

NOTICE OF MEETING

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

**OSU Center for Health Sciences
North Hall, Room 437
1111 W. 17th Street
Tulsa, Oklahoma 74107
405-248-9201**

March 30, 2023 – 12:00 p.m.

A meeting of the Oklahoma State Board of Mental Health and Substance Abuse Services will be held March 30, 2023, at 12:00 p.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 26, 2023, 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]

Subchapter 9. Certification and Designation of Facility Services

450:1-9-5.6 [AMENDED]

AUTHORITY:

Oklahoma Board of Mental Health and Substance Abuse Services; 43A O.S. §§ 2-101, 3-306, 3-306.1, 3-315, 3-317, 3-318, 3-319 and 3-415

SUMMARY:

The proposed rule revisions to Chapter 1 amend the definition of sentinel event and clarify requirements regarding non-physical intervention training.

CHAPTER 15. CONSUMER RIGHTS

PROPOSED RULES:

Subchapter 1. General Information

450:15-1-2 [AMENDED]

Subchapter 3. Consumer Rights

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

450:15-3-6 [AMENDED]

450:15-3-14 [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 and amendments to language regarding consumer rights to communications and social contacts. Revisions also add language regarding consumer rights to access medications. Definitions are also added.

CHAPTER 17. STANDARDS AND CRITERIA FOR COMMUNITY MENTAL HEALTH CENTERS

PROPOSED RULES:

Subchapter 1. General Provisions

450:17-1-2 [AMENDED]

450:17-1-6 [AMENDED]

Subchapter 5. Optional Services

Part 25. Certified Community Behavioral Health Clinics

450:17-5-170 [AMENDED]

450:17-5-177 [AMENDED]

450:17-5-183 [AMENDED]

450:17-5-184 [AMENDED]

450:17-5-189.3 [NEW]

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 add new language and make clarifications regarding requirements for Community Mental Health Centers and Certified Community Behavioral Health Clinics. Revisions also include language regarding the operation of crisis facilities within designated service areas. The definition of sentinel event is also amended.

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

PROPOSED RULES:

Subchapter 7. Facility Clinical Records
Part 9. Service Planning
450:18-7-81 [AMENDED]

AUTHORITY:

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

SUMMARY:

The proposed rule revisions to Chapter 18 clarify requirements regarding signatures on service plans.

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

PROPOSED RULES:

Subchapter 1. Certification of Alcohol and Drug Substance Abuse Courses (ADSAC), Organizations and Instructors
450:21-1-2 [AMENDED]
450:21-1-3 [AMENDED]
450:21-1-7.4 [AMENDED]
450:21-1-7.6 [AMENDED]
450:21-1-7.7 [AMENDED]
Subchapter 4. Certification of Alcohol and Drug Substance Abuse Courses (ADSAC), Organizations and Instructors
450:21-4-2 [AMENDED]
450:21-4-2.1 [NEW]
450:21-4-7 [AMENDED]
Subchapter 7. Certification of Alcohol and Drug Assessors Related to Driver's License Revocation
450:21-7-3 [AMENDED]
450:21-7-4 [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 make changes to renewal requirements for ADSAC facilitators and assessors. Revisions also make changes to required certification thresholds for ADSAC institutions/organizations. Changes include amendments and clarifications regarding ASAM overrides, critical incident reporting, release of information requirements, and evaluation instruments. Other reorganization and clean-up is also included, and definitions are amended.

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

PROPOSED RULES:

- Subchapter 1. General Provisions
450:23-1-2 [AMENDED]
- Subchapter 3. CBSCC Services
Part 2. Urgent Recovery Clinic Services
450:23-3-23 [AMENDED]
450:23-3-25 [NEW]
- Subchapter 5. CBSCC Clinical Records
450:23-5-1 [REVOKED]
450:23-5-2 [REVOKED]
450:23-5-7.1 [REVOKED]
450:23-5-8 [AMENDED]

AUTHORITY:

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

SUMMARY:

The proposed rule revisions to Chapter 23 add requirements regarding nursing staff and pharmacy services for Urgent Recovery Clinics. Language regarding discharge planning for facility-based crisis stabilization is added and amended. Definitions are added and other clean-up changes are also made, including the removal of language that is duplicative or otherwise unnecessary.

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

PROPOSED RULES:

- Subchapter 3. Required Services
Part 1. CCARC Required Core Services
450:24-3-5 [NEW]
- Part 7. Ambulatory Withdrawal Management Services
450:24-3-64 [AMENDED]
450:24-3-65 [REVOKED]
- Part 9. Outpatient Treatment Services, ASAM Level 1

450:24-3-81 [AMENDED]
450:24-3-82 [REVOKED]
Part 11. Intensive Outpatient Services, ASAM Level 2.1
450:24-3-101 [AMENDED]
450:24-3-102 [REVOKED]
Part 13. Medication Clinic Services
450:24-3-121 [AMENDED]
450:24-3-122 [AMENDED]
Subchapter 7. Facility Clinical Records
450:24-7-1 [REVOKED]
450:24-7-4 [REVOKED]
450:24-7-7 [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 clarify medication clinic service requirements and requirements regarding service plan signatures. Other clean-up changes are also made, including reorganization and removal of language that is duplicative or otherwise unnecessary.

CHAPTER 70. STANDARDS AND CRITERIA FOR OPIOID TREATMENT PROGRAMS

PROPOSED RULES:

Subchapter 1. General Provisions
450:70-1-2 [AMENDED]
Subchapter 3. Facility Record System
Part 1. Record System
450:70-3-3.1 [AMENDED]
Part 3. Intake and Admission Assessment
450:70-3-5 [AMENDED]
450:70-3-5.1 [AMENDED]
450:70-3-5.2 [AMENDED]
450:70-3-5.3 [AMENDED]
450:70-3-5.4 [AMENDED]
450:70-3-5.5 [AMENDED]
450:70-3-5.6 [AMENDED]
450:70-3-5.7 [AMENDED]
450:70-3-5.8 [AMENDED]
450:70-3-5.9 [AMENDED]
450:70-3-5.10 [AMENDED]
450:70-3-5.12 [AMENDED]
450:70-3-5.13 [AMENDED]
450:70-3-5.14 [AMENDED]
450:70-3-5.15 [REVOKED]
450:70-3-5.16 [AMENDED]
450:70-3-5.17 [AMENDED]

450:70-3-6 [AMENDED]
Part 5. Biopsychsocial Assessment
450:70-3-7 [AMENDED]
Part 7. Service Planning
450:70-3-8 [AMENDED]
Part 9. Progress Notes
450:70-3-9 [AMENDED]
Part 11. Discharge
450:70-3-10 [AMENDED]
Subchapter 4. Services Support and Enhancement
Part 1. Staff Support
450:70-4-2 [REVOKED]
450:7-4-3 [REVOKED]
450:70-4-4 [AMENDED]
450:70-4-4.1 [AMENDED]
450:70-4-4.2 [AMENDED]
450:70-4-4.3 [AMENDED]
450:70-4-4.4 [AMENDED]
Part 3. Organizational and Facility Management
450:70-4-5 [AMENDED]
450:70-4-5.1 [AMENDED]
450:70-4-5.2 [REVOKED]
450:70-4-5.4 [AMENDED]
450:70-4-6 [AMENDED]
450:70-4-7 [AMENDED]
450:70-4-7.2 [AMENDED]
450:70-4-7.3 [AMENDED]
450:70-4-7.4 [AMENDED]
450:70-4-8 [AMENDED]
450:70-4-8.1 [REVOKED]
450:70-4-8.2 [AMENDED]
450:70-4-8.3 [AMENDED]
450:70-4-8.4 [NEW]
450:70-4-8.5 [NEW]
Subchapter 5. Consumer Rights
450:70-5-3 [AMENDED]
Subchapter 6. Substance Use Disorder Treatment Services
Part 1. Case Management
450:70-6-1 [AMENDED]
Part 2. Levels of Treatment
450:70-6-5 [AMENDED]
450:70-6-5.1 [AMENDED]
450:70-6-5.2 [AMENDED]
450:70-6-6 [AMENDED]
450:70-6-7 [AMENDED]
450:70-6-8 [AMENDED]
450:70-6-9 [AMENDED]
450:70-6-10 [AMENDED]
450:70-6-10.1 [NEW]
450:70-6-12 [AMENDED]

- Part 3. Treatment Services [AMENDED]
- 450:70-6-15 [AMENDED]
- 450:70-6-15.1 [AMENDED]
- 450:70-6-15.2 [AMENDED]
- 450:70-6-15.3 [AMENDED AND RENUMBERED TO 450:70-6-15]
- 450:70-6-15.4 [AMENDED]
- 450:70-6-16 [AMENDED]
- 450:70-6-17 [REVOKED]
- 450:70-6-17.1 [REVOKED]
- 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]
- 450:70-6-17.8 [AMENDED]
- Part 4. Peer Recovery Support Services
- 450:70-6-18 [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 remove requirements regarding identification for consumers and restrictions regarding liquid only forms of methadone. Changes also include amendments to drug testing frequency and requirements, clarification regarding agents allowed to administer and dispense medications, clarification regarding service plan signature and consent requirements, removal of requirements regarding frequency of attendance for consumers with dual enrollments, amendments to and reorganization of requirements regarding take-home dosing, revisions to language regarding HIV/STD/AIDS service requirements, and the addition of a new section with requirements for mobile medication units. Language regarding service phases is also amended, as well as language regarding case management and peer recovery support service requirements. Other clean-up changes are also made, including updating terminology, adding definitions, reorganizing sections, and removing language that is duplicative or otherwise unnecessary.

- 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 the Carisa Wilsie
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
Including possible discussion of expenditures,
budget increases, reduction, and revenues
Committee Chair
- XV. Discussion and Possible Action.....Rich Edwards
Regarding the Monthly Financial Reports
Including possible discussion of expenditures,
budget increases, reduction, and revenues
Chief Financial Officer
- XVI. New Business.....Ms. Knoblock
- XVII. Adjournment.....Ms. Knoblock