

**TITLE 75. ATTORNEY GENERAL  
CHAPTER 30. STANDARDS AND CRITERIA FOR ADULT VICTIMS OF HUMAN SEX  
TRAFFICKING PROGRAMS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**75:30-1-1. Purpose [AMENDED]**

This chapter sets forth the rules, including standards and criteria, used in certifying sexual assault programs and shelters for adult victims/survivors of sexual violence as a result of human sex trafficking pursuant to 74 O.S. § 18p-6. ~~Human sex trafficking occurs when a person uses force, fraud, or coercion to get a victim to perform sexual acts for commercial reasons. The victim is recruited, transferred, harbored, obtained or moved by a person. The person uses force, fraud, coercion, abduction, threat, deception or the abuse of power to gain control over the victim. The victim is exploited for forced labor, involuntary servitude, slavery, and/or debt bondage of commercial sex acts. Human sex trafficking occurs when:~~

- (a) Recruiting, enticing, harboring, maintaining, transporting, providing or obtaining, by any means, another person through deception, force, fraud, threat or coercion for purposes of engaging the person in a commercial sex act,
- (b) Recruiting, enticing, harboring, maintaining, transporting, providing, purchasing or obtaining, by any means, a minor in a commercial sex act, or
- (c) Benefiting, financially or by receiving anything of value, from participating in a venture that has engaged in an act of trafficking for commercial sex.

~~Under state and federal law, the use of minors for commercial sexual activity is a severe form of trafficking, even if there is no force, fraud or coercion. Minors are intended to be served under a different program. However, minors may still need immediate medical care, housing, food, clothing and other services to assure safety until they can be transferred. Although similarities exist between services provided to victims of domestic or sexual violence and victims of human sex trafficking, there are also important differences between the two groups of victims. International victims of human sex trafficking are often eligible for special benefits including housing, legal assistance and refugee services that differ from the types of services that are available to domestic human sex trafficking or sexual violence victims. These standards serve as guidance in understanding, providing and advocating for the needs of victims of human sex trafficking. The rules regarding factors relating to the process to determine status as a certified program including, but not necessarily limited to, applications, fees, requirements for and administrative sanctions, are found in OAC Title 75, Chapter 1.~~

**75:30-1-1.1. Application of Chapter 30 to Minors [NEW]**

Under state and federal law, the use of minors for commercial sexual activity is a severe form of trafficking, even if there is no force, fraud or coercion. Minors are intended to be served under a different program. However, minors may still need immediate medical care, housing, food, clothing and other services to assure safety until they can be transferred. These standards serve as guidance in understanding, providing and advocating for the needs of victims of human sex trafficking. The rules regarding factors relating to the process to determine status as a certified program including, but not

necessarily limited to, applications, fees, requirements for and administrative sanctions, are found in OAC Title 75, Chapter 1.

**75:30-1-1.42. Mission and underlying philosophy [AMENDED AND RENUMBERED]**

(a) The mission of the standards and criteria for programs serving adult victims of ~~sexual assault~~ human sex trafficking is to eliminate ~~human sex trafficking~~ the crime in the State of Oklahoma.

(b) The philosophy underlying the standards and criteria for victims of human sex trafficking is that:

- (1) All persons have the right to live without fear, abuse, oppression and violence;
- (2) No one deserves to be victimized by assaultive or abusive behavior;
- (3) Survivors should be treated with dignity and respect;
- (4) All people involved in violent crimes are affected, including victims, children, families, partners, friends, the community, and perpetrators;
- (5) Perpetrators must be held accountable for their behavior;
- (6) A coordinated community response is the best approach to eliminating human sex trafficking in Oklahoma;
- (7) Safety for the victims/survivors and their dependents is the primary focus of intervention and services;
- (8) Intervention and services shall be based upon the safety and well-being of individuals and communities. Services to victims are provided in a non-judgmental, non-coercive, trauma-informed environment; and
- (9) Participation in victim/survivor services is voluntary and based on self-determined needs, preferences and values.

**75:30-1-2. Definitions [AMENDED]**

The following words or terms, when used in this chapter, shall have the defined meaning, unless the context clearly indicates otherwise:

**"Admission"** means to accept a client for services or treatment.

**"Advocacy"** means the assistance provided which supports, supplements, intervenes and/or links the client and their dependents with the appropriate service components to encourage self-determination, autonomy, physical and emotional safety, and to offer information that will support independence. This can be viewed as a combination of active listening and facilitating personal problem solving along with researching options of action, safety planning, community outreach and education; it may include medical, dental, financial, employment, legal and housing assistance.

**"Advocate"** means a person, who offers clients appropriate services.

**"Assessment"** means an appropriate course of assistance based on a face-to-face formal screening.

**"Behavioral Health Professional"** means either licensed or under supervision for licensure as a Licensed Professional Counselor, Licensed Marriage and Family Therapist, Licensed Behavioral Practitioner, Licensed Clinical Social Worker, psychiatrist or psychologist with clients in individual, group or family settings to promote positive emotional or behavioral change. A practicum student or intern in an accredited graduate program in preparation for one of the above licenses may provide counseling to victims of domestic violence, sexual assault, human sex trafficking or stalking and their dependents.

**"Business day"** shall mean a calendar day other than a Saturday, Sunday, or state holiday. In computing any period of time where the last day would fall on a Saturday, Sunday, or state holiday, the period shall run until 5:00 P.M. of the next business day.

**"Case consultation"** means review of a client's case by the primary service provider and other program personnel, consultants or both.

**"Case management"** means a professional practice in which the service recipient is a partner, to the greatest extent possible, in assessing needs, defining desired outcomes, obtaining services, treatments, and supports, and in preventing and managing crisis. Case management is a central service that includes: explanation of social services, service system advocacy, basic case coordination, assessments, and service plan development. It may also include transportation, translation, emotional support and counseling depending upon the training and resources of the case manager.

**"Case manager"** means someone with experience serving victims of crime, human sex trafficking victims, refugees, immigrants, crime victims or other related populations. Ideally, they will have received specific training to serve trafficking victims. The Case Manager will ensure that victims receive the services they need and facilitate access to community services.

**"Certification"** means a process that the Department of Health and Human Services, Office of Refugee Resettlement (HHS or ORR) uses to officially say that a person is a victim of a severe form of human sex trafficking. Advocates assisting victims of human sex trafficking can assist in the certification process by informing victims of their rights generally, and working with law enforcement and attorneys to ensure that they understand and advocate for the victim's individual needs once certified.

~~**"Certified Domestic and Sexual Violence Response Professional"** means a professional certified by the Oklahoma Coalition Against Domestic Violence and Sexual Assault.~~

**"Certified adult victims of human sex trafficking program"** means a status which is granted to an entity by the Oklahoma Attorney General, and indicates approval to offer ~~shelter program facilities and/or services~~ pursuant to 74 O.S. § 18p-6. In accordance with the Administrative Procedures Act, 75 O.S. § 250.3(8), certification is defined as a "license."

**"Child" or "Children"** means any unmarried individual from birth to eighteen years of age.

**"Children's Activities"** means direct child contact that is temporary in nature and is not intended to address the effects of human sex trafficking, sexual assault/abuse and trauma on children i.e. special events such as Christmas parties, Easter egg hunts, that is supervised by program personnel or volunteers.

**"Children's Services"** means direct child contact that is intended to address the effects of human sex trafficking, sexual assault/abuse and trauma on children including but not limited to intake, needs assessment, groups, advocacy and any other service related to human sex trafficking, sexual assault/abuse and trauma.

**"Client"** means an adult individual who has applied for, is receiving or has received assistance or services of a certified ~~sexual assault~~ program for adult victims of human sex trafficking.

**"Client record"** includes, but is not limited to, all communication, records and information on an individual client.

**"Coercion"** means compelling, forcing, or intimidating a person to act by:  
(a) Threats of harm or physical restraining against any person

(b) Any act, scheme, plan, or pattern intended to cause a person to believe that performing or failing to perform, an act would result in serious physical, financial, or emotional harm or distress to or physical restraint against any person.

(c) The abuse or threatened abuse of the law or legal process.

(d) Knowingly destroying, concealing, removing, confiscating or possessing any actual or purported passport, labor or immigration document, including but no limited to a driver license or birth certificate, of another person.

(e) Facilitating or controlling a person's access to any addictive or controlled substance other than for legal medical purposes

(f) Blackmail.

(g) Demanding or claiming money, goods, or any other thing of value from or on behalf of a prostituted person where such demand or claim arises from or is directly related to the act of prostitution

(h) Determining, dictating or setting the times at which another person will be available to engage in an act of prostitution with a third party

(i) Determining, dictating, or setting the places at which another person will be available for solicitation of, or to engage in prostitution with a third party

(j) Determining, dictating or setting the places at which another person will reside for purposes of making such person available to engage in an act of prostitution with a third party.

**"Commercial sex"** means any form of commercial sexual activity such as sexually explicit performances, prostitution, participation in the production of pornography, performance in a strip club, or exotic dancing or display.

**"Community"** means the people, groups, agencies or other facilities within the locality served by the program.

**"Contract"** means a formal document adopted by the governing authority of the program and any other organization, agency, or individual that specifies services, personnel or space to be provided to the program and the monies to be expended in exchange.

**"Court advocate"** means a qualified, trained staff or volunteer whose duties are to offer assistance to victims and any dependents in legal matters relevant to their situation. A Court Advocate provides court advocacy through support, information, assistance, safety planning, accompaniment and intervention with any aspect of the civil or criminal legal system on behalf of a victim of human sex trafficking. Court Advocates shall not act as licensed attorneys and are not permitted to give legal advice, unless such person is a licensed attorney in the state of Oklahoma.

**"Counseling"** means face-to-face or virtual therapeutic session with one-on-one interaction between a licensed behavioral health professional and an individual to promote emotional and/or behavioral change focused on victim safety and perpetrator accountability. Those individuals providing professional therapy to adult/child victims/survivors of human sex trafficking as a result of sexual violence understand that victims of trafficking may exhibit depression, post-traumatic stress disorder, memory problems, fear, suspicion, rape trauma syndrome and physical distress as a result of the psychological stress, such as headaches, stomach aches, chest pain and numbing of parts of the body. Interviews requiring them to recount their experiences can trigger these behaviors. Initially, many victims may be more comfortable with less formal, supportive counseling or "conversations" (not counseling) geared toward immediate problem solving,

adjusting to life at the center and coping with loneliness and isolation from their communities.

**"Crisis intervention"** means short-term, immediate assistance and advocacy given by phone, virtually, or in person to adult victims of human sex trafficking. Crisis intervention services include but are not limited to assessing dangerousness, safety planning, information about available legal remedies, establishing rapport and communication, identifying major problems, exploring feelings and providing support, exploring possible alternatives, and/or formulating an action plan and follow-up measures.

**"Critical incident"** means an occurrence or set of events inconsistent with the routine operation of the facility, or the routine care of a client. Critical incidents specifically include but are not necessarily limited to the following: adverse drug events; self-destructive behavior; deaths and injuries to clients, personnel, volunteers and visitors; incidents involving medication; neglect or abuse of a client; fire; unauthorized disclosure of information; damage to or theft of property belonging to a client or the facility; other unexpected occurrences; or events potentially subject to litigation. A critical incident may involve multiple individuals or results.

**"Cultural diversity"** means the spectrum of differences that exists among groups of people with definable and unique cultural backgrounds.

**"Danger Assessment" or "Threat Assessment"** means, for the purposes of human trafficking, a tool to determine the level and immediacy of threat posed to a victim or at risk person who may be currently or threat in the future of being labor or sex trafficked. There is currently no single tool prescribed in Oklahoma for assessing danger or threat in regards to human trafficking specifically. Certified service providers in Oklahoma have leeway to determine the best tool to use specifically with the victim at the time of the assessment. The OAG or other governing body may, in the future, prescribe an assessment protocol specifically for human trafficking.

**"Debt bondage"** means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt if the value of those services as reasonably assesses is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

**"Direct services"** means services delivered by a qualified staff member or volunteer, in direct contact with a client including telephone or other electronic contact.

**"Director"** means the person hired by the governing authority to direct all the activities of the organization.

**"Documentation"** means the provision of written, dated and authenticated evidence to substantiate compliance with standards, e.g., minutes of meetings, memoranda, schedules, notices, logs, records, policies, procedures, announcements, correspondence, services, and photographs.

**"Education"** means the dissemination of relevant information specifically focused on increasing the awareness of the community and the receptivity and sensitivity to human sex trafficking problems and services and may include a systematic presentation of selected information to impart knowledge or instructions, to increase understanding of specific issues or programs, to examine attitude or behaviors and stimulate social action or community support of the program and its clients.

**"Emergency services" or "crisis services"** means a twenty-four (24) hour capability for danger assessment, intervention and resolution of a client crisis or emergency that is

provided in response to unanticipated, unscheduled emergencies requiring prompt intervention.

**"Emergency transportation"** means transportation for a victim of human sex trafficking to a secured identified location at which emergency services or crisis services can be offered.

**"Executive director" or "Chief Executive Officer" or "CEO"** means the person in charge of a facility as defined in this section.

**"Facility"** means the physical location(s) of a certified program governed by this chapter of Title 75.

**"Family"** means the children, spouse, parents, brothers, sisters, other relatives, foster parents, guardians and others who perform the roles and functions of family members in the lives of clients.

**"Governing authority"** means a group of persons having the legal authority, and final responsibility for the operations and functions of the entire certified adult victims of human sex trafficking program, or ~~shelter~~program facilities, in and of all geographical locations and administrative divisions.

**"Group counseling"** means a face-to-face or virtual therapeutic session with a group of adult/child victims/survivors to promote emotional or behavioral change. Those individuals providing professional therapy to victims/survivors of human sex trafficking must be prepared to provide education and information about:

(A) Physical and emotional safety;

(B) How perpetrators maintain control and dominance over their victims;

(C) The need to hold perpetrators accountable for their actions; and

(D) The recognition that individuals victimized are not responsible for a perpetrator's violent behavior, and the role of society in perpetuating violence against women and the social change necessary to eliminate violence against women, including the elimination of discrimination based on race, color, gender, sexual orientation, age, disabilities, economic or educational status, religion or national origin.

**"Guardian"** means an individual who has been given the legal authority for managing the affairs of another individual.

**"Indirect services"** means services delivered by a staff member or volunteer, that does not involve direct services with a client or client's child.

**"Initial contact"** means a person's first contact with the program or facility requesting information or service by telephone or in person.

**"Intake"** means an interaction intended to discover what has happened, determine what the crisis is, assess dangerousness indicators, do safety planning, and/or establish the immediate needs of adult victims and any dependents of human sex trafficking to determine appropriate services and referrals. This includes interaction with an individual determined to be appropriate for ongoing service in order to obtain basic demographic information, gather vital information on the adult and the children, orient the victim/survivor to the program, program rules, and, if applicable, the facilities. Cultural needs should also be identified at this time.

**"Language Interpretation"** means activities that involve a client who is deaf or hearing impaired or has limited English proficiency requiring an interpreter for a staff member or volunteers to offer services.

**"Licensure"** means the official or legal permission to persons or health facilities meeting qualifications to engage in a given occupation or use a particular title.

**"Medical care"** means those diagnostic and treatment services which can only be provided or supervised by a licensed physician.

**"Medication"** means any drug that is legally in the possession of the client, his/her children, or a person seeking admittance to the shelter program facilities or his/her children; this definition includes prescription medications and medications available for legal purchase without a prescription.

**"Mental health services"** means a range of diagnostic, therapeutic, and rehabilitative services used in treating mental illness or emotional disorders, including substance abuse.

**"Neglect"** means failing to provide adequate personal care or maintenance, or access to medical care which results or may result in physical or mental injury or harm to a client.

**"OAG"** means the Office of the Oklahoma Attorney General.

**"Objectives"** means a specific statement of planned accomplishments or results which are quantitative, qualitative, time-limited and realistic.

**"Oklahoma Administrative Code"** or **"OAC"** means the publication authorized by 75 O.S. § 256 known as The Oklahoma Administrative Code, or, prior to its publication, the compilation of codified rules authorized by 75 O.S. § 256(A)(1)(a) and maintained in the Office of Administrative Rules.

**"Operation"** means that clients are receiving services offered by the program.

**"Personnel record"** means a file containing the employment history and actions relevant to individual personnel and volunteer activities within an organization such as application, evaluation, salary data, job description, citations, credentials, etc.

**"Persons with special needs"** means persons with a condition which is considered a disability or impairment under the "American with Disabilities Act of 1990" including, but not limited to the deaf and hard of hearing, blind, physically disabled, developmentally disabled, persons with disabling illness, persons with mental illness. See "Americans with Disabilities Handbook," published by U.S. Equal Employment Opportunity Commission and U.S. Department of Justice.

**"Policies"** means statements of program intent, strategy, principle, or rules for providing effective and ethical services.

**"Primary Victim"** means a client who has experienced human sex trafficking or the consequences of the crimes first hand.

**"Procedures"** means the standard methods by which policies are implemented.

**"Program"** means a set of activities designed and structured to achieve specific objectives relative to the needs of the clients.

**"Program evaluation"** means the documented assessment activities, performed internally or externally, of a program or a service and its governing authority, staff, volunteers, activities and planning process to determine whether program goals are met, staff, volunteers, and activities are effective, and what effect, if any a program or service has on the problem which it was created to address or on the population which it was created to serve.

**"Program goals"** means broad general statements of purpose or intent.

**"Qualified staff"** means someone who has met the criteria for provision of direct services as defined in 75:30-11-12.

**"Release"** or **"Waiver"** means consent that is informed, written and reasonably time-limited. The terms may be used interchangeably to mean the same thing. 'Release' implies that confidential information is released (despite confidentiality or privilege protection), and 'Waiver' implies waiving the right (to maintain privilege). If release of

information is compelled by statutory or court mandate, the program shall make reasonable attempts to provide notice to victims affected by the disclosure of information and take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

**"Referral"** means information disseminated and/or coordinated access to agency and community services to meet victim's/survivor's and their dependents identified needs.

**"Safety Planning"** means the process of working with the victim/survivor to develop tools in advance of potential abuse or violence for the immediate and long term safety of the victim/survivor. The plans should be based on the individual's ~~dangerousness indicators~~ situation and should include the safety needs of dependents. In some, Hhuman sex trafficking victims may face danger from organized crime, and the levels of danger depend on a host of factors including how much a victim's testimony can harm the perpetrators and how violent and extensive a human sex trafficking organization may be. Additional risks may include isolation due to inability to speak English and distrust of law enforcement and the criminal justice system and unfamiliarity with ways to seek help and safety. Additional risks may include isolation due to inability to speak English and distrust of law enforcement and the criminal justice system and unfamiliarity with ways to seek help and safety.

**"Screening"** means the process of determining, preliminarily, the nature and extent of an individual's problem in order to establish the service needs. At a minimum, a screening shall include a brief personal history related to abuse/victimization, a review of the individual's strengths and resources, risk factors and referral needs.

**"Secondary Victim"** means a person with a relationship with the primary victim.

**"Self Determination"** means the right to make one's own choices.

**"Service agreement"** means a written agreement between two or more service agencies and individual service providers defining the roles and responsibilities of each party. The purpose of service agreements is to promote coordination and integration of service programs for the purpose of curbing fragmentation and unnecessary service duplication in order to assure a continuation of services.

**"Service note"** means the documentation of the time, date, location and description of services offered or provided, and signature, including electronic signature of staff or volunteer offering or providing the services.

**"Service plan"** means a plan of action developed and agreed upon by the client and service provider that contains service appropriate goals and objectives for the client.

**"Sexual Assault"** means a range of behaviors, including but not limited to rape, attempted rape, sexual battery, human sex trafficking, sexual abuse of children, sodomy and sexual harassment.

**"Sexual assault services"** means personal advocacy and support services provided to adult victims of human sex trafficking in settings such as law enforcement, medical settings or program offices.

**"Sex trafficking"** also known as **"Human Sex Trafficking for Commercial Sex"** means recruiting, enticing, harboring, maintaining, transporting, providing or obtaining, by any means, another person through deception, force, fraud, threat or coercion for purposes of engaging the person in a commercial sex act, or benefiting, financially or by receiving anything of value, from participating in a venture that has engaged in an act of human sex trafficking for commercial sex.

**"Shelter Residential Program services"** means a certified residential living arrangement in a secure setting with support and advocacy services provided by qualified



staff, for adult victims of sexual assault as a result of human sex trafficking and their dependents.

**"Staff"** means personnel who function with a defined role within the program whether full-time, part-time or contracted.

**"Substance Abuse Services"** means the assessment and treatment of diagnosable substance abuse and dependence disorders, as defined by current DSM criteria, by qualified alcohol and drug treatment professionals.

**"Support" or "Supportive Services"** means the provision of direct services to victims and their dependents for the purposes of preventing further violence, helping such victims to gain access to civil and criminal courts and other community services, facilitating the efforts of such victims to make decisions concerning their lives in the interest of safety, and assisting such victims in healing from the effects of human sex trafficking.

**"Transitional living services"** means temporary, independent living programs with support services provided by the staff or volunteers of the sponsoring human sex trafficking program. These services are extensions of human sex trafficking shelter services to victims of human sex trafficking and their dependents. These services permit victims to develop their financial capacity and other means to live independently.

**"Trauma-informed services"** means a service approach that recognizes the impact of trauma and acknowledges the role of trauma in the lives of victims/survivors and their dependents.

**"Universal precautions for transmission of infectious diseases"** means those guidelines promulgated by the U.S. Occupational Health and Safety Administration which are designed to prevent the transmission of Human Immunodeficiency Virus, hepatitis and other infectious diseases.

**"Update"** means a dated and signed review of a report, plan or program with or without revision.

**"Voluntary Services"** means a program shall not mandate participation in supportive services as a condition of ~~shelter~~program facility residency or emergency services (Family Violence Prevention and Services Act (42 U.S.C. 10408))

**"Volunteer"** means any person who is not on the program's payroll, but provides either indirect or direct services and fulfills a defined role within the program and includes interns and practicum students.

### **SUBCHAPTER 3. SEXUAL ASSAULT PROGRAMS FOR ADULT VICTIMS/SURVIVORS OF SEXUAL VIOLENCE AS A RESULT OF HUMAN SEX TRAFFICKING**

#### **75:30-3-1. Service programs core services [AMENDED]**

(a) Programs serving victims of sexual violence as a result of human sex trafficking and their dependents or family members should consider special service needs when developing a plan to offer services.

(b) All certified programs shall provide safe, accessible, and trauma-informed services for victims of human sex trafficking and their dependents or non-offending family members.

(c) The program shall develop a philosophy of trauma-informed service provision based upon voluntary services and individual self-determination. The written statement of the philosophy of services shall be approved by the governing authority and made available to the community, staff, volunteers and clients.

(d) The program shall have policies and protocols for accepting victims of human sex trafficking and develop procedures to maintain facilities, staffing, and operational methods, including a policy on the recruitment of board members, staff and volunteers who are representative of the diversity in the local community and the diversity of their clients.

(e) All certified programs shall ensure shelter program facilities or temporary emergency housing is provided and be able to respond to special needs which may include:

(1) Length of stay shall be based on the needs of the client.

(2) Safety planning should be designed to meet individual, unique needs. Safety planning can be complex due to danger created by an extensive human sex trafficking organization. Perpetrators often threaten the trafficked person's family in the country of origin as well, and such threats impact decisions made by a human sex trafficking victims.

(3) Human sex trafficking victims may never have assimilated into the local community or U.S. culture. Such lack of assimilation, in addition to language barriers and lack of family or community support may make it difficult to meet shelter program facility requirements such as communal meals, support groups and roommates of different ethnic, cultural or religious backgrounds.

(4) Human sex trafficking victims may have language interpretation needs. The program shall provide access to an interpreter. It may be necessary for the program to provide translations of written consent forms and other documents.

(5) Human sex trafficking victims may need intensive case management and advocacy for extended periods of time.

~~(6) A victim of human sex trafficking may feel that she has to babysit for free, cook meals or do more than her fair share of the chores. Programs should be aware of this dynamic and ensure that staff, volunteers and other residents do not unwittingly allow this dynamic to occur.~~

(6) In trafficking situation, victims of human sex trafficking are often compelled to provide their services without any compensation. Programs should be cognizant of this dynamic, especially as it relates to the assignment of chores.

(7) Programs should ensure victims are educated about the value of participating in the legal prosecution of offenders and that an appropriate release or waiver may be necessary. It is the human sex trafficking victim's choice to cooperate with law enforcement. Programs may have to educate law enforcement about certain policies, confidentiality and privilege laws, victim issues, including safety concerns, and whether or not law enforcement may enter the shelter. Programs shall also inform law enforcement that victims cannot be restricted from leaving the shelter program facility. An organization's cooperation with law enforcement for the purpose of identification and prosecution of known traffickers is permissible as long as the victim's identification does not have to be revealed without their consent if the trafficker is retaliating against the victim or is otherwise putting the program, program staff, the victim, or other program participants in danger. Programs shall provide alternate, secure locations for interviews.

(8) Victims of human sex trafficking may often have complex legal needs and be charged with federal or state crimes. Shelters Programs should develop relationships with qualified criminal defense and civil lawyersattorneys, including the federal and state public defender offices that can assist them.

(9) Establishing networks with additional service providers: Because of the unique needs of human sex trafficking victims, shelters/programs may have to identify and establish relationships with service providers such as those who do refugee settlement, with whom they have no previous relationship, and assess the providers as potential referral sources.

(f) All certified programs shall provide services free from all forms of unlawful discrimination based on race, sex, color, age, national origin, genetic information, religion, disability (i.e., physical, mental illness and substance abuse), and/or economic or educational status, including a policy that services will not be denied or diminished on the basis of immigration status.

(g) Compliance with 75:30-3-1 shall be determined by a review of the program's policies and procedures, service agreements, on-site observation, client and staff interviews and/or other supporting documentation.

### **75:30-3-1.1. Crisis intervention services [AMENDED]**

(a) All certified human sex trafficking programs shall offer crisis intervention services including, but not limited to:

(1) Twenty-four (24) hour crisis telephone services either operated solely by the program or in collaboration with other certified programs, and shall be staffed by trained staff or volunteers, and provide 24-hour immediate, direct access to crisis advocates. Pagers, answering machines or answering services that do not offer immediate access to a crisis advocate shall not be sufficient to meet this requirement;

(2) Provide access to services or providers who can conduct Screenings screenings for immediate needs including safety; medical including screening for tuberculosis, sexually transmitted diseases, HIV, Hepatitis B and Hepatitis C, vaccinations/immunizations, medical treatment for physical injuries, and dental care; mental health; substance abuse; and status including eligibility for other services and HHS or ORR certification;

(3) Emergency housing such as hotel or motel available for victim and any dependent(s);

(4) Arrangement for safe shelter/program facilities, food, clothing, and incidentals needed by victim and any dependent(s) as soon as practical;

(5) Provide protection if the safety of the victim is at risk or if there is a danger of additional harm by recapture of the victim by a perpetrator, including: taking measures to protect human sex trafficking victims and their family members from intimidation and threats of reprisals and ensuring that the names and identifying information of human sex trafficking victims and their family members are not disclosed to the public;

(6) The program shall provide transportation or access to transportation for necessary or emergency services. This shall not require service providers to be placed in a situation that could result in injury;

(7) Assignment or referral to Case Manager or program equivalent, e.g., advocate, lead advocate, etc.;

(8) Provision of advocacy and referral to assist the victims in obtaining needed services or resources;

(9) Follow-up services shall be offered to all victims if victim safety is not compromised;

(10) Crisis intervention or support services, case management or referral for case management, advocacy, and victim recovery services. These programs shall minimally either directly provide or make provision for the following services:

(11) Life and job skills training;

(12) Establishment of contact with families of victims if appropriate and desired by the client;

(13) Advocacy services, both in person and by telephone or other electronic means, either in the locations of other community services and systems, or in the program's offices to assist with obtaining certification and public benefits;

(14) A resource document of local, area, or state resources to facilitate referrals for clients for longer term counseling and housing and legal services, particularly immediate time-sensitive legal assistance from an attorney;

(15) The agency shall maintain an updated list of identified behavioral health professionals in the community who treat clients with trauma related to human sex trafficking as well as victims who need additional mental health or substance abuse services; and

(16) Provide referral to legal assistance, information about their rights and translation services as necessary.

(b) Compliance with 75:30-3-1.1 shall be determined by a review of the program's policies and procedures, service agreements, on-site observation, client and staff interviews and/or other supporting documentation.

**75:30-3-2. ShelterProgram facilities program [AMENDED]**

(a) All sheltersprogram facilities shall comply with section 75:30-3-1. Each shelterprogram facility ~~program~~ shall provide long-term shelterprogram facility services and staffing twenty-four (24) hours per day, seven (7) days per week and offer the following services:

(1) ~~Shelter programs~~ Program facilities shall provide room, food, bathing and laundry facilities, necessary clothing and toiletries for victims and their children free of charge. Programs shall not ask clients to use their nutrition assistance benefits to supplement food for the facility;

(2) ~~Shelters~~ Program facilities shall be staffed at all times when clients are in residence. When there are no clients in residence, each ~~shelter~~ program facility must assure availability for immediate contact or services;

(3) ~~Shelter programs~~ Programs shall offer screening, referral and linkage to clients and callers to appropriate community resources, to include assistance in making initial contact;

(4) ~~Each shelter~~ Programs must ensure to the best of its ability the physical and emotional safety, security, and confidentiality of clients and the location of the shelter;

(5) The shelterprogram shall ~~established~~ establish and maintain involuntary exit criteria;

(6) The ~~shelter's~~ program's policy shall have written procedures regarding the supervision of children; and

(7) The shelterprogram shall offer services to clients with dependent boys over the age of twelve.

(b) Compliance with 75:30-3-2 shall be determined by a review of policies and procedures, service agreements, on-site observation, and/or other supporting documentation.

## SUBCHAPTER 5. CLIENT RECORDS AND CONFIDENTIALITY

### 75:30-5-2. Client records [AMENDED]

(a) A certified program shall have and maintain a master client index system containing the client's name, and the program's discreet numerical or letter identifier. No identifying information such as initials, age, year of birth or gender shall be part of the client ID. ~~That same discreet identifier shall be the client ID that is entered into the OAG data base without further encryption.~~

(b) A certified program shall have written policies and procedures for correcting errors on record material by lining through, initialing the error, and inserting the correct material either above the error or at the end of the entry. Further, the policies and procedures shall forbid the use of "white-out" or any action which obliterates the error.

(c) Compliance with 75:30-5-2 shall be determined by on-site observation, client records and any other supporting program documentation.

### 75:30-5-3.1. Record content - service specific [AMENDED]

(a) Client records for specific services shall conform to the following:

(1) ShelterProgram facility Services:

(A) On a client's entry to the ~~shelter~~, staff or volunteers shall record the client's name, emergency contact person(s), if applicable, known allergies, and any referrals for medical or emergency services. This information may be a part of the full intake interview if the full intake is done on entering the ~~shelter~~. Assessing the client's lethality and danger risks and safety planning shall also be done at the time of the full intake;

(B) ShelterProgram clients shall have the full intake interview and screening completed within fourteen (14) days of entry into the ~~shelterprogram~~ facilities;

(C) Service plans shall be offered within thirty (30) business days of client's entry to the ~~shelterprogram~~ facilities and at the client's discretion;

(D) The service plan shall be reviewed and updated at least every two (2) weeks;

(E) The client's service plan shall include components which address the needs of each child accompanying the client;

(F) The service plan shall include safety issues for the client and children; and

(G) A daily note.

(2) Crisis Intervention Services:

(A) All face-to-face and virtual contacts with clients are documented and contacts with persons not receiving additional services shall be offered and documented. Documentation shall minimally include the following:

(i) Staff/Volunteer Name and signature;

(ii) Date, time, length, and location of intervention;

(iii) Safety Planning based on risk;

(iv) Client's name, age, race, county of residence, and contact number if given;

(v) Protective order information, if applicable;

(vi) Personnel involved such as police, hospital, etc;

- (vii) Summary of contact including visible injuries, treatment and services requested; and
- (viii) Follow up services shall be offered to all victims, if victim safety is not compromised; and
- (ix) Outcome.

(B) All telephone contacts shall be documented. Documentation shall minimally include the following:

- (i) Staff/Volunteer name;
- (ii) Date, time and length of call;
- (iii) Safety planning based on risk;
- (iv) Caller's name and contact number, if given; However, no caller shall be required to give a name, phone number or any other identifying information as a condition to receive information about human sex trafficking services;
- (v) Summary of the call including services needed; and
- (vi) Outcome.

(C) Contact information is kept by the program.

(D) Clients to be transported to shelterprogram facilities shall be screened before the shelterprogram facility referral is made. ~~If the client is in immediate danger, or no safe housing is available, this screening may be initially waived.~~ If the client is in immediate danger, no safe housing is available, or appropriate screenings are conducted by other parties which the certified program has approved to do screenings, this screening may be initially waived. If the screening is waived, documentation shall reflect the reason(s) and the notification of such to the shelterprogram facility.

(3) Counseling, Support and Advocacy Services:

- (A) An assessment of the client's needs, including culturally specific needs shall be completed by the third (3rd) counseling or advocacy session;
- (B) A service plan shall be completed by the fifth (5th) advocacy or counseling session; and
- (C) A service plan review and update shall be completed at a minimum of once every six (6) months.

(4) Transitional Living Services: A service plan including safety issues for the client and dependents shall be developed within five (5) business days of the client moving in.

(b) Where required information is not obtained, efforts to comply with the requirements of this subsection shall be documented in the client record.

(c) Compliance with this 75:30-5-3.1 shall be determined by a review of client records, policies and procedures, call logs, and/or other supporting documentation.

#### **75:30-5-4. Client confidentiality [AMENDED]**

(a) Protecting the confidentiality of human sex trafficking victims is critical to protecting their safety and establishing trust. Case or client records, files or notes, of a certified ~~sexual assault program~~ for adult victims of human sex trafficking ~~program~~ shall be confidential and shall only be released under certain prescribed conditions pursuant to Oklahoma law (74 O.S. § 18p-3).

(b) The program shall have written policies and procedures to ensure confidentiality of client information and identity of the shelterprogram's location and govern the disclosure

of information including verbal disclosure contained in client records. When a client record is established, the program shall discuss the confidentiality requirements and limitations with each client and maintain documentation in the client record that they have reviewed the circumstances under which confidential information may be revealed. Assisting human sex trafficking victims requires the release of confidential information more often, and to more organizations, than when assisting non-trafficked victims. This is particularly true if the victim is seeking certification from HHS or ORR. Staff or volunteers should always obtain the informed, written consent of the victim when relaying confidential information to any person, including law enforcement, federal prosecutors, state attorneys, victim advocates and social services agencies. The written consent forms must be translated into the victim's native language, state the name of the person or organization receiving the information, and contain an expiration date.

(c) The human sex trafficking program must comply with both the state and federal laws that govern confidentiality and any exceptions to those laws.

(1) State Law: Case or client records, files or notes, of a human sex trafficking program shall be confidential and shall only be released under certain prescribed conditions (74 O.S. § 18p-3):

(A) The case records, case files, case notes, client records, or similar records of a human sex trafficking program certified by the Attorney General or of any employee or trained volunteer of a program regarding an individual who is residing or has resided in such program or who has otherwise utilized or is utilizing the services of any human sex trafficking program or counselor shall be confidential and shall not be disclosed;

(B) For purposes of this subsection, the term "client records" shall include, but not be limited to, all communications, records, and information regarding clients of human sex trafficking programs; and

(C) The case records, case files, or case notes of programs specified in paragraph 1 of this subsection shall be confidential and shall not be disclosed except with the written consent of the individual, or in the case of the individual's death or disability, of the individual's personal representative or other person authorized to sue on the individual's behalf or by court order for good cause shown by the judge in camera.

(2) Federal Law:

(A) The Violence Against Women Act universal grant conditions regarding confidentiality, Section 3 of VAWA, 34 USC §12291(b)(2) provides, in part: In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, grantees and subgrantees shall protect the confidentiality and privacy of persons receiving services. Grantees and subgrantees shall not: disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantee and subgrantee programs, regardless of whether the information has been encoded, encrypted, hashed or otherwise protected; or disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State,

tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor. If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent. If release of information is compelled by statutory or court mandate, grantees and subgrantees shall make reasonable attempts to provide notice to victims affected by the disclosure of information and take steps necessary to protect the privacy and safety of the persons affected by the release of the information. In no circumstances may an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release identifying information as a condition of eligibility for the services provided.

(B) The Family Violence Prevention and Services Act universal grant conditions on confidentiality, 42 USC 10401 et seq. provides, in part: Personally identifying information. The term personally identifying information has the meaning given the term in the Violence Against Women Act. In order to ensure the safety of adult, youth, and child victims of family violence, domestic violence, or dating violence, and their families, grantees and subgrantees under this title shall protect the confidentiality and privacy of such victims and their families. Subgrantees shall not disclose any personally identifying information collected in connection with services requested (including services utilized or denied), through grantee and subgrantee programs; or reveal personally identifying information without informed, written, reasonably time-limited consent by the person about whom information is sought, whether for this program or any other Federal or State grant program, which consent shall be given by the person, except in the case of an unemancipated minor, the minor and the minor's parent or guardian; or in the case of an individual with a guardian, the individual's guardian; and may not be given by the abuser or suspected abuser of the minor or individual with a guardian, or the abuser or suspected abuser of the other parent of the minor. If release of information is compelled by statutory or court mandate grantees and subgrantees shall make reasonable attempts to provide notice to victims affected by the release of the information; and grantees and subgrantees shall take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

(C) Victims of Crime Act regulations on confidentiality applying to grantees, 28 CFR §94.115 provides in part: Sub-recipients of VOCA funds shall, to the extent permitted by law, reasonably protect the confidentiality and privacy of persons receiving services under this program and shall not disclose, reveal, or release any personally identifying information or individual information collected in connection with VOCA-funded services requested, utilized, or denied, regardless of whether such information has been encoded, encrypted, hashed, or otherwise protected; or individual client information, without the informed, written, reasonably time limited consent of the person about whom information is sought, except that consent for release may not be given by the abuser of a minor, incapacitated



person, or the abuser of the other parent of the minor. If a minor or a person with a legally appointed guardian is permitted by law to receive services without a parent's (or the guardian's) consent, the minor or person with a guardian may consent to release of information without additional consent from the parent or guardian. If release of information is compelled by statutory or court mandate, SAAs or sub-recipients of VOCA funds shall make reasonable attempts to provide notice to victims affected by the disclosure of the information, and take reasonable steps necessary to protect the privacy and safety of the persons affected by the release of the information.

(D) Housing Assistance Emergency Solutions Grants, at 42 U.S.C. § 11375 (c)(5), require recipients to develop and implement procedures to ensure confidentiality of records pertaining to any individual provided family violence prevention or treatment services under this part and that the address or location of the family violence shelterprogram facilities project assisted under this part will not be made public without written authorization of the person or persons responsible for the operation of such shelterprogram facilities; and

(E) Stewart B. McKinney Homeless Assistance Act, at 42 U.S.C. § 1130163, mandates that any victim service provider that is a recipient or subgrantee shall not disclose for purposes of the Homeless Management Information System (HMIS) any personally identifying information about any client. Subgrantees may be required to disclose for purposes of HMIS non-personally identifying information that has been de-identified, encrypted, or otherwise encoded. The Violence Against Women Act also contains a provision that specifies a domestic violence program provider shall not disclose any personally identifying information about any client to the Homeless Management Information System (HMIS).

(d) Compliance with 75:30-5-4 shall be determined by a review of the program's policies and procedures; and on-site observation of the handling and review of client records.

#### **75:30-5-7. ShelterResidential Program Policy on Medications [AMENDED]**

(a) The shelterprogram shall seek to afford shelterprogram residents with the greatest possible privacy and autonomy in regard to their medication, while also providing a safe shelterprogram environment as follows:

- (1) Staff and volunteers will not dispense medication;
- (2) The shelterprogram will provide every resident with an individual locking box, locker, or locking cabinet ("locked space") for storage of medications and valuables or lock the clients' medication in a safe but accessible location;
- (3) The shelterprogram will not limit or monitor the survivor's access to her medication;
- (4) If a client indicates that she needs access to refrigerated storage space, the shelterprogram will provide refrigerated storage space in the manner that provides the greatest possible privacy and autonomy; and
- (5) The shelterprogram shall have a policy for the disposal of unused or abandoned medication or other substances.

(b) Safety Agreement: During a resident's stay at shelter, the client shall be asked to make sure that any medications the client has are safely secured.

(1) The shelter program will ask every resident to sign an agreement that the client will store any medications in the client's individual locking box, locker, or locking cabinet provided, or if it is one requiring refrigeration, as otherwise provided. The agreement will provide that residents who have medications that must be taken in the event of a medical emergency may carry them on their person (e.g., in a fanny pack).

(c) Compliance with 75:30-5-7 shall be determined by a review of the program's policies and procedures, and on-site observation.

## **SUBCHAPTER 7. PHYSICAL ENVIRONMENTS**

### **75:30-7-1. Physical plant, primary role [AMENDED]**

(a) The primary role of programs is to provide safety; and they must also protect the confidentiality and privacy of victims of sexual violence as a result of human sex trafficking and their dependent family members. The physical plants of programs shall not be utilized in any manner which fails to guarantee the confidentiality, safety, and protection of the victims, their dependents and staff and volunteers.

(b) Facilities that serve both victims of human sex trafficking as well as domestic violence victims in the same facility shall have written procedures to ensure that its services do not jeopardize the safety and psychological well-being of either ~~victims~~ victim.

(c) Compliance with 75:30-7-1 shall be determined by a review of program policies and procedures and a tour of the facility.

### **75:30-7-2. Fire and safety codes and inspections [AMENDED]**

(a) The physical environments of shelter program facilities, housing options and all office space shall meet safety, zoning, and building code regulations required by local, state, and federal authorities, and shall obtain and maintain an annual fire and safety inspection from local or state authorities.

(b) Compliance with 75:30-7-2 shall be determined by a review of the annual fire and safety inspection report.

### **75:30-7-4. Disaster procedures [AMENDED]**

(a) There shall be written procedures describing the emergency plans in case of a disaster, whether internal or external, or in case of threat to the safety of any client, staff or volunteer. Evacuation routes, inside sheltering program facility sites and fire extinguisher locations shall be posted.

(b) Fire, tornado, bomb threat and intruder drills shall be conducted annually. The date, time, and type of the drill shall be documented.

(c) Compliance with 75:30-7-4 shall be determined by on-site observation, a review of written procedures, staff or volunteer interviews, and documentation of drills.

### **75:30-7-7. Program environment, shelter residential services programs [AMENDED]**

(a) All certified shelter residential programs shall comply with section 75:30-7-6 and the following:

(1) The facility shall have access to outdoor recreational space and playground equipment located, installed, and maintained as to ensure the safety of the clients

and their children. The grounds and access thereto shall be maintained in a manner that shall ensure the area is free of any hazard to health or safety;

(2) Kitchens used for meal preparation in the residential facility shall be provided with the necessary equipment for the preparation, storage, serving, and clean-up of all meals. All equipment shall be maintained in working order;

(3) Provisions shall be made to assist or make food available for meal preparation that accommodates special diets;

(4) The facility shall have, at minimum, a commode, lavatory, and bathing facility at a ratio of one (1) to twelve (12) resident, including infants and children. The privacy of individuals or families shall be assured while using these facilities;

(5) Residents' rooms shall be so arranged that the client has direct access to a hallway or common area without having to pass through other resident's rooms or areas;

(6) There shall be written policies and procedures for laundry and linens, addressing frequency of changing linens, and laundry arrangements within the facility;

(7) Laundry equipment shall be provided within the residential facility, and shall be kept clean, well-maintained, and properly ventilated;

(8) Reasonable space shall be provided for storage of clients' personal belongings;

(9) Written policies and procedures shall address secure storage of client valuables;

(10) Written policies and procedures shall address the secure handling and storage of client medications, including policy to document client access to medication;

(11) The facility shall be secured by double locks or locking devices such as chains, bolts, etc. on ground floor doors. However, documentation that the locking system meets state and local fire code inspection shall be accepted. When key-locked deadbolts are used, the location of the keys must be identified and readily accessible;

(12) All outdoor openings such as windows shall be covered for privacy;

(13) Provision shall be made for cleaning the facility minimally once per week. A written work schedule or other form of notification shall be posted, which clearly delineates each individual's responsibility for various tasks;

(14) Safe and adequate internal play space for children, including outlet protectors and gated stairwells; and

(15) Baby beds and high chairs that ensure children's safety and comfort shall be available for infants and small children.

(b) Compliance with 75:30-7-7 shall be determined by a review of program policies and procedures; ~~shelter~~program facility rules, staff, volunteer and client interviews where appropriate, and on-site observation.

## **SUBCHAPTER 11. PERSONNEL AND VOLUNTEERS**

### **PART 5. TRAINING**

#### **75:30-11-12. Orientation - general, personnel and volunteers [AMENDED]**

(a) Personnel and volunteers must receive specific training to understand the unique needs of human sex trafficking victims.

(b) A certified program shall provide a minimum of forty (40) hours of orientation training that incorporates the use of adult learning techniques (i.e., scenarios, role playing) to familiarize new personnel and volunteers providing direct services with the program which includes, but is not limited to:

- (1) Program goals and services of each service component;
- (2) Program policy and procedures;
- (3) Confidentiality, to include verbal confidentiality whether inside or outside the facility and client records;
- (4) Facility safety and disaster plans;
- (5) First aid kits and fire extinguishers, their location, contents and use;
- (6) Universal precautions;
- (7) Learning interviewing skills and techniques for working with victims of human sex trafficking including:
  - (A) Hotline calls from trafficking victims and active and empathetic listening techniques;
  - (B) Safety planning for human sex trafficking victims; and
  - ~~(C) Dynamics involved in the prosecution of persons who commit human sex trafficking.~~
- (8) Vicarious trauma and self-care;
- (9) Client rights;
- (10) Power and control tactics ~~of in~~ human sex trafficking;
- (11) Dynamics and impact of sexual assault;
- (12) Dynamics and impact of ~~captivity and~~ human sex trafficking;
- (13) Behavioral health issues related to human sex trafficking including but not limited to:
  - (A) Cultural information about victims coming from the world of human sex trafficking to a "normal" world;
  - (B) Effects of trauma, including high risk behaviors, adaptive survival strategies and coping skills; and
  - (C) Trauma triggers.
- (14) Documentation of services;
- (15) Sexual abuse within the family (i.e., incest, sibling abuse, marital and domestic relationship rapes);
- (16) Sexual assault outside the family (stranger, non-stranger, abuse by professionals, sexual harassment and bullying);
- (17) Commercial sexual exploitation (i.e., prostitution, trafficking, pornography, escort services, and massage parlors);
- (18) ~~Non-traditional~~ Underserved client populations (i.e., males, victims of the same gender, bisexual or transgender, non-English speaking, undocumented immigrants, victims with cognitive disabilities, or who are deaf or hard of hearing) or other disability as defined by the Americans with Disabilities Act; and
- (19) Topics to increase skills to identify Post-traumatic Stress Disorder (PTSD) as it relates to rape trauma,, self injury and alcohol and substance use.
- (20) Training on professional ethics and boundaries necessary for working with trauma survivors.
- (21) Understanding legal needs of human sex trafficking victims, including dynamics involved in the prosecution of persons who commit human sex trafficking.

(22) Labor trafficking.

(23) Trauma informed care and special considerations for victims of sex trafficking.

(c) Staff and volunteers providing indirect services and children's activities are required to complete orientation as prescribed by the Executive Director or CEO which shall include training on confidentiality and facility safety and disaster plans.

(d) Orientation for personnel must take place within thirty (30) days of employment or prior to unsupervised direct client contact and services. Volunteer orientation must occur within six (6) months or prior to unsupervised, direct client contact and services. The Executive Director of a facility may waive orientation training if it is documented that the staff or volunteer has completed the requisite program training within the past year.

(e) Compliance with 75:30-11-12 shall be determined by a review of the written policies and procedures, and personnel and volunteer training manuals and records.

**75:30-11-12.1. In-service and ongoing training for personnel and volunteers  
[AMENDED]**

(a) A certified program shall have policies and procedures mandating, at the minimum, twenty-four (24) hours of annual training of all staff which shall include:

- (1) Confidentiality, to include verbal confidentiality whether inside or outside the facility and client records;
- (2) Facility safety and disaster plans;
- (3) First aid kits and fire extinguishers, their location, contents and use;
- (4) Universal precautions,
- (5) Client rights;
- (6) Legal and ethical issues;
- (7) Trauma; and

(8) The remaining hours of annual training shall be related to human sex trafficking and administration as prescribed and approved by the Executive Director.

(b) A certified program shall have policies and procedures mandating a minimum of twenty-four (24) hours annual training of all volunteers providing direct services, related to human sex trafficking as prescribed and approved by the Executive Director.

(c) Staff and volunteers who provide indirect services and do not meet the requirements for staff and volunteers providing direct services as defined in OAC 75:30-1-2 shall receive annual training as prescribed by the Executive Director, but do not have a minimum number of training hours required.

(d) Documentation of training must include the topic of the training, the name of the trainer(s), the date of the training, the length of the training session, the sponsor of the training, and approval of the training by the Executive Director of the agency.

~~(e) A Certified Domestic and Sexual Violence Response Professional in good standing with the Oklahoma Coalition Against Domestic Violence and Sexual Assault (OCADVSA) shall be deemed to be current with annual training requirements upon completion of required annual training set forth in subsection (a) above. A copy of the current certification card issued by the OCADVSA shall be evidence of good standing.~~

~~(f)~~(e) Compliance with 75:30-11-12.1 shall be determined by a review of policies and procedures; review of training records and other provided documentation of personnel training; and a review of personnel or volunteer records.

**SUBCHAPTER 13. GOVERNING AUTHORITY**

**75:30-13-2. Duties of the governing authority [AMENDED]**

- (a) The duties of the governing authority shall include, but are not limited to:
- (1) Approving all policies for the operation of the agency, and ensuring procedures for the implementation of policies are in place and enforced;
  - (2) Ensuring the agency operates in compliance with established agency policy, applicable state and federal law and administrative rules;
  - (3) Compliance with the by-laws of the governing authority;
  - (4) Ensuring all financial transactions and events requiring the approval of the governing authority are reviewed and authorized by the governing authority prior to any commitment by agency personnel;
  - (5) The selection, annual evaluation and continuance of retention of the Executive Director;
  - (6) Review and approve ~~all~~ contractual agreements that exceed financial thresholds as determined by the governing authority;
  - (7) Review the program audit and certification reports from the VSU and approve all plans of correction; and
  - (8) Oversee the financial administration of the program, including review and approval of financial audits.
- (b) Compliance with 75:30-13-2 shall be determined by a review of:
- (1) By-laws and minutes of the meetings of the governing authority;
  - (2) Posted, or otherwise distributed written materials regarding decisions, and other notifications of the governing authority;
  - (3) Personnel meeting minutes of the program and its various divisions or geographical locations where applicable; and
  - (4) Written evaluation and any other documentation regarding the retention or selection or hiring of the Executive Director.

**SUBCHAPTER 15. CLIENT RIGHTS, FOR ADULT VICTIMS OF HUMAN SEX TRAFFICKING PROGRAMS**

**75:30-15-3. Client grievance policy and procedures [AMENDED]**

- (a) Each program shall have a written client grievance policy providing for, but not limited to, the following:
- (1) Written notice of the grievance and appeal procedure provided to the client; and, if involved with the client, to family members or significant others;
  - (2) Time frames for the grievance policy's procedures, which allow for an expedient resolution of client grievances;
    - (A) Transitional living, and ~~shelter~~ program facility services timeframes for resolution of grievances by program staff or volunteers shall be seven (7) days unless appealed;
    - (B) Non-transitional living and ~~non-shelter~~ program facility services' timeframes for resolution of grievances by program staff or volunteers shall be fourteen (14) days unless appealed;
  - (3) Name(s) of the individual(s) who are responsible for coordinating the grievance policy and the individual responsible for or authority to make decision(s) for resolution of the grievance and the individual responsible for or authorized to make decisions for resolution of grievance. In the instance where the decision maker is the subject of a grievance, decision-making authority shall be delegated;

(4) Provide for notice to the client that he or she has a right to make a complaint to the OAG Victims Services Unit;

(5) Clients shall be given a copy of the grievance policy, including the right to make a complaint to the OAG, and the provision of such shall be documented in the client record, including the phone number, mailing address, and email address of the VSU of the OAG;

(6) Mechanism to monitor the grievance process and improve performance based on outcomes; and

(7) Annual review of the grievance policies and procedures, with revisions as needed.

(b) Compliance with 75:30-15-3 shall be determined by a review of program policies and procedures, client records, on-site observation, written agreements, and/or other program documentation.