

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3016

By: Randleman of the House

and

Stephens of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

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

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

4 2. Prescribe standards for qualifications of personnel and
5 quality of professional services;

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

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

11 B. The Department shall have the following responsibilities and
12 authority to:

13 1. Provide technical assistance to community mental health
14 facilities and boards;

15 2. Provide clinical, fiscal and management ~~audit~~ audits of
16 services and facilities;

17 3. Approve and compile catchment area plans and budget requests
18 into a statewide mental health plan and budget for submission to the
19 Governor, Legislature and federal funding sources as appropriate;
20 and

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

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1 C. The Department shall not have the authority to limit the
2 number of certified community mental health centers in each service
3 area.

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

6 Section 3-310. Any ~~nonprofit~~ private agency providing services
7 pursuant to a contract or subcontract with the Department of Mental
8 Health and Substance Abuse Services, the Board of Mental Health and
9 Substance Abuse Services or any facility of the Department of Mental
10 Health and Substance Abuse Services and receiving funds disbursed
11 thereof shall submit information on operating budgets and employee
12 salaries and benefits to the Department of Mental Health and
13 Substance Abuse Services.

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

16 Section 3-317. A. The Board of Mental Health and Substance
17 Abuse Services, or the Commissioner of Mental Health and Substance
18 Abuse Services upon delegation by the Board, shall certify
19 community-based structured crisis centers for the provision of
20 nonhospital emergency services for mental health and substance abuse
21 crisis intervention. The Board shall promulgate rules for the
22 certification of community-based structured crisis centers.

23 B. No community-based structured crisis center shall operate or
24 continue to operate unless the facility complies with the rules

1 promulgated by the Board and is certified as required by this
2 section.

3 C. For the purposes of this section, "community-based
4 structured crisis center" means any certified community mental
5 health center, comprehensive community addiction recovery center,
6 private agency contracted by the Department of Mental Health and
7 Substance Abuse Services, or facility operated by the Department
8 which is established and maintained for the purpose of providing
9 community-based mental health and substance abuse crisis
10 stabilization services including, but not limited to, observation,
11 evaluation, emergency treatment and referral, when necessary, for
12 inpatient psychiatric or substance abuse treatment services.

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

17 E. Certified community-based structured crisis centers shall
18 comply with standards adopted by the Board. Such standards shall be
19 in compliance with:

20 1. The Joint Commission ~~on Accreditation of Healthcare~~
21 ~~Organizations;~~

22 2. The Commission on Accreditation of Rehabilitation Facilities
23 (CARF);

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

1 4. Approved medical and professional standards as determined by
2 the Board.

3 SECTION 4. This act shall become effective November 1, 2024.
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5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/29/2024 -
6 DO PASS, As Amended and Coauthored.
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