

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1103

By: Gilbert

COMMITTEE SUBSTITUTE

An Act relating to mental health; providing for the designation of a consumer advocate; stating responsibilities; providing for changing or revoking designation; requiring the Board of Mental Health and Substance Abuse Services to promulgate certain rules; providing for contents of certain form; providing for codification; and declaring an emergency.

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 1-109.1 of Title 43A, unless there is created a duplication in numbering, reads as follows:

A. A mentally ill person as defined in Section 1-103 of Title 43A of the Oklahoma Statutes who is under the care of a licensed mental health professional shall be informed by the licensed mental health professional or the mental health treatment facility that the consumer has the right to designate a family member or other concerned individual as a consumer advocate. The individual so designated shall act at all times in the best interests of the consumer. The consumer may change or revoke the designation of a consumer advocate at any time and for any reason. The consumer advocate may participate in the treatment planning and discharge planning of the consumer to the extent consented to by the consumer and as permitted by law.

B. The Board of Mental Health and Substance Abuse Services shall promulgate rules for the design, contents, and maintenance of a consumer advocate consent form. The contents of the consent form, at a minimum, shall include a statement indicating that the consumer

advocate understands that all mental health treatment information is confidential and that the consumer advocate agrees to maintain confidentiality.

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.

49-1-6256

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