

Oklahoma Department of Mental Health and Substance Abuse Services

Forensic Review Board’s Administrative Rules Report | Executive Order 2020-03

Comprehensive Review of Administrative Rules as of September 8, 2020

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Method Used to Conduct Review: Assistant General Counsel reviewed the Forensic Review Board’s administrative rules to identify unnecessary, costly, ineffective, duplicative or outdated sections. The rules outlined below are in need of language revisions to remain up-to-date.

TOTAL NUMBER OF UNNECESSARY, COSTLY, INEFFECTIVE, DUPLICATIVE, OR OUTDATED REGULATIONS: 3

Title 277 Forensic Review Board

The Forensic Review Board is created by 22 O.S. §1161(F), and its rules are found in Title 277 of the Oklahoma Administrative Code. This Board reviews individuals who have been determined Not Guilty by Reason of Mental Illness. The composition of the board and its procedures are in large part set forth in statute. As this body does not require administrative authority for enforcement, it is unnecessary to restate any statute or federal regulation within their own regulations. Therefore, the rules of the Forensic Review Board are brief. In fact, there are only three (3) rules in Title 277.

Chapter 1- Forensic Review Board

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
1-1-1	Applicability	2/4/10 by emergency which expired 7/14/10 Permanently added 7/25/2010						X	Rule should be revised to reflect the Title rather than subchapter is applicable to the Oklahoma Forensic Review Board. Language should be changed from “insanity” to “mental illness” to reflect the statutory change in 2016.

1-1-2	Definitions	2/4/10 by emergency which expired 7/14/10 Permanently added 7/25/2010							X	Language should be changed from “insanity” to “mental illness” to reflect the statutory change in 2016. Other language has been identified as outdated and no longer useful and should be stricken.
1-1-3	Composition, powers and duties	2/4/10 by emergency which expired 7/14/10 Permanently added 7/25/2010							X	Revisions are necessary to reflect summaries are provided to the Forensic Review Board rather than full critical incident reports with ninety (90) days of progress notes. Other changes are necessary to assist the Forensic Review Board with operating efficiently and effectively during its meetings.

END OF REPORT