

An Act relating to mental health; amending 43A O.S. 2001, Sections 1-102, 1-106, 1-107, as amended by Section 2, Chapter 488, O.S.L. 2002, 1-109, as amended by Section 3, Chapter 488, O.S.L. 2002, 1-110, as amended by Section 4, Chapter 488, O.S.L. 2002, 2-106, 2-219, 2-220, 3-101, 3-107, 3-107a, 3-111, 3-302, as amended by Section 12, Chapter 488, O.S.L. 2002, 3-315, Section 18, Chapter 488, O.S.L. 2002, 3-417.1, as amended by Section 19, Chapter 230, O.S.L. 2002, 3-451, 3-452, 3-453, 3-460, 3-601, as amended by Section 26, Chapter 488, O.S.L. 2002, 3-602, as amended by Section 27, Chapter 488, O.S.L. 2002, 3-603, as amended by Section 28, Chapter 488, O.S.L. 2002, Section 21, Chapter 3, O.S.L. 2002, as amended by Section 2, Chapter 384, O.S.L. 2002, 3-702, 4-105, 4-106, 4-203, 4-204, 4-205, 4-206, 5-207, as amended by Section 33, Chapter 488, O.S.L. 2002, 5-208, as amended by Section 34, Chapter 488, O.S.L. 2002, 5-209, 5-306, 7-101 and 7-102, as amended by Section 46, Chapter 488, O.S.L. 2002 (43A O.S. Supp. 2002, Sections 1-107, 1-109, 1-110, 3-302, 3-318, 3-417.1, 3-601, 3-602, 3-603, 3-701a, 5-207, 5-208 and 7-102), which relate to emergency detention and involuntary admissions, alcohol and drug treatment centers and mental health treatment for inmates; clarifying purpose; expanding district attorney representation jurisdiction; clarifying venue of actions; clarifying language; limiting information available to certain persons; deleting confidential information release provisions related to a minor child patient; modifying application of disclosure restrictions; modifying conditions under which certain patients are entitled to specified information; eliminating specified element related to valid written release for disclosure of certain information; clarifying responsibilities of sheriffs and peace officers; limiting purposes for which transportation reimbursement shall be provided; expanding types of nonprofit organizations to which the Board of Mental Health and Substance Abuse Services may lease certain property; removing certain approval requirement; clarifying language; authorizing specified information collection; providing for confidentiality of certain data; limiting use of information identifiers; clarifying and expanding list of Department-maintained facilities; deleting certain facility designation; clarifying facility names; creating the Tulsa Center for Behavioral Health and a petty cash fund for the Center; providing authorization to fix petty cash fund maximum amount and providing for administrative rules and procedures; modifying definition; providing for adoption of minimum program certification standards for certain residential care homes; deleting requirement for and provisions related to joint development of certain program certification standards; deleting requirements related to schedule of rates establishment; modifying conditions under which the Department of Mental Health and Substance Abuse Services shall contract with residential care homes; clarifying language related to types of behavioral services providers; clarifying language related to nondiscriminatory zoning laws and certain facilities; modifying definition; expanding penalty provisions; increasing alcohol and drug substance abuse course enrollment fees and modifying application of fees; authorizing promulgation of specific rules; specifying requirements for conducting certain courses; modifying instructor qualification; increasing class size; providing for and establishing course instructor certification application and renewal fees; clarifying language related to Department certification for specific purpose and establishing fee; specifying fee collection method, purpose and allocation; providing for administration and training costs; clarifying terminology; providing for waiver of specified requirement for certain patients; modifying definition; eliminating Department responsibilities related to provision of certain care to specified persons; deleting obsolete language clarifying evaluation responsibility; clarifying district court

order and function related to the transfer and capabilities of an inmate; providing for post-release commitment; clarifying language; clarifying mechanical restraint provisions; specifying procedures related to treatment charges; clarifying language; deleting requirements related to certain claim action; clarifying language; providing for discharge and return home of certain individual; prohibiting refusal of return of individual by certain facilities; deleting alternative actions to be taken under specified conditions; modifying contents of certificate of physician; modifying and clarifying provisions related to discharge and various leave statuses; deleting certain discharge planning provision related to case managers; repealing 43A O.S. 2001, Sections 3-101.1, 3-101.6, 3-110, 3-250 and 3-703, which relate to facilities within the Department of Mental Health and Substance Abuse Services, precare and aftercare services, and inmates of correctional facilities; providing for codification; providing an effective date; and declaring an emergency.