



# OKLAHOMA Mental Health & Substance Abuse

2000 N Classen Ste. 2-600  
Oklahoma City, OK 73106  
(405) 248-9200

## TITLE 450

### CHAPTER 50. STANDARDS AND CRITERIA FOR CERTIFIED BEHAVIORAL HEALTH CASE MANAGERS

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## SUBCHAPTER 1. GENERAL PROVISIONS

### **450:50-1-1. Purpose**

This Chapter implements 43A O.S. § 3-318, which authorizes the Board of Mental Health and Substance Abuse Services, or the Commissioner upon delegation by the Board, to certify behavioral health case managers. Section 3-318 requires the Board to promulgate rules and standards for certification of behavioral health case managers addressing criteria for certification and renewal, including minimum education requirements, examination and supervision requirement, continuing education requirements and rules of professional conduct.

### **450:50-1-2. Definitions**

The following words or terms, when used in this Chapter, shall have the following meaning unless the context clearly indicates otherwise.

**"Behavioral Health Case Manager I" or "CM I"** means any person who is certified by the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) to offer behavioral health case management services in accordance with this Chapter.

**"Behavioral Health Case Manager II" or "CM II"** means any person who is certified by ODMHSAS to offer behavioral health case management services and psychosocial rehabilitation (PSR) services in accordance with this Chapter.

**"Behavioral health related field"** means a field of study that is listed on the Department's Approved Degree List or includes a minimum of thirty-six (36) hours of behavioral health related coursework, as determined by the Department.

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

**"Case management services"** means planned referral, linkage, monitoring and support, and advocacy provided in partnership with a consumer to support the consumer in self-sufficiency and community tenure. Services take place in the individual's home, in the community, or in a facility, in accordance with the service plan developed with and approved by the consumer and qualified staff.

**"Commissioner"** means the Commissioner of Mental Health and Substance Abuse Services.

**"Consumer"** means an individual, adult, adolescent, or child, 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.

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

**"Documented experience"** means volunteer or work experience that can be verified in writing by either a current or past supervisor or human resources department.

**"Exam approval letter"** means an official letter issued by ODMHSAS that authorizes applicants to take the relevant exam once the necessary training has been completed by the applicant.

**"Experience"** means twenty (20) or more hours work or volunteer experience per week, over the course of time indicated, with persons living with mental illness and/or substance use disorder.

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

**"Psychosocial rehabilitation" or "PSR"** means curriculum-based education and skills training performed to improve an individual's ability to function in the community. PSR provides an array of services that focus on long term recovery and maximization of self-sufficiency, role functioning, and independence, as distinguished from the symptom stabilization function of acute care.

**"Web-Based Competency Exam"** means a test administered by ODMHSAS that applicants must pass in order to obtain certification as a Behavioral Health Case Manager.

#### **450:50-1-3. Authority of the Commissioner and Department**

(a) The Commissioner shall have the authority and duty to issue, renew, revoke, deny, suspend and place on probation certifications to offer behavioral health case management and shall have authority to reprimand Certified Behavioral Health Case Managers.

(b) The Department shall have authority to:

- (1) Receive and deposit fees as required by 43A O.S. § 3-318(C);
- (2) Examine all qualified applicants for Certified Behavioral Health Case Management;
- (3) Investigate complaints and possible violation of the rules and standards of Certified Behavioral Health Case Managers;
- (4) Make recommendations regarding the outcome of formal complaints; and
- (5) Enforce the recommendations of the formal complaint process.

### **SUBCHAPTER 3. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION APPLICATION**

#### **450:50-3-1. Qualifications for certification**

(a) Each applicant for certification as a behavioral health case manager shall:

- (1) Be employed within six (6) months from the date the application was submitted at
  - (A) The State of Oklahoma;
  - (B) A behavioral health services provider contracting with the state to provide behavioral health services;
  - (C) A tribe or tribal facility that provides behavioral health services; or
  - (D) An Oklahoma Department of Veterans Affairs or United States Department of Veterans Affairs facility.

- (2) Possess good moral turpitude;
- (3) Be at least 21 years of age; and
- (4) Otherwise comply with rules promulgated by the Board implementing 43A O. S. § 3-318.

(b) In addition to the qualifications specified by subsection (a), an applicant for a certification as a Behavioral Health Case Manager must meet the requirements in either (1) or (2) below:

(1) Applicants for Behavioral Case Manager I (CM I) must:

- (A) Possess a High School Diploma, General Equivalency Diploma (GED), or High School Equivalency (HSE) Credential and have a minimum of six (6) months of direct, documented experience working with persons with mental illness and/or substance use disorder; or
- (B) Have completed a minimum of sixty (60) college credit hours.

(2) Applicants for Behavioral Health Case Manager II (CM II) must meet the requirements in (A), (B), (C), (D), or (E) below:

- (A) Have a minimum of thirty-six (36) months of direct, documented experience working with persons with mental illness and/or substance use disorder and possess a High School Diploma, General Equivalency Diploma (GED), or High School Equivalency (HSE) Credential; or
- (B) Have completed sixty (60) college credit hours and have a minimum of twelve (12) months of direct, documented experience working with persons with mental illness and/or substance use disorder; or
- (C) Have a Bachelor's or Master's degree in any field earned from a regionally accredited college or university recognized by the United States Department of Education (USDE) and have a minimum of six (6) months of direct, documented experience working with persons with mental illness and/or substance use disorder; or
- (D) Have a Bachelor's or Master's degree in a behavioral health related field earned from a regionally accredited college or university recognized by the United States Department of Education (USDE); or
- (E) Have a current license as a registered nurse in the State of Oklahoma with documented experience in behavioral health care.

#### **450:50-3-2. Applications for certification**

(a) Applications for certification as a Behavioral Health Case Manager shall be submitted electronically to the Department on a form and in a manner prescribed by ODMHSAS.

(b) Applications for certification as a CM I must include:

- (1) Application form completed in full according to its instructions;
- (2) One of the following, as applicable:
  - (A) Official college or university transcript(s). An unofficial or electronic copy may be accepted if the document can be substantiated by the Department; or
  - (B) Official high school transcript(s), GED, or HSE documentation. An unofficial or electronic copy may be accepted if the document can be substantiated by the Department.

- (3) Verification of work experience or volunteer experience, if applicable, in accordance with the following:
  - (A) Verification of work and/or volunteer experience must be submitted using the organization's letterhead and must be completed by the supervisor or the Human Resources Department where the work or volunteer experience was obtained.
  - (B) Verification form(s) must be sent to the Department directly from the employer or volunteer organization.
  - (C) Work and/or volunteer work experience must be time spent directly with persons who have a mental illness and/or substance use disorder.
  - (D) Qualifying experience must have ended within no more than five (5) years of the date of application.
- (4) Oklahoma State Bureau of Investigation (OSBI) name-based criminal history report. The report must be an official OSBI document. If there is an incident of stolen identity, a Criminal History Record Theft number and letter must be submitted with the application; and
- (5) Application fee.
- (c) Applications for certification as a CM II must include:
  - (1) Application form completed in full according to its instructions;
  - (2) One of the following, as applicable:
    - (A) Official college or university transcript(s). An unofficial or electronic copy may be accepted if the document can be substantiated by the Department; or
    - (B) Official high school transcript(s), GED, or HSE documentation. An unofficial or electronic copy may be accepted if the document can be substantiated by the Department; or
    - (C) Documentation of current licensure as a registered nurse in the State of Oklahoma.
  - (3) Verification of work experience or volunteer experience, if applicable, in accordance with the following:
    - (A) Verification of work and/or volunteer experience must be submitted using the organization's letterhead and must be completed by the supervisor or the Human Resources Department where the work or volunteer experience was obtained.
    - (B) Verification form(s) must be sent to the Department directly from the employer or volunteer organization.
    - (C) Work and/or volunteer experience must be time spent directly with persons who have a mental illness and/or substance use disorder.
    - (D) Qualifying experience must have ended within no more than five (5) years of the date of application.
  - (4) Oklahoma State Bureau of Investigation (OSBI) name-based criminal history report. The report must be an official OSBI document. If there is an incident of stolen identity, a Criminal History Record Theft number and letter must be submitted with the application; and
  - (5) Application fee.

- (d) Each CM II applicant qualifying under 450:50-3-1(b)(2)(D) is required to submit his or her transcript with the initial application. If the transcript does not list a degree on the Approved Degree List developed by the Department and the applicant does meet any of the other qualifications of listed in 4500:50-3-1(b)(2), a review of the transcript is required. The Department will review the transcript to determine if a minimum of thirty-six (36) hours of behavioral health related course work was completed. If, after Department review, it is determined the minimum requirement is not met, the applicant will not be eligible to continue application for CM II but will be eligible to continue application for CM I if all other requirements are met.
- (e) An application must be submitted and approved by the Department prior to attending any Behavioral Health Case Manager certification training.
- (f) Applications shall only be valid for a period up to six (6) months from the date of application.
- (g) The applicant is not considered certified until verification of employment, exam approval results, and proof of the applicable Behavioral Health Case Management training has been submitted.
- (h) Applicants shall have no violations of moral turpitude or misconduct as set forth in these rules during time of application process.
- (i) An applicant, who meets the requirements for certification and otherwise complied with this Chapter, shall be eligible for certification.

#### **450:50-3-3. Duration of certification**

- (a) **Issuance.** ODMHSAS will issue an appropriate certification to all applicants who successfully complete the requirements for certification as specified in this Chapter.
- (b) **Renewal.** Unless revoked, certification issued pursuant to this Chapter must be renewed following twelve (12) months of continuous certification and annually thereafter. The date(s) of the annual renewal deadline(s) will be established by ODMHSAS and posted online on the agency's website. Renewal is accomplished by submitting:
  - (1) The renewal application form completed in full according to its instructions;
  - (2) Annual report of continuing education units with accompanying documentation;
  - (3) Proof of licensure as a registered nurse, if applicable; and
  - (4) The renewal fee.
- (c) **Suspension and Reinstatement.** Certifications not renewed by the renewal deadline will be suspended. A suspended certification may be renewed by submitting required fees and documentation of continuing education within six (6) months of the date of suspension. Suspended certifications not renewed within this six (6) month timeframe will be terminated. The individual must then submit a new application for certification and successfully complete the requirements for initial certification as specified in this Chapter, with the exception of required training, which may be waived if approval from the Department is obtained by the individual and the new application is received within twelve (12) months of the suspension date.

#### **450:50-3-4. Fees**

- (a) **Application Fee.** Twenty-five dollars (\$25.00) shall be submitted with the application form.
- (b) **Renewal Fee.** Fifteen dollars (\$15.00) shall be submitted with the renewal application and required continuing education documentation.
- (c) **Late Renewal Fee.** An additional twenty-five dollars (\$25.00) shall be included with the Renewal Fee (\$15.00), renewal application, and required continuing education documentation if the certification is renewed after the renewal deadline.

#### **450:50-3-5. Fitness of applicants**

- (a) The purpose of this section is to establish the fitness of the applicant as one of the criteria for approval of certification as a Behavioral Health Case Manager and to set forth the criteria by which the Commissioner will determine the fitness of the applicants.
- (b) The substantiation of any of the following items related to the applicant may be, as determined by the Department, the basis for the denial of or delay of certification of the applicant:
  - (1) Lack of necessary skills and abilities to provide adequate services;
  - (2) Misrepresentation on the application or other materials submitted to the Department;
  - (3) Any conviction of a crime involving a child or vulnerable adult;
  - (4) Any conviction of a sex offense not identified in (b)(5)(D) of this Section;
  - (5) Any other felony conviction, unless the applicant can demonstrate to the Department's satisfaction the successful completion of a minimum of one (1) year of probation related to one or more of the offenses below:
    - (A) Forgery, fraud, or perjury;
    - (B) Burglary, arson, embezzlement, knowingly concealing stolen property, leaving the scene of an accident, or larceny;
    - (C) Possession, manufacturing, distribution, maintaining a dwelling, driving under the influence, contributing to the delinquency of a minor, or parent causing delinquency; or
    - (D) Prostitution or nonconsensual dissemination of private sexual images.
  - (6) A violation of the rules of professional conduct set forth in this Chapter.
- (c) The Department shall obtain document(s) necessary to determine the fitness of an applicant.
- (d) The Department may require explanation of negative references prior to issuance of certification.

#### **450:50-3-7. Scope of Behavioral Health Case Manager Certifications**

- (a) Individuals certified as a Behavioral Health Case Manager II are authorized to provide behavioral health case management and behavioral health rehabilitation services.



- (b) Individuals certified as a Behavioral Health Case Manager I are authorized to provide behavioral health case management services.

## **SUBCHAPTER 5. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION TRAINING AND WEB-BASED COMPETENCY EXAMS**

### **450:50-5-1. Training requirements**

- (a) The purpose of this section is to delineate the training requirements for each of the classifications of Behavioral Health Case Managers.
- (b) The Department shall have the authority and responsibility for providing case management and behavioral health rehabilitation services training classes on a regular basis but no less than six times during the year.
- (c) Applicants for certification as a Behavioral Health Case Manager I (CM I) must complete case management training as specified by the Department.
- (d) Applicants for certification as Behavioral Health Case Manager II (CM II) must complete behavioral health case management training and behavioral health rehabilitation training as specified by the Department.
- (e) Required training must be completed within six (6) months from the date the application was submitted. Once the six (6) month period has ended, an applicant that has not completed the training must submit a new application.
- (f) Approval to take the web-based competency exam is not permitted without completion of all training requirements.

### **450:50-5-4. Continuing education requirements**

- (a) Behavioral Health Case Managers must complete twelve (12) hours continuing education per year and submit documentation of the continuing education to ODMHSAS annually for consideration.
- (b) Continuing education is acceptable when it provides information to enhance delivery of behavioral health case management and behavioral health rehabilitation services and;
- (1) Meets the requirements for LPC, LMFT, LBP, LCSW, LMSW, CADC, LADC, or CME continuing education; or
  - (2) Is an undergraduate or graduate course in a behavioral health related field and pertains to direct interaction with consumers. Three (3) hours of course work is equal to twelve (12) hours of CEUs; or
  - (3) Is an ODMHSAS-approved training for case management CEUs. Certified case managers shall not submit more than three (3) hours of these approved CEUs annually towards their required minimum.
- (c) Behavioral Health Case Managers must complete, as part of their required twelve (12) hours annually, three (3) hours of ethics training every year. Ethics training must meet the requirements for LPC, LMFT, LBP, LCSW, CADC, LADC or CME ethics training.
- (d) Behavioral Health Case Managers shall retain documents verifying attendance for all continuing education hours claimed for the reporting period.

Documentation shall be submitted upon the request of the Department. Acceptable verification documents include:

- (1) An official continuing education validation form furnished by the presenter; or
  - (2) A letter or certificate from the organization sponsoring the training verifying name of program, presenter, number of hours attended, participant's name, and approval by licensure board; or
  - (3) A transcript verifying completion of the undergraduate or graduate course.
- (e) Failure to complete the continuing education requirements and submit the required documentation by the renewal date renders the certification in suspension, and results in the loss of all rights and privileges of a Behavioral Health Case Manager. A suspended certification may be reinstated if all requirements are met in accordance with 450:50-3-3.

#### **450:50-5-5. Web-based competency exams**

- (a) Successful completion of web-based competency exams for behavioral health rehabilitation and behavioral health case management is required prior to certification as CM II. CM I applicants need only successfully complete the web-based competency exam for behavioral health case management.
- (b) The web-based competency exam shall not be administered until all application and training requirements are met and approval from ODMHSAS has been received.
- (c) Applicants shall comply with the rules of the examination process as outlined by the contracted testing site.
- (d) Applicants who fail to complete and pass the web-based competency exam within six (6) months of the date the application was submitted must reapply and re-complete the required training.

### **SUBCHAPTER 7. RULES OF PROFESSIONAL CONDUCT**

#### **450:50-7-1. Responsibility and scope of practice**

- (a) Behavioral Health Case Managers shall be dedicated to advancing the welfare of individuals, and children and their families. Behavioral Health Case Managers shall not participate in, condone, or be associated with dishonesty, fraud, deceit or misrepresentation, and shall not exploit their relationships with the consumers for personal advantage, profit, satisfaction, or interest.
- (b) Behavioral Health Case Managers shall practice only within the boundaries of their individual certifications and competence based on their education, training, supervised experience, state and national accreditations and licenses.
- (c) Behavioral Health Case Managers shall only use the title if employed by an eligible provider pursuant to 450:50-30-1. Reimbursement for services rendered shall not be collected outside of the agency's system of service reimbursement.
- (d) Behavioral Health Case Managers shall not directly or indirectly suggest that they are allowed to provide "therapy" or "counseling" services unless

licensed or accredited by the appropriate authority to provide therapy and/or counseling services.

(e) Behavioral Case Managers shall adhere to the following code of ethics that are set within the rules of this chapter and set forth by the Department.

(1) Behavioral Health Case Managers shall be committed to respect the dignity and autonomy of all persons that is to include, but is not limited to professional relationships with clients (or former clients), supervisees, students, employees, or research participants in efforts to maintain the highest standards of their practice.

(2) Behavioral Health Case Managers shall terminate service to clients, and professional relationships with them, when such service and relationships are no longer required or in which a conflict of interest arises.

(3) Behavioral Health Case Managers shall be aware of and respect cultural, individual, and role differences, including those based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, and socioeconomic status and consider these factors when working with members of such groups. They shall also eliminate the effect on their work of biases based on those factors, and they do not knowingly participate in or condone activities of others based upon such prejudices or influence.

(4) Behavioral Health Case Managers shall be obligated to report witnessed, involved, or reported ethical violations without violation of any confidentiality rights that may be involved. Behavioral Health Case Managers shall be obligated to follow steps of reporting professional misconduct as set forth by the Department and in this chapter.

(5) Behavioral Health Case Managers shall give precedence to his or her professional responsibility over personal interests.

(f) Behavioral Health Case Managers shall not exploit their relationships with current or former clients, supervisees, students, employees, or others, sexually or otherwise, for personal advantage, profit, satisfaction, or interest.

(1) Behavioral Health Case Managers shall be committed to each individual's rights of their own life choices and recovery journey by letting them direct their own healing process.

(2) Behavioral Health Case Managers shall keep confidential all information entrusted except when to do so puts the consumer at grave risk. Case Managers will be obligated to explain the limits of confidentiality initially in the professional working relationship.

(3) If the demands of an affiliated organization for whom the Behavioral Health Case Manager is working, is in conflict with these ethics, the issues must be clarified and resolved to allow adherence to the Rules of professional Conduct code set forth in this chapter.

(g) Behavioral Health Case Managers shall provide services with populations and in areas only within the boundaries of their competence, based on education, training, supervised experience, consultation, study or professional experience.

- (1) Behavioral Health Case Managers that delegate or assign work to employees, supervisee, or assistants must take reasonable steps to see that such person performs the services competently.
- (2) Behavioral Health Case Managers are eligible to provide services within the scope of their certifications that would not lead to conflict of interest, exploitation of relationship, loss of objectivity and based on education, training or experience.
- (3) Behavioral Health Case Managers shall provide clients at the beginning of service written, accurate and complete information regarding the extent and nature of the services available to them, to include fees and manner of payment.
- (4) Behavioral Health Case Managers shall not solicit the clients of one's agency for private practice or to change service locations.
- (5) Behavioral Health Case Managers shall not commit fraud and shall not represent that she or he performed services which they did not perform.

#### **450:50-7-2. Consumer welfare**

- (a) Behavioral Health Case Managers shall not, in the rendering of their professional services, participate in, condone, or promote discrimination on the basis of race, color, age, gender, sexual orientation, religion, disability, behavioral health condition or national origin.
- (b) Behavioral Health Case Managers must be aware of their influential positions with respect to consumers and not exploit the trust and dependency of consumers. Behavioral Health Case Managers shall refrain from dual relationships with consumers because of the potential to impair professional judgment and to increase the risk of harm to consumers. Examples of such relationships include, but are not limited to familial, social, financial, business, and professional or close personal relationships with consumers.
  - (1) Behavioral Health Case Managers shall not have any type of sexual contact with consumers and shall not provide case management services to persons with whom they have had a sexual relationship.
  - (2) Behavioral Health Case Managers shall not engage in sexual contact with former consumers
  - (3) Behavioral Health Case Managers shall not knowingly enter into a close personal relationship, or engage in any business or financial dealings with a former client for five (5) years after the termination of the case management relationship and document the consumer's decision.
- (c) If a Behavioral Health Case Manager determines that he or she is unable to be of professional assistance to a consumer, the Behavioral Health Case Manager shall refer the consumer to appropriate sources when indicated. If the consumer declines the referral the Behavioral Health Case Manager shall terminate the relationship.
- (d) Behavioral Health Case Managers shall report any violation of professional conduct by a Behavioral Health Case Manager as outlined in this chapter.

(e) The Department shall conduct itself in a manner to intervene in an immediate action to protect a consumer(s) according to the guidelines and rules provided, to prevent further detriment to any consumer.

### **450:50-7-3. Reimbursement for services rendered [REVOKED]**

### **450:50-7-4. Professional standards**

(a) It shall be unprofessional conduct for a Behavioral Health Case Manager or applicant to violate a state or federal statute if the violation is directly related to the duties and responsibilities of the counselor or if the violation involves moral turpitude.

(b) Behavioral Health Case Managers shall not render professional services while under the influence of alcohol or other mind or mood altering drugs.

(c) Behavioral Health Case Managers shall notify the Department of any change in name, address, telephone number and employment if the case manager will continue to provide case management services as defined by 450:50-1-2 in the new employment setting.

### **450:50-7-5. Failure to comply**

An approved case management applicant or Behavioral Health Case Manager who does not comply with the Rules of Professional Conduct (450:50-7-1) or consumer welfare (450:50-7-2) shall be guilty of unprofessional conduct and subject to disciplinary action.

## **SUBCHAPTER 9. ENFORCEMENT**

### **450:50-9-1. Enforcement**

(a) ODMHSAS may impose administrative sanctions, including revocation, suspension, non-renewal of certification and reprimand, against Behavioral Health Case Managers.

(b) All proceedings, hearing and appeals shall be conducted in accordance with Chapter 1 of the Rules of ODMHSAS, Title 450 Oklahoma Administrative Code and the Administrative Procedures Act.

## **SUBCHAPTER 11. COMPLAINT PROCESS AND INVESTIGATION/RESOLUTION OF COMPLAINTS**

### **450:50-11-1. Complaints of Professional Conduct**

If ODMHSAS determines that a possible violation of any rules set forth in this Chapter has occurred, ODMHSAS may commence an investigation of the complaint pursuant to this Chapter and Title 450 OAC Chapter 1.