

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1301

By: Eddins

AS INTRODUCED

An Act relating to mental health; establishing an Advocacy Division; specifying duties; establishing qualifications for Advocate General; specifying responsibilities; 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 2-206a of Title 43A, unless there is created a duplication in numbering, reads as follows:

A. There is hereby established the Advocacy Division within the Department of Mental Health and Substance Abuse Services, the purpose of which is to ensure:

1. Uniform application and protection of client rights;
2. Unimpeded access to services;
3. Board participation of external advocacy and support groups;

and

4. Advocacy for client mental health related problems and legal issues.

B. The Advocacy Division shall be directly under the authority and control of the Board of Mental Health and Substance Abuse Services.

C. The Advocacy Division shall be responsible for the coordination of all rights and advocacy activities in Department facilities.

D. The Board shall provide adequate resources for the Advocacy Division to carry out its goals and purposes.

The Advocate General shall be an attorney licensed to practice law in the State of Oklahoma and be appointed by the State Board of Mental Health and Substance Abuse Services. The Advocate General shall be responsible for the Advocacy Division and coordinate its systemwide implementation. The Advocate General shall report to the State Board of Mental Health and Substance Abuse Services, and may only be removed by the Board for cause.

The Advocate General shall have the responsibility and authority to investigate any allegation of violations of client rights within facilities operated by, certified by, or under contract with the Department and to make recommendations to the Department and other appropriate entities based upon findings of an investigation.

SECTION 2. This act shall become effective November 1, 1997.

46-1-5553

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