Title 450. Department of Mental Health and Substance Abuse Services
Rule Impact Statement – Chapter 53 Revisions

A. Purpose of the proposed rule and legal authority.

The proposed revisions align peer recovery support specialist (PRSS) certification requirements with Oklahoma Statutes by expanding eligible employers to include municipalities and counties. The revisions also extend certification renewals from one year to two years, increase certification fees, streamline application and training requirements, and clarify certification expiration and enforcement procedures.

The legal authorities for the proposed rules are Board of Mental Health and Substance Abuse Services; O.S. 43A §§3-306, and 3-326.

B. Description of the proposed rule.

The proposed revisions align with changes to Section 3-326 of Title 43A of the Oklahoma Statutes made through Oklahoma House Bill 4275 by allowing individuals employed by an Oklahoma municipality or county to qualify for PRSS certification. Additionally, the proposed revisions extend the certification renewal period from one year to two years, as authorized under 43A O.S. § 3-326(C), and increase initial certification fees to $100.00 and renewal certification fees to $50.00. Furthermore, the proposed revisions streamline and standardize application and training processes and clarify language regarding certification expiration. Finally, the proposed revisions specify that only providers with an appropriate ODMHSAS contract may bill for peer recovery support specialist services.

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

Classification: ☐ Major ☒ Nonmajor

Justification: The proposed revisions align certification requirements with 43A O.S. § 3-326 and establish fees within the maximum amount authorized by statute. The fee adjustments will help offset administrative costs associated with processing applications, providing required training, and maintaining the PRSS certification program.

Total annual implementation and compliance costs: The proposed revisions are not expected to result in additional implementation costs to ODMHSAS. Applicants will be subject to increased initial certification fees of $100.00 and renewal fees of $50.00. Based on current renewal data, the Department anticipates approximately $148,750 in additional fee revenue to support the administration of the certification program.

Methodology used to calculate costs: The estimated fiscal impact was calculated using current certification renewal data and the difference between existing fees and the proposed adjustments. Based on the number of renewals, the Department estimates approximately $148,750 in additional revenue. No additional implementation or administrative expenditures are anticipated.

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

The proposed revisions will primarily impact individuals seeking initial or renewal for PRSS certification, including those employed by municipalities and counties. Current certified PRSS and their employers will also be affected by changes to certification periods, fees, and training requirements.

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

Current and prospective PRSS will benefit from the extended two-year certification renewal period, reducing the frequency of renewals and associated administrative requirements. Individuals employed by municipalities and counties will also benefit from expanded eligibility for certification.

F. Comprehensive analysis of the rules' economic impact.

The proposed revisions increase initial certification application fees to $100.00 and renewal certification fees to $50.00, as authorized under 43A O.S. § 3-326. While applicants will experience an increase in certification costs, extending the renewal period from one year to two years will reduce the frequency of renewal fees and administrative requirements. Based on current renewal data, ODMHSAS estimates approximately $148,750 in additional fee revenue to help offset costs associated with administering the certification program. No additional implementation costs to the Department or significant economic impacts on employers or political subdivisions are anticipated.

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

The proposed revisions are not expected to result in additional implementation costs to ODMHSAS or other state agencies. The increased certification fees are projected to help offset administrative costs associated with the certification program. Extending the renewal period from one year to two years may also reduce administrative workloads. No additional fiscal impacts to other state agencies are anticipated.

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

The proposed revisions are not expected to have a significant economic impact on political subdivisions. Municipalities and counties may benefit from expanded eligibility for PRSS certification. Any costs would be limited to certification fees if the political subdivision chooses to cover those expenses for employees. No additional cooperation from political subdivisions is required to implement the proposed rules.

I. Economic impact on small businesses.

The proposed revisions may have a limited economic impact on small businesses that employ PRSS due to the increase in certification fees. However, extending the renewal period from one year to two years will reduce the frequency of renewal costs and administrative requirements. No additional compliance costs are anticipated.

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

The proposed revisions minimize compliance burdens by extending the certification renewal period from one year to two years, reducing the frequency of renewal fees and administrative requirements. The revisions also streamline application and training processes to make certification easier for applicants and the Department. Nonregulatory alternatives would not adequately address the changes needed to align the administrative rules with Oklahoma Statutes and current certification practices.

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

The proposed revisions are expected to have a positive impact on public health and safety by expanding eligibility for PRSS certification and reducing administrative burdens while maintaining certification standards.

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

If the proposed revisions are not implemented, the administrative rules will remain inconsistent with current Oklahoma statutes, potentially limiting certification eligibility and creating unnecessary barriers in the certification process. This could negatively impact the behavioral health workforce and access to services.

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

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

N. Analysis of alternative to adopting the proposed rule.

The administrative rules must be updated to align with changes made to 43A O.S. § 3-326 through Oklahoma House Bill 4275. Nonregulatory alternatives, such as guidance or training, would not resolve the inconsistencies between the existing rules and current statutory requirements or adequately address the needed certification process changes.

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

Between policy staff, program staff, and legal staff, the ODMHSAS has spent about 35 hours developing the proposed rule changes.

P. Date the rule impact statement was prepared and if modified, the date modified.
Prepared: October 1, 2026
Modified: November 18, 2026 and November 23, 2026