

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2368

By: Johnson (Rob)

COMMITTEE SUBSTITUTE

An Act relating to public health and safety; providing for certification of substance abuse treatment programs, and facilities offering such program for pregnant women; requiring promulgation of rules; providing procedures; providing conditions and standards; providing exceptions; requiring compliance; excepting certain persons and entities; providing for content of rules; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-751 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Beginning July 1, 1995, any facility providing substance abuse treatment programs and which offers such programs for pregnant women and their children shall be certified as a substance abuse treatment facility for pregnant women and their children pursuant to rules and standards promulgated by the State Board of Health.

B. Applications for certification as a certified substance abuse treatment facility for pregnant women and their children shall be made to the State Department of Health on prescribed forms. The Department may certify the facility for a period of three (3) years subject to renewal as provided in the rules promulgated by the Board.

C. The following programs and individual professional persons shall be exempt from the rules and standards promulgated in subsection F of this section:

1. Substance abuse treatment programs for pregnant women and their children offered by the:

- a. Department of Mental Health and Substance Abuse Services, and
 - b. Department of Human Services;
2. Licensed physicians;
 3. Licensed psychologists;
 4. Licensed social workers;
 5. Licensed marital and family therapists;
 6. Licensed professional counselors;
 7. Individual members of the clergy; and
 8. Christian Science practitioners;

provided, such exemption shall only apply to such individual professional person in the scope of their private practice and not to any substance abuse treatment facility or program for pregnant women and their children operated by such person.

D. Any facility certified pursuant to the provisions of this section shall cooperate with inspection personnel of the State Department of Health and shall promptly file all reports required by the Department. Failure to comply with the rules and standards promulgated by the Board shall be grounds for revocation of certification, after proper notice and hearing.

E. The Department is hereby authorized to annually collect from each applicant for certification pursuant to this section an amount not to exceed the sum of One Hundred Dollars (\$100.00) to help defray the costs incurred in the certification process.

F. The State Board of Health shall adopt such rules and standards for facilities providing substance abuse treatment programs for pregnant women and their children and shall submit such rules and standards to the Legislature no later than January 1, 1995. These rules and standards shall regulate, but not be limited to:

1. Location and construction of the facility, including plumbing, heating, lighting, ventilation, and other physical conditions which ensure the health, safety and comfort of residents or participants and protection from fire hazards;

2. Equipment essential to the health and welfare of the residents or participants;

3. Number, qualifications and training of all personnel having responsibility for any part of the care given to residents or participants; and

4. Programs of rehabilitation for residents or participants.

SECTION 2. This act shall become effective September 1, 1994.

44-2-2395

CJ