

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH  
CHAPTER 525. DIRECT SERVICES TO INDIVIDUALS**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Child Guidance  
310:525-3-4 [AMENDED]

**SUMMARY:**

The proposed rule would change the eligibility of persons authorized to be served by Child Guidance programs from birth to thirteen (13) years of age to birth to eighteen (18) years of age. The purpose of the rule change is to expand the eligible age of individuals receiving Child Guidance services and reduce gaps in services for older teens, especially those residing in rural counties.

**AUTHORITY:**

Oklahoma State Board of Health; 63 O.S. §§ 1-104 et seq., 1- 106, 1-108, 1-206.1(a), 1-208.1, 1-219, 1-227 et seq. 1-230 and 1-231 et seq.; 63 O.S. 1-106.1

**COMMENT PERIOD:**

November 15, 2022 through the close of the Department's normal business hours, 5 PM, on December 15, 2022. Interested persons may informally discuss the proposed rules with the contact person identified below; or may, through the close of the Department's normal business hours, 5 PM, on December 15, 2022 submit written comment to the contact person identified below, or may, at the hearing, ask to present written or oral views.

**PUBLIC HEARING:**

Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on December 15, 2022 at the Oklahoma State Department of Health Auditorium, 123 Robert S. Kerr Avenue, Oklahoma City, Oklahoma 73102 from 9:30 AM to 12:30 PM. The meeting may adjourn earlier if all attendees who signed up to comment have completed giving their comments. The alternate date and time in the event of an office closure due to inclement weather is December 19, 2022 in the Auditorium, from 9:30 AM to 12:30 PM. Those wishing to present oral comments should be present at that time to register to speak. The hearing will close at the conclusion of those registering to speak. Interested persons may attend for the purpose of submitting data, views or concerns, orally or in writing, about the rule proposal described and summarized in this Notice. Validated parking will be provided for the parking lot located at the east corner of Broadway and Robert S. Kerr Avenue, subject to availability.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through December 15, 2022, to the contact person identified below.

**COPIES OF PROPOSED RULES:**

The proposed rules may be obtained for review from the contact person identified below or via the agency website at [www.ok.gov/health](http://www.ok.gov/health).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., § 303(D), a rule impact statement is available through the contact person identified below or via the agency website at [www.ok.gov/health](http://www.ok.gov/health).

**CONTACT PERSON:**

Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, phone (405) 426-8563, e-mail [AudreyT@health.ok.gov](mailto:AudreyT@health.ok.gov).

**INITIAL RULE IMPACT STATEMENT**

**(This document may be revised based on comment received during the public comment period.)**

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**1. DESCRIPTION:**

Under current rules of eligibility, persons authorized to be served by Child Guidance programs are children birth to thirteen (13) years of age, their families, and other adults responsible for influencing their development. The proposed rule change would only affect the age range of children, allowing persons authorized to be served to expand from birth to eighteen (18) years of age.

**2. DESCRIPTION OF PERSONS AFFECTED AND COST IMPACT RESPONSE:**

Although Guidance staff are well-trained, they overall are more specialized in working with a younger demographic. It would be beneficial to hire individuals with more focused expertise for older adolescents. Adding additional staff would help support these services. However, current staff could receive additional training to meet immediate needs without incurring significant fiscal impact. Also, in areas where staff recruitment has been challenging for the traditional guidance team of a Speech Language Pathologist, Child Development Specialist, and Behavioral Health Specialist, vacancies could be filled with those in a related field that could better serve the teen demographic, especially older teens.

**3. DESCRIPTION OF PERSONS BENEFITING, VALUE OF BENEFIT AND EXPECTED HEALTH OUTCOMES:**

Teens from 14-18 can benefit from Child Guidance Service expansion, as well as family or caregivers of those adolescents. Although it is most desirable that a child receives services from an early age, children may not always receive services early on, they may need to continue services farther into their adolescent years, or they or their families may need services for the first time during later adolescent years. Teen years are often very difficult to traverse, and during these years, public health has an opportunity to bridge the gap for these youth and provide guidance services that better enable them to live healthier lives. Stable mental and emotional health translates into overall greater health and well-being. We know from the study of Adverse Childhood Experiences (ACEs) that unresolved trauma can affect every aspect of a person's health, including physical health. By extending services through age 18, not only are we helping these adolescents now, but it is also a step toward preventing more serious health conditions in the future.

**4. ECONOMIC IMPACT, COST OF COMPLIANCE, AND FEE CHANGES:**

Fees for services will not change. Potential economic impact includes the additional hiring of staff to better serve the fourteen (14) years old to eighteen (18) years old demographic; however current staff can be trained and dollars allotted for vacant positions could potentially be used to hire individuals better trained and equipped to serve older adolescents. However, additionally state appropriations could be requested to better support the Child Guidance program and hiring of staff.

**5. COST AND BENEFITS OF IMPLEMENTATION AND ENFORCEMENT TO THE**

**AGENCY:**

Cost and implementation to the agency will be minimal while benefits to county health departments will be significant in better serving the population.

**6. IMPACT ON POLITICAL SUBDIVISIONS:**

There will be no impact on political subdivisions.

**7. ADVERSE EFFECT ON SMALL BUSINESS:**

There will be no adverse impact on small business.

**8. EFFORTS TO MINIMIZE COSTS OF THE RULE:**

Use and train current Child Guidance Staff and fill vacant positions with individuals skilled and trained to serve adolescents.

**9. EFFECT ON PUBLIC HEALTH AND SAFETY:**

Adolescents from fourteen (14) years of age to eighteen (18) years of age can benefit from Child Guidance Service expansion, as well as family or caregivers of those adolescents. Stable mental and emotional health translates into overall greater health and well-being for the individual and family, potentially preventing chronic disease and reducing overall health care costs. Additionally, violent and/or aggressive behavior can be mitigated and better ensure the safety of Oklahoma residents.

**10. DETRIMENTAL EFFECTS ON PUBLIC HEALTH AND SAFETY WITHOUT ADOPTION:**

There are no detrimental effects on public health and safety.

**11. PREPARATION AND MODIFICATION DATES:**

This rule impact statement was prepared on August 10, 2022.

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH  
CHAPTER 525. DIRECT SERVICES TO INDIVIDUALS**

**SUBCHAPTER 3. CHILD GUIDANCE**

**310:525-3-4. Eligibility**

Persons authorized to be served by Child Guidance programs are children birth to eighteen (18) years of age, their families, and other adults responsible for influencing their development.