

An Act relating to mental health and substance abuse; amending 43A O.S. 2001, Sections 1-103, 1-107, 1-110, 2-103, 2-104, 2-108, 2-202, 3-301, 3-302, 3-306, 3-314.1, 3-317, 3-403, 3-405, 3-406, 3-414, 3-415, 3-453, 3-601, 3-602, 3-603, 4-101, 4-108, 5-101, 5-206, 5-207, 5-208, 5-304, 5-305, 5-410, 5-411, 5-412, 5-413, 5-414, 5-415, 5-416, 5-419, 5-420, 5-501, 5-502, 5-503, 5-505, 5-506, 5-509, 5-510, 5-511, 5-512, 5-513, 7-102, 9-101, 9-102 and 9-103, which relate to the Mental Health Code; modifying, adding and definitions; allowing the bringing of civil actions and stating jurisdiction of such; stating location of certain hearings; clarifying language; deleting obsolete language; clarifying statutory citations; requiring the Board to establish and maintain system with stated parameters for resolution of complaints; authorizing and directing the establishment of the Office of Consumer Advocacy; authorizing employment of specified personnel; specifying chief administrative officer of Officer of Consumer Advocacy, stating qualifications, powers and duties, limitations on powers and duties, supervision, and dismissal reason; providing for confidentiality and stating procedures thereto; allowing for the appointment of specified citizen advisory groups under the auspices of the Commissioner of Mental Health and Substance Abuse Services; providing for travel reimbursement; allowing the Commissioner or designee to establish hours for patient admissions; allowing the delay of inpatient admissions when facilities would exceed authorized capacity; amending statutory references; modifying responsibilities and authority of the Department of Mental Health and Substance Abuse Services; requiring the promulgation of specified regulations and standards for the certification of community mental health centers; providing procedures for certification for community mental health centers; authorizing application and renewal fee; prohibiting the Department from entering into a contract with an uncertified community mental health center; requiring compliance with certain standards by certified community health centers; requiring standards be in compliance with specified commissions and other standards; stating grounds for revocation, suspension or nonrenewal of certification; increasing nomenclature by which certain facilities shall be known; allowing the Board to delegate certain certification duties to the Commissioner; increasing exceptions from certification regulations; providing procedures for certification for behavioral health case managers; setting criteria parameters for regulations and standards; authorizing application and renewal fee; limiting use of certain professional title; construing section of law; stating grounds for revocation, suspension or nonrenewal of certification; allowing Commissioner to certify specified facilities upon delegations by the board; modifying sanctions on certification of facility; increasing exemptions from the provisions of the Oklahoma Alcohol and Drug Abuse Services Act; deleting language relating to precertification reviews; deleting mid range enrollment fee level; deleting difference in course length for first and second or subsequent offenses; allowing the Commissioner to approve a narcotic treatment program upon delegation by the Board; deleting provisions relating to specified central registry; deleting language relating to exceptions from termination and recertification from termination from narcotics treatment program; deleting language relating to specified compensation of patients; stating parameters of work therapy; modifying exceptions to work therapy; subjecting certain individuals to an emergency examination; setting parameters for emergency detention and providing exception; clarifying certain time period; allowing specified persons to file or request that certain petitions be filed; requiring the district attorney to file specified petition under certain conditions; providing exceptions to time limit of prehearing detention; allowing the court to set certain treatment time period; requiring discharge from inpatient

treatment as determined by specified persons or by law; allowing certain persons to request the filing of a petition for alternative treatment to hospitalization; providing for notice and hearing; prohibiting the detaining of certain persons, with exception; deleting language relating to modification of specified orders; modifying or deleting language construing or stating application of section of law; changing name of act to Inpatient Mental Health and Substance Abuse Treatment of Minors Act; allowing minors to be detained or involuntarily committed for certain conditions only pursuant to provisions of certain act; requiring sheriffs and peace officers to provide certain transportation services; deleting language related to filing a petition requiring inpatient treatment or continuation of treatment of a child; modifying conditions under which a child under sixteen years of age may be admitted to a mental health or substance abuse treatment facility; requiring the acceptance of a minor for a mental health evaluation or on an outpatient basis; allowing a parent or legal custodian to request a minor be taken into custody and transported to a treatment facility under certain conditions; deleting language relating to period of detention for a child; allowing parent or legal custodian to have right to authorize evaluation, care and treatment and right to refuse medication, with exception; specifying credentials of person to conduct mental health evaluation of minor admitted to a facility for treatment; providing for release of a minor; construing law; requiring filing of petition for involuntary commitment and providing for notice; deleting language relating to filing of a petition by a district attorney; allowing a minor to be taken into protective custody and held in emergency detention pursuant to specified procedures; specifying which persons may petition the court for involuntary commitment of a minor; modifying the wording of the style on the petition; modifying the allegation of the petition and its contents; requiring specified report to be attached to certain petition; requiring the court to order certain evaluation and treatment plan under specified conditions; deleting language relating to setting a date for a hearing; modifying notice requirements; stating application of provisions of law relating to confidentiality; deleting language relating to court action on committing a child for mental health treatment; modifying contents of discharge plan; requiring the administrator to request the filing of a petition; allowing specified persons to file or request the filing of a petition to determine whether the individual is alcohol- or drug-dependent requiring treatment; requiring the district attorney to file a petition for involuntary commitment of a person under certain circumstances; stating required contents of petition; requiring verification of the petitions; allowing attachment to the petition of a request for the prehearing detention of the individual; requiring copy of certificate of evaluation to be attached to petition under certain circumstances; deleting language relating to recommitment and discharge; stating criteria for discharge from treatment; deleting venue language; deleting language relating to certification for release; requiring discharge to outpatient status under specified circumstances; deleting language relating to supervision while in outpatient status; authorizing the court to determine need for supervision; providing for codification; repealing 43A O.S. 2001, Sections 1-106, 2-222, 2-223, 3-101.2, 3-101.3, 3-113, 3-307, 3-309, 3-312, 3-315.2, 3-404, 3-407, 3-503, 3-701, 3-702, 3-703, 5-504, 5-507, 5-508, 7-109, 7-110 and 7-111, which relate to the Mental Health Code; and providing an effective date.