Title 450. Department of Mental Health and Substance Abuse Services
Rule Impact Statement – Chapter 17 Revisions

A. Purpose of the proposed rule and legal authority.

The proposed revisions are intended to clarify the guidance and requirements for those Community Mental Health Centers/Certified Community Behavioral Health Clinics who chose to offer Program of Assertive Community Treatment (PACT) and/or Mobile Crisis Response services.

The legal authorities for the proposed rules are Board of Mental Health and Substance Abuse Services; 43A O.S., §§ 1-110, 3-306, 3-306.1, 3-317 and 3-319.

B. Description of the proposed rule.

The proposed revisions clarify that if a CMHC/CCBHC chooses to provide PACT as an optional service it must comply with Chapter 55, but it does not need to become certified as one. Further revisions will clarify that a CMHC/CCBHC must be in compliance with language found in Title 450, Chapter 23 when providing mobile crisis response services.

C. Classification of the rule(s) and justification for classification.

Classification: ☐ Major ☒ Nonmajor

Justification: The proposed changes are expected to be budget neutral.

Total annual implementation and compliance costs: The annual implementation and compliance costs are not expected to be incurred or passed along because of promulgation of the proposed permanent rules.

Methodology used to calculate costs: The proposed changes are expected to be budget neutral because they do not add or make any changes to covered services or reimbursement. The proposed rules clarify existing requirements for providing PACT and Mobile Crisis Response services.

D. Description of affected classes of persons most likely to be impacted by the proposed rule.

The proposed rules will primarily affect providers, CMHCs, and CCBHCs by offering clarifications on certifications for PACT services and compliance requirements for Mobile Crisis Response services.

E. Description of the classes of persons who will benefit from the proposed rule.

The proposed rules will benefit CMHC/CCBHCs by clarifying that they do not need to get a separate certification to provide PACT services. Further revisions will benefit providers and CMHC/CCBHCs by referencing the requirements for providing Mobile Crisis Response services.

F. Comprehensive analysis of the rules' economic impact.

The proposed rules are expected to be budget neutral and will not have an economic impact.

G. Probable costs and benefits to the ODMHSAS and other agencies.

There is no anticipated cost to ODMHSAS or other agencies. The proposed rules are intended to clarify requirements and compliance with providing PACT and Mobile Crisis Response services.

H. Economic impact on political subdivisions and whether their cooperation is required.

The proposed changes are not expected to have an economic impact on any political subdivisions and will not require their cooperation for implementing or enforcing these rules.

I. Economic impact on small businesses.

Providers who offer the services being highlighted could see a positive impact. The proposed rule strives to offer alternatives for providers to provide the services without having to go through a strenuous certification process.

J. Measures taken to minimize compliance and assessment of less costly, less intrusive, or nonregulatory alternatives.

The proposed changes are to provide clarity on providing PACT and Mobile Crisis Response services. The current regulatory requirements make it harder for specific providers who are providing the services to become certified. By stating that the providers must be in compliance with the requirements for PACT and Mobile Crisis Response services could lift administrative burden that is hindering care.

K. Effect of the rule on public health, safety, and the environment.

The ODMHSAS anticipates that the proposed changes will have a positive impact on public health, safety and environment. The proposed changes will allow providers who are in compliance, the ability to provide PACT and Mobile Crisis Response services.

L. Determination of any detrimental effect on the public health, safety and environment if the proposed rule(s) is/are not implemented.

The ODMHSAS anticipates that there will be fewer providers providing services if the changes are not implemented. Current regulatory restrictions hinder the process for some providers that are attempting to provide PACT and Mobile Crisis Response services.

M. Summary of and preliminary comparison to existing or proposed federal regulations.

There is no existing federal regulation that spears these proposed changes. The revisions and services fall under the statutory authority governed by Oklahoma Statutes Title 43A.

N. Analysis of alternative to adopting the proposed rule.

The ODMHSAS has offered training and workarounds to the current regulatory requirements; however, they continue to hinder specific providers the ability to provide services. By taking away specific certification requirements and adding clarification that providers must be in compliance with specific administrative code will allow more providers to qualify and provide services for those individuals that are in need of care.

O. Estimates of internal ODMHSAS employee time and other resources used to develop the proposed rule.

Between policy staff, program staff, and legal staff, the ODMHSAS has spent about 5 hours developing the proposed rule changes.

P. Date the rule impact statement was prepared and if modified, the date modified.

Prepared: September 14, 2026
Modified: November 10, 2026