental

1 Health and Substance Abuse Services, the Board of Mental Health and
2 Substance Abuse Services or any facility of the Department of Mental
3 Health and Substance Abuse Services and receiving funds disbursed
4 thereof shall submit information on operating budgets and employee
5 salaries and benefits to the Department of Mental Health and
6 Substance Abuse Services.

7 SECTION 3. AMENDATORY 43A O.S. 2021, Section 3-317, is
8 amended to read as follows:

9 Section 3-317. A. The Board of Mental Health and Substance
10 Abuse Services, or the Commissioner of Mental Health and Substance
11 Abuse Services upon delegation by the Board, shall certify
12 community-based structured crisis centers for the provision of
13 nonhospital emergency services for mental health and substance abuse
14 crisis intervention. The Board shall promulgate rules for the
15 certification of community-based structured crisis centers.

16 B. No community-based structured crisis center shall operate or
17 continue to operate unless the facility complies with the rules
18 promulgated by the Board and is certified as required by this
19 section.

20 C. For the purposes of this section, "community-based
21 structured crisis center" means any certified community mental
22 health center, comprehensive community addiction recovery center,
23 private agency contracted by the Department of Mental Health and
24 Substance Abuse Services, or facility operated by the Department

1 which is established and maintained for the purpose of providing
2 community-based mental health and substance abuse crisis
3 stabilization services including, but not limited to, observation,
4 evaluation, emergency treatment and referral, when necessary, for
5 inpatient psychiatric or substance abuse treatment services.

6 D. The Department of Mental Health and Substance Abuse Services
7 is authorized to establish and collect certification and renewal
8 fees for certification of community-based structured crisis centers
9 as provided in Section 3-324 of this title.

10 E. Certified community-based structured crisis centers shall
11 comply with standards adopted by the Board. Such standards shall be
12 in compliance with:

13 1. The Joint Commission ~~on Accreditation of Healthcare~~
14 ~~Organizations~~;

15 2. The Commission on Accreditation of Rehabilitation Facilities
16 (CARF);

17 3. The Council on Accreditation (COA); or

18 4. Approved medical and professional standards as determined by
19 the Board.

20 SECTION 4. This act shall become effective November 1, 2024.

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