

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2268

By: Dank

COMMITTEE SUBSTITUTE

An Act relating to mental health; amending 43A O.S. 2001, Section 2-103, which relates to the Board of Mental Health and Substance Abuse Services; modifying length of terms of office; limiting number of terms; modifying qualifications for office; specifying organizations to submit lists to Governor; setting length of term for existing members; and declaring an emergency.

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

SECTION 1. AMENDATORY 43A O.S. 2001, Section 2-103, is amended to read as follows:

Section 2-103. A. The Board of Mental Health and Substance Abuse Services shall be composed of eleven (11) members, appointed by the Governor with the advice and consent of the Senate. Immediately after June 3, 1953, one member shall be appointed for a term expiring December 31, 1953, and one each for terms ending respectively one (1), two (2), three (3), four (4), five (5) and six (6) years thereafter. Upon the expiration of any of the terms a successor shall be appointed for a full term of ~~seven (7)~~ five (5) years; provided, members shall not be appointed for more than two (2) five-year terms.

1. One member, who shall be a physician licensed to practice in this state, ~~and one member, who shall be a psychiatrist certified as a diplomat of the American Board of Psychiatry and Neurology,~~ shall ~~both~~ be appointed from a list containing the names of not less than three physicians ~~and not less than three psychiatrists~~ submitted to the Governor by the Oklahoma State Medical Association. The term

of office for the current member shall expire on December 31, 2002, after which the office shall be filled by a member who is a physician licensed to practice in this state, who holds board certification in child psychiatry. Such member shall be appointed from a list containing the names of not less than three child psychiatrists submitted to the Governor by the Oklahoma State Medical Association. The term of office for such member shall expire on December 31, 2007, and each five (5) years thereafter.

2. One member, who shall be a psychiatrist certified as a diplomat of the American Board of Psychiatry and Neurology, shall be appointed from a list containing the names of not less than three psychiatrists submitted to the Governor by the Oklahoma State Medical Association. The term of office for the current member shall expire on December 31, 2002, and each five (5) years thereafter.

3. One member shall be an attorney licensed to practice in this state and shall be appointed from a list of not less than three names submitted to the Governor by the Oklahoma Bar Association. The term of office for the current member shall expire on December 31, 2003, and each five (5) years thereafter.

~~3.~~ 4. One member shall be a psychologist, licensed to practice in this state, who shall be appointed from a list of not less than three names submitted to the Governor by the Oklahoma State Psychological Association. The term of office for the current member shall expire on December 31, 2006, and each five (5) years thereafter.

~~4.~~ 5. Three members, qualified by education and experience in the area treatment of substance abuse ~~recovery~~ in adults and children, shall be appointed from a list of not less than ten names submitted to the Governor by a state association of substance abuse recovery programs or organizations; ~~and~~. The terms of office for the current members which expire on December 31, 2002, December 31,

2004, and December 31, 2006, shall also expire each five (5) years thereafter. The office of the member whose term expires December 31, 2002, shall be filled by a consumer of mental health related services. The member shall be appointed from a list of not less than three names submitted to the Governor by the Oklahoma Chapter of the National Alliance for the Mentally Ill (NAMI OK INC.) and a list of not less than three names submitted to the Governor by the Oklahoma Mental Health Consumer Council. The office of the member whose term expires December 31, 2004, shall be filled by a family member of an adult or child who has been diagnosed with a mental illness. The member shall be appointed from a list of not less than three names submitted to the Governor by the Oklahoma Chapter of the National Alliance for the Mentally Ill (NAMI OK INC.) and a list of not less than three names submitted to the Governor by the Oklahoma Mental Health Consumer Council.

5. 6. One member, qualified by experience in the area of treating domestic violence or sexual assault, shall be appointed from a list of not less than three names submitted to the Governor by a ~~state association of domestic violence and sexual assault programs or organizations~~ the Oklahoma Coalition Against Domestic Violence and Sexual Assault. The term of office for the current member shall expire on December 31, 2007, and each five (5) years thereafter.

7. Three members whose qualifications are not specified in this section and who have terms of office that expire December 31, 2004, December 31, 2005, and December 31, 2007, shall have terms of office that expire each five (5) years thereafter. The office of two members, whose terms expire December 31, 2004, and December 31, 2005, respectively, shall be filled by masters-level mental health professionals licensed to practice in this state, who shall be appointed from a list of not less than three names each submitted to the Governor by the Oklahoma Chapter, National Association of Social

Workers, the Oklahoma Counseling Association and the Oklahoma Association of Marital and Family Therapists.

8. The office of one member, whose term expires December 31, 2007, shall be filled by a business leader with a demonstrated interest in the fields of mental health, substance abuse and domestic violence, who shall be appointed by the Governor.

~~B. 1. Four members shall be appointed as follows:~~

~~a. a member qualified by experience in the area of treating domestic violence or sexual assault shall be appointed for a term ending December 31, 2000, and~~

~~b. three members qualified by education and experience in the area of substance abuse recovery shall be appointed for terms ending on December 31, 2002, December 31, 2004, and December 31, 2006, respectively.~~

~~2. Upon expiration of the initial terms of each of the four members, a successor shall be appointed for a full term of seven (7) years~~ The Governor shall ensure that members of the Board are adequately appointed from and represent the four quadrants of the state.

C. No person shall be appointed a member of the Board who has been a member of the Legislature of this state within the preceding five (5) years.

D. The Board shall elect from among its members a chair and a vice-chair. The chair may call meetings at any time.

E. All regularly scheduled meetings of the Board shall be held at the Central Office of the Department of Mental Health and Substance Abuse Services, Oklahoma City, Oklahoma, unless otherwise scheduled. Six members shall constitute a quorum at any meeting, and all action may be taken by an affirmative vote of the majority of the members present at any such meeting.

F. The action taken by the Board on any matter, or any document passed by the Board, shall be considered official when such action is placed in writing and signed by the chair or vice-chair.

G. The duties of the Board shall pertain to the care, treatment, and hospitalization of persons with mental illness, alcohol- or drug-dependent persons, and victims of domestic violence or sexual assault.

H. Members of the Board of Mental Health and Substance Abuse Services shall be allowed their necessary travel expenses pursuant to the provisions of the State Travel Reimbursement Act.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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