NOTICE OF MEETING

STATE BOARD OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

ODMHSAS
Main Conference Room
1200 N.E. 13th Street
Oklahoma City, Oklahoma  73117
405-522-3877

March 22, 2013 – 9:00 a.m.

AGENDA

I. Determination of quorum, call to order and opening remarks.............................................................. J. Andy Sullivan, M.D. Chair

II. Approval of minutes of the January 25, 2013, Meeting.........................Dr. Sullivan

III. Discussion and Possible Action.................................................................John Hudgens Regarding Critical Incident Report Provider Certification

Possible executive session pursuant to 25.O.S. § 307 (B) (7) to discuss confidential information pursuant to state or federal law

IV. Discussion and Possible Action.................................................................Mr. Hudgens Regarding Approval of Program Certifications (see Attachment "A")

V. Discussion and Possible Action.................................................................Durand Crosby Regarding ODMHSAS Administrative Rules Chief Operating Officer As follows:

CHAPTER 1. ADMINISTRATION

PROPOSED RULES:
SUBCHAPTER 1. GENERAL INFORMATION
450:1-1-1.1. Definitions [AMENDED]
450:1-1-2. Applicability [AMENDED]

SUBCHAPTER 3. CONTRACTS FOR MENTAL HEALTH, SUBSTANCE ABUSE, AND RESIDENTIAL CARE SERVICES
450:1-3-5. Staff qualifications for contracted entities [AMENDED]
SUBCHAPTER 9. CERTIFICATION AND DESIGNATION OF FACILITY SERVICES

450:1-9-1. Applicability of certification [AMENDED]
450:1-9-3. Purpose of certification [AMENDED]
450:1-9-4. Reviewing authority [AMENDED]
450:1-9-5. Qualifications for certifications of facilities and programs and individuals [AMENDED]
450:1-9-5.1. Types and duration of certification status for facilities and programs [AMENDED]
450:1-9-5.2. Types and Duration of certification of individuals [AMENDED]
450:1-9-5.3. Additional conditions related to certification [AMENDED]
450:1-9-6. Procedures for application for certification [AMENDED]
450:1-9-6.1. Expanding certification of facilities and programs to additional geographical areas; Adding new programs or levels of care [AMENDED]
450:1-9-7. Procedures for completion of the Permit for Temporary Operations certification process [AMENDED]
450:1-9-7.1. Procedures for completion of additional certification processes subsequent to a Permit for Temporary Operations [AMENDED]
450:1-9-7.2. Procedures for renewal of certification [AMENDED]
450:1-9-7.3. Additional certification procedures [AMENDED]
450:1-9-7.4. Actions on Non-Certified Providers [AMENDED]
450:1-9-8.1. Site reviews [AMENDED]
450:1-9-9. Bases for a decision to issue administrative sanction of suspension, or revocation [AMENDED]

AUTHORITY:
Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-110, 3-306, 3-306.1, 3-314.1, 3-315, 3-317, 3-318, 3-319 and 3-415; 74 O.S. §85.9G.

SUMMARY:
In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 1 are part of the Department’s review of Title 450. The proposed rules are intended to clarify existing rules, improve processes, and are intended to comply with statutory changes.

Proposed changes include updated definitions for target populations and definitions for staff requirements, clarifications on purpose and applicability related to certification, additional procedures to protect health and safety of persons served, procedures for additional reviews of facilities with limited experience in providing ODMHSAS certified services, and references to new types of ODMHSAS certification authorized by Title 43A.

CHAPTER 15. CONSUMER RIGHTS

PROPOSED RULES:
SUBCHAPTER 1. GENERAL PROVISIONS
450:15-1-2. Definitions [AMENDED]

SUBCHAPTER 3. CONSUMER RIGHTS
450:15-3-3. Notification of the Bill of Rights [AMENDED]
450:15-3-8. Right to freedom from maltreatment [AMENDED]
450:15-3-27. Synopsis of the bill of rights [AMENDED]
450:15-3-81. Resident rights [AMENDED]

SUBCHAPTER 7. OFFICE OF CONSUMER ADVOCACY AND DEPARTMENT INVESTIGATIONS
450:15-7-4. Office of Consumer Advocacy powers and duties [AMENDED]
450:15-7-6. Reporting suspected maltreatment [AMENDED]
450:15-7-7. Administrator’s responsibilities regarding allegations reportable to the Department [AMENDED]
450:15-7-9. Investigation procedures [AMENDED]
450:15-7-14. Investigative interviews [AMENDED]
450:15-7-15. Investigative report and findings [AMENDED]

AUTHORITY:
Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 2-108 and 2-109.

SUMMARY:
In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 15 are part of the Department’s review of Title 450. The proposed rules are intended to clarify existing rules, improve processes, and are intended to comply with statutory changes.

In an effort to provide increased clarity and uniformity, Chapter 15 proposed changes have been made throughout to further clarify terms used and to reflect terms that are more current, and additional language has been proposed to further clarify rights afforded consumers who are receiving services. Several of the proposed changes are to the “Synopsis of Rights” that must be posted by a provider. These changes are for clarification and for consistency with the enumerated rights already contained in the chapter. Additional proposed changes include reorganization of clarification of the roles of the Office of Consumer Advocacy, the Consumer Advocate General, and the Office of Inspector General.

CHAPTER 17. STANDARDS AND CRITERIA FOR COMMUNITY MENTAL HEALTH CENTERS

PROPOSED RULES:
SUBCHAPTER 1. GENERAL PROVISIONS
450:17-1-2. Definitions [AMENDED]

SUBCHAPTER 3. REQUIRED SERVICES
450:17-3-61. Outpatient therapy services [AMENDED]
450:17-3-191. Peer support services [AMENDED]
450:17-3-192. Peer Recovery Support Specialists staff requirements [AMENDED]
450:17-3-193. Peer Recovery Support services: Locale and frequency [AMENDED]
AUTHORITY:
Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-306, 3-306.1 and 3-315; 74 O.S. §85.9G.

SUMMARY:
Community Mental Health Center rules are revised to update terms and definitions in order to comply with changes made to Oklahoma Health Care Authority rules found in Title 317 of the Oklahoma Administrative Code. Additional proposed changes are made to provide increased clarity and uniformity.

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

PROPOSED RULES:

SUBCHAPTER 1. GENERAL PROVISIONS
450:50-1-2. Definitions [AMENDED]

SUBCHAPTER 3. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION APPLICATION
450:50-3-1. Qualifications for certification [AMENDED]
450:50-3-2. Applications for certification [AMENDED]
450:50-3-3. Duration of certification [AMENDED]
450:50-3-7. ClassificationsScope of Certified Behavioral Health Case Manager Certifications [AMENDED]

SUBCHAPTER 5. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION TRAINING AND WEB-BASED COMPETENCY-EXAM EXAMS
450:50-5-1. Case management certification training [AMENDED]
450:50-5-4. Continuing education requirements [AMENDED]
450:50-5-5. Web-based competency-exam exams [AMENDED]

SUBCHAPTER 7. RULES OF PROFESSIONAL CONDUCT
450:50-7-1. Responsibility and scope of practice [AMENDED]
450:50-7-3. Reimbursement for services rendered [AMENDED]

AUTHORITY:
Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-306 and 3-318.

SUMMARY:
Certified Behavioral Health Case Management rules are revised to enhance the education and training requirements for individuals applying to be certified as a Case Manager II. The scope of CM II's practice will now include psychiatric rehabilitation services so the training and examination requirements will now include a psychiatric rehabilitation component in order to better prepare individuals to provide these services. These proposed revisions create a certification process for individuals designated as Behavioral Health Rehabilitation Specialists (BHRS) and correspond with provider qualification requirements in the Oklahoma Health Care Authority's Administrative rules found in Title 317 of the Oklahoma Administrative Code. Proposed rules also remove the Case Manager III certification, as licensed behavioral health professionals (LBHPs) and Certified Alcohol and Drug Counselors (CADCs) will now be able to provide case
management and rehabilitation services pursuant to their respective licenses/certifications and will not be required to obtain certification through ODMHSAS.

CHAPTER 70. STANDARDS AND CRITERIA FOR OPIOID SUBSTITUTION TREATMENT PROGRAMS

PROPOSED RULES:
Chapter 70. Standards and Criteria for Opioid Substitution Treatment Programs

[AMENDED]

AUTHORITY:
Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. § 3-601 et. seq.

SUMMARY:
In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 70 are part of the Department’s regular review of Title 450. The proposed changes to rule are intended to clarify and simplify existing rules, improve processes and are intended to comply with recent federal rule changes.

VI. Discussion…………………………………………………………….Terri White
Regarding report of activities since last Board meeting Commissioner

VII. Discussion………………………………………………………. Durand Crosby
Regarding report of activities since last Board meeting Chief Operating Officer

VIII. Discussion regarding the…………………………………………Henry Haynes, Ed.D.
Report from the Corporate Committee Member
Accountability Committee concerning
Department Investigations and
Consumer Complaints
Possible executive session as authorized
by 25 O.S. § 307(B)(4) and (7), for:
Discussion regarding pending investigations,
claims, or actions and matters which are confidential
pursuant to state or federal law

IX. Discussion and Possible Action………………………………….Kim Poff
Regarding the Inspector General’s Report Inspector General
Possible executive session as authorized
by 25 O.S. § 307(B) (4) and (7), for:
Discussion regarding investigations by the
ODMHSAS Inspector General’s Division relating
to consumer abuse, neglect and mistreatment
which are confidential pursuant to 43A O.S. §§ 1-109,
2-109 and 3-422; 42 C.F.R. Part 2; 45 C.F.R.
Parts 160 and 164; and 63 O.S. § 1-1709
X. Discussion and Possible Action…………………………………………..Deneka Cain
   Regarding the Consumer Advocate’s Report Advocate General
   Possible executive session as authorized
   by 25 O.S. § 307(B) (4) and (7), for:
   Discussion regarding investigations by the
   ODMHSAS Advocate General’s Division relating
   to consumer abuse, neglect and mistreatment
   which are confidential pursuant to 43A O.S. §§ 1-109,
   2-109 and 3-422; 42 C.F.R. Part 2; 45 C.F.R.
   Parts 160 and 164; and 63 O.S. § 1-1709

XI. Discussion regarding the..........................................................Larry McCauley, Ed.D.
    Report from Performance Committee Chair
    Improvement Committee

XII. Discussion regarding the......................................................Henry Haynes, Ed.D.
     Report from the Finance Committee Committee Chair
     Including possible discussion of expenditures,
     budget increases, reduction and revenues

XIII. Discussion and Possible Action...........................................Juarez McCann
      Regarding the Monthly Financial Report Chief Financial Officer
      Including possible discussion of expenditures,
      budget increases, reduction and revenues

XIV. Presentation............................................................................Carrie Slatton-Hodges
      Deputy Commissioner
      Treatment and Recovery Services

XV. New Business...........................................................................Dr. Sullivan

XVI. Adjournment...........................................................................Dr. Sullivan
I. Alcohol and Drug Treatment Programs

A. Permit for Temporary Operation


B. Two-Year Certification

1. Mid-Del Youth & Family Center, Inc. April 1, 2013-January 31, 2015

C. Certification with Special Distinction

1. Central Oklahoma Family Medical Center, Inc. April 1, 2013-March 31, 2016
** 2. Children’s Recovery Center of Oklahoma April 1, 2013-March 31, 2016
* 4. Payne County Drug Court, Inc. April 1, 2013-March 31, 2016
5. ROCMND Area Youth Services, Inc. April 1, 2013-March 31, 2016

II. Opioid Substitution Treatment Programs

A. Permit for Temporary Operation

1. Native Health Management, L.L.C. dba Advanced Recovery Center PTO effective upon receipt of DEA, OBNDD, and SAMHSA approvals; PTO expires six (6) months from effective date

III. Outpatient Mental Health Treatment Programs

A. Permit for Temporary Operation

6. ROCMND Area Youth Services, Inc. March 22, 2013-September 23, 2013

B. Two-Year Certification

IV. Comprehensive Community Addiction Recovery Center Programs

A. Two-Year Certification


V. Eating Disorder Treatment Programs

A. Certification with Distinction

1. Laureate Psychiatric Clinic and Hospital, Inc.  April 1, 2013-March 31, 2016

VI. Programs of Assertive Community Treatment

A. Certification with Special Distinction

** 1. Carl Albert Community Mental Health Center  April 1, 2013-March 31, 2016

** 2. Central Oklahoma Community Mental Health Center  April 1, 2013-March 31, 2016


VII. Community-Based Structured Crisis Center Programs

A. Permit for Temporary Operation

B. Two-Year Certification

dba Red Rock Behavioral Health Services, Norman

C. Certification with Special Distinction


VIII. Community Residential Mental Health Programs

A. Permit for Temporary Operation


B. One-Year Certification

* 1. Dow Residential Care Facility, Inc. April 1, 2013-March 31, 2014
* 2. Lake Francis Residential Care Home, Inc. April 1, 2013-March 31, 2014

C. Certification with Distinction

* 1. Copp’s Residential Care, Inc. April 1, 2013-April 30, 2014
* 2. Duncan Community Residence, Inc. April 1, 2013-April 30, 2014
* 3. Fair Oaks Residential Care, L.L.C. April 1, 2013-March 31, 2014

* Contracted programs
** ODMHSAS-operated program