

SHORT TITLE: Oklahoma Sunset Law and children; re-creating the
Committee for Day Treatment Standards; effective date.

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

SENATE BILL NO. 882

By: Harrison of the Senate

and

Taylor of the House

AS INTRODUCED

An Act relating to the Oklahoma Sunset Law and children; amending Section 3, Chapter 378, O.S.L. 1994, as amended by Section 3, Chapter 231, O.S.L. 1995 (10 O.S. Supp. 1995, Section 603.4), which relates to Committee for Day Treatment Standards; re-creating Committee for Day Treatment Standards until certain date; and providing an effective date.

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

SECTION 1. AMENDATORY Section 3, Chapter 378, O.S.L. 1994, as amended by Section 3, Chapter 231, O.S.L. 1995 (10 O.S. Supp. 1995, Section 603.4), is amended to read as follows:

Section 603.4 A. There is hereby created to continue until June 30, ~~1996~~ 2002, in accordance with the provisions of the Oklahoma Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma Statutes, the Committee for Day Treatment Standards. The Committee shall consist of eleven (11) members who shall be appointed by the Oklahoma Commission on Children and Youth from representatives of service providers, agency representatives, consumers, educational institutions, juvenile justice, and child

advocates. Staff support shall be provided by the Oklahoma Commission on Children and Youth.

B. The Committee's duties shall include developing and monitoring standards for child and adolescent day treatment programs. The Committee shall use current Medicaid standards as a guide to produce proposed rules for day treatment program quality. The Committee shall develop proposed rules by October 1, 1994.

C. The Department of Human Services, State Department of Health, Oklahoma Health Care Authority and Department of Mental Health and Substance Abuse Services shall review the proposed rules developed by the Committee and, no later than January 1, 1995, shall deliver a proposal for oversight and enforcement of such rules, including recommendations of which agency will be responsible for the oversight and enforcement, and recommendations for necessary legislation to the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives, and the chair of the Joint Legislative Committee for Review of Special Services to Children and Youth. Staff support for the development of the proposal shall be provided by the Oklahoma Commission on Children and Youth.

D. In accordance with the standards recommended by the Committee on Day Treatment Standards in its report dated November 2, 1994, the State Board of Health, the Board of Mental Health and Substance Abuse Services and the Oklahoma Health Care Authority Board shall promulgate rules establishing standards for day treatment programs, as defined in Section ± 175.20 of this ~~act~~ title, and shall monitor, not less than annually, compliance with the standards, if funds are available. The responsibilities of the boards regarding enforcement of and monitoring of compliance with the rules shall be as follows:

1. The State Board of Health shall be responsible for the promulgation of rules establishing standards for day treatment

programs other than those operated by community mental health centers;

2. The Board of Mental Health and Substance Abuse Services shall be responsible for the promulgation of rules for day treatment programs operated by community mental health centers; and

3. The Oklahoma Health Care Authority Board shall monitor compliance of outpatient hospital day treatment services with the standards in the Medical Providers-Hospital Specific Manual, OAC 317:30-5-42(a)(6). Any program found to be out of compliance with such standards shall be subject to cancellation of its authorization for day treatment services within its contract with the Oklahoma Health Care Authority according to rules governing such contract cancellations.

E. The boards shall coordinate development and monitoring of rules to the maximum extent reasonable and practical in order to avoid unnecessary contradiction or conflict and to minimize the incidence of duplicative monitoring of day treatment programs.

SECTION 2. This act shall become effective November 1, 1996.

45-2-2240

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