

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2999

6 By: Steele

7 COMMITTEE SUBSTITUTE

8 An Act relating to mental health; amending 43A O.S.
9 2001, Section 2-103, as last amended by Section 3,
10 Chapter 401, O.S.L. 2008 (43A O.S. Supp. 2009,
11 Section 3), which relates to the Board of Mental
12 Health and Substance Abuse Services; modifying
13 membership of the Board of Mental Health and
14 Substance Abuse Services; providing for services by
15 certified alcohol and drug counselors providers
16 through certain date; providing for interpretation;
17 providing for codification; and providing an
18 effective date.

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

20 SECTION 1. AMENDATORY 43A O.S. 2001, Section 2-103, as
21 last amended by Section 3, Chapter 401, O.S.L. 2008 (43A O.S. Supp.
22 2009, Section 3), is amended to read as follows:

23 Section 2-103. A. The Board of Mental Health and Substance
24 Abuse Services shall be composed of eleven (11) members, appointed
by the Governor, with the advice and consent of the Senate, as
follows:

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

7 2. One member, who shall be an attorney licensed to practice in
8 this state and shall be appointed from a list of not less than three
9 names submitted to the Governor by the Board of Governors of the
10 Oklahoma Bar Association;

11 3. One member, who shall be a psychologist, licensed to
12 practice in this state, who shall be appointed from a list of not
13 less than three names submitted to the Governor by the Oklahoma
14 State Psychological Association;

15 4. Three members, qualified by education and experience in the
16 area of substance abuse recovery, who shall be appointed from a list
17 of not less than ten names submitted to the Governor by a state
18 association of substance abuse recovery programs or organizations
19 ~~for terms ending on December 31, 2002, December 31, 2004, and~~
20 ~~December 31, 2006, respectively; and~~

21 5. Four members who shall be citizens of this state, at least
22 one of whom shall be either a current or former consumer of mental
23 health services.

24

1 B. Upon expiration of the initial terms of each of the four
2 members, a successor shall be appointed for a full term of seven (7)
3 years.

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

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

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

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

18 G. The duties of the Board shall pertain to the care,
19 treatment, and hospitalization of persons with mental illness, or
20 alcohol- or drug-dependent persons.

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

24

1 I. Members of the Board of Mental Health and Substance Abuse
2 Services shall be allowed to serve on the State Board of Medical
3 Licensure and Supervision during members' terms on the Board of
4 Mental Health and Substance Abuse Services.

5 SECTION 2. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 3-406.1 of Title 43A, unless
7 there is created a duplication in numbering, reads as follows:

8 A. Until June 30, 2013, the Board of Mental Health and Substance
9 Abuse Services and the Oklahoma Health Care Authority Board shall
10 continue to purchase, on a fee-for-service basis, treatment services
11 provided by certified alcohol and drug counselors, as defined in
12 Chapter 43B, Section 1871 of Title 59 of the Oklahoma Statutes,
13 provided such services are provided by certified alcohol and drug
14 counselors employed by organizations under contract with the Board
15 of Mental Health and Substance Abuse Services or the Oklahoma Health
16 Care Authority Board.

17 B. Nothing in this section shall prohibit the Board of Mental
18 Health and Substance Abuse Services or the Oklahoma Health Care
19 Authority Board from initiating or terminating contracts with
20 certified substance abuse providers, establishing contract limits,
21 developing or modifying reimbursement schedules, or otherwise
22 managing appropriated resources on behalf of the state.

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

SECTION 3. This act shall become effective November 1, 2010.

52-2-9959 CJB 02/19/10