

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1281

BY: MAXEY

AS INTRODUCED

AN ACT RELATING TO CHILDREN; AMENDING SECTION 3, CHAPTER 211, O.S.L. 1990 (10 O.S. SUPP. 1990, SECTION 1414.1), WHICH RELATES TO ADMISSION PROCEDURES FOR GREER CENTER FACILITY; PROVIDING FOR ADMISSION WITH CERTAIN INFORMATION AND RECORDS; AUTHORIZING ADMISSION UPON FURNISHING OF CERTAIN INFORMATION; PROVIDING THAT CERTAIN APPLICANTS ARE NOT REQUIRED TO REIMBURSE DEPARTMENT OF HUMAN SERVICES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 3, Chapter 211, O.S.L. 1990 (10 O.S. Supp. 1990, Section 1414.1), is amended to read as follows:

Section 1414.1 A. In addition to the admissions requirements of Section 1414 of this title, the Greer Center Facility of the Enid State School located at Enid, Oklahoma, shall provide for the admission of persons who have been dually diagnosed as follows:

1. Primary diagnosis of mental retardation by a psychologist, physician or psychiatrist. The diagnosis shall be in accordance

with any statutory requirements and shall include intellectual evaluation, adaptive behavior evaluation, and evidence that retardation occurred within the developmental period. Preference shall be given for those individuals whose retardation level falls within the mild and moderate ranges; and

2. Secondly, clinical evidence of behavioral or emotional problems pursuant to a formal, written evaluation by a psychologist, psychiatrist or physician describing the nature of the problem, the frequency of occurrence of the problem, any prior treatment efforts and reasons why the applicant cannot receive appropriate treatment in the applicant's current environment and a secondary diagnosis of mental illness in accordance with the Diagnostic and Statistical Manual of Mental Disorders, as revised and published by the American Psychiatric Association.

B. Persons with pending criminal charges shall not be considered for voluntary admission into the Greer Center Facility unless it can be clinically demonstrated that the behavior of the person does not pose an immediate danger to self or others. Persons considered for admission shall not be considered by a psychologist, psychiatrist, or physician as homicidal or suicidal and shall not have exhibited homicidal or suicidal tendencies for six (6) months prior to application for admission.

C. An applicant shall not be admitted to the Greer Center Facility if the applicant requires skilled nursing care. Applicants having a medical condition which is degenerative in nature that will require skilled nursing shall be considered on a case by case basis to ensure that sufficient staff is available to ensure quality of care. If an applicant has any existing medical or surgical condition that is correctable, the condition shall be remedied by the referring facility before admission to the Greer Center Facility is considered.

D. The Greer Center Facility shall maintain a minimum of eight (8) beds which shall be used as a Diagnostic and Evaluation Unit. Any person seeking admission to the Greer Center Facility for treatment shall be immediately admitted to the Diagnostic and Evaluation Unit for evaluation pursuant to subsection F of this section. All persons admitted to the Diagnostic and Evaluation Unit shall submit a referral packet to the director of the Diagnostic and Evaluation Unit which contains ~~at a minimum,~~ the following information or records:

1. results of a current physical exam;
2. recent physician orders and progress notes (up to one (1) year if available);
3. recent nursing notes (up to one (1) year if available);
4. fact sheet (medical records);
5. legal papers (birth certificate, marriage certificate, guardianship, etc.);
6. social history with a recent social evaluation or update (within one (1) year);
7. psychological exam administered or updated within ninety (90) days of referral;
8. dental records;
9. immunization record;
10. multi-disciplinary progress notes (up to one (1) year if available);
11. medical and medication history; and
12. Individual Habilitation Plan or Care Plan (if available).

~~E. The Greer Center Admissions Committee shall consist of a representative from the Department of Mental Health and Substance Abuse Services, a representative from the Greer Center Facility, and an independent psychologist or psychiatrist on contract with the Department of Human Services. The Committee shall make decisions regarding admissions to the programs of the Greer Center Facility.~~

~~The Committee may request additional information concerning an applicant from the referring agency or participation by referring agency personnel as necessary.~~

Persons seeking admission to the Greer Center Facility shall not be denied admission to the Diagnostic and Evaluation Unit because of a failure to provide some of the information required by this subsection.

~~F.~~ E. Persons entering the Diagnostic and Evaluation Unit of the Greer Center Facility shall receive a comprehensive evaluation of their intellectual functioning, adaptive behavior skills, and mental health status. This evaluation shall be completed within thirty (30) days of admission to the Diagnostic and Evaluation Unit.

~~G.~~ F. After the evaluation by the Diagnostic and Evaluation Unit, the Diagnostic and Evaluation Unit staff shall present the individual's referral packet and their findings to the Greer Center Admissions Committee with a recommendation for admission or alternate treatment. The Admissions Committee shall make decisions regarding admission and shall notify the Department of Human Services, the Department of Mental Health and Substance Abuse Services and the referring agency, if any, in writing, stating specifically the decisions of the Committee regarding admission, including specific reasons for denial of admission. If an applicant who has been referred to the Greer Center Facility by a state agency is not admitted to the Greer Center Facility after undergoing the diagnostic and evaluation process, the referring agency shall reimburse the Department of Human Services for the number of bed days used at the Medicaid rate for that unit. Applicants who have not been referred by a state agency shall not be required to reimburse the Department of Human Services. If an applicant is admitted, the applicant shall be certified for Medicaid reimbursement from the initial date of admission.

G. The Greer Center Admissions Committee shall consist of a representative from the Department of Mental Health and Substance Abuse Services, a representative from the Greer Center Facility, and an independent psychologist or psychiatrist on contract with the Department of Human Services. The Committee shall make decisions regarding admissions to the programs of the Greer Center Facility. The Committee may request additional information concerning an applicant from the referring agency or participation by referring agency personnel as necessary. The Committee shall be authorized to admit persons to the Greer Center Facility who have not furnished the information required by subsection D of this section.

H. Individuals who have been admitted and served by the Greer Center Facility shall be eligible for readmission services on the same basis as an individual initially seeking services.

I. In addition to other discharge procedures and requirements provided by law, the interdisciplinary team of the Greer Center Facility shall have recommended discharge based upon a determination that the individual's mental or physical condition prevents the individual from receiving appropriate services at the Greer Center Facility and the individual shall have completed all primary goals of the individual's habilitation plan. The Developmental Disabilities Services Community Services Unit from the individual's placement area shall be consulted in the recommendations for placement and shall be responsible for coordinating the placement and follow up.

J. The Commission is authorized and hereby directed to promulgate and amend rules and regulations necessary to implement the provisions of this section.

SECTION 2. This act shall become effective September 1, 1991.

43-1-5171

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