

BILL SUMMARY

MEASURE: **PCS for Engrossed SB 2076**

AUTHOR: Senator Sparks
Representative Schwartz

SUBJECT: Mental Health

PROVISIONS: **Section 1.** Amendatory. Clarifying definition. Adding physician's assistants who have received certain training to the list of persons considered "licensed mental health professionals."

Section 2. Amendatory. Limiting the type of information that may be disclosed without authorization or upon an individual's escape from lawful custody to mental health information.

Section 3. Amendatory. Allowing a member of the Board of Mental Health and Substance Abuse Services to serve simultaneously as a member of the State Board of Medical Licensure and Supervision.

Section 4. New Law. Outlining duties and responsibilities of the Commissioner of the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS.)

Section 5. Amendatory. Renaming certain facilities within the ODMHSAS.

Sections 6 & 7. Amendatory. Updating names of certain facilities.

Section 8. Amendatory. Lowering the maximum amount that can be charged for alcohol and drug substance abuse courses and requiring that a \$20.00 fee be paid to the Department of Public Safety (DPS) by the individual attending the course upon reinstatement of driving privileges. Deleting language regarding qualifications of certified facilitators for alcohol and drug substance abuse courses.

Section 9. New Law. Stating required qualifications of certified facilitators for alcohol and drug substance abuse courses.

Section 10. Amendatory. Lowering the fee charged to persons undergoing an alcohol and drug assessment and evaluation and requiring that a \$15.00 fee be paid to DPS by that person upon reinstatement of driving privileges.

Section 11. Amendatory. Deleting the prohibition that persons in detention or lockup can not be admitted for inpatient mental health treatment.

Section 12. Amendatory. Providing for the use of telemedicine in emergency detention and protective custody procedures..

Section 13. Amendatory. Providing that persons who are between 16 and 18 years of age may receive voluntary inpatient services at an ODMHSAS facility without parental consent. Deleting requirements for the form for voluntary application.

Section 14. Amendatory. Deleting requirements for the written application for psychiatric treatment in a state facility.

Section 15. Amendatory. Clarifying requirements for the certificate by a physician that must accompany an application for psychiatric treatment.

Section 16. Amendatory. Clarifying the findings required in a judicial order authorizing the voluntary admission of an individual to inpatient mental health treatment.

Section 17. Amendatory. Deleting form requirements related to admission for inpatient treatment at a private facility.

Section 18. Repealing statute regarding powers and duties of the commissioner of Mental Health and Substance Abuse Services.

Section 19. Repealing statute regarding the crime of officers and employees of DMHSAS making certain sales, having an interest in certain contracts and receiving certain gifts.

Section 20. Effective Date: November 1, 2008

PREPARED BY: Marcia Goff
Senior Research Analyst

DATE: April 1, 2008