

THE HOUSE OF REPRESENTATIVES
Wednesday, February, 24, 2010

Committee Substitute for
House Bill No. 2999

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2999 - By: STEELE of the House and BROWN of the Senate.

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

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

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

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

7 1. One member, who shall be a physician licensed to practice in this state, and one
8 member, who shall be a psychiatrist certified as a diplomate of the American Board of
9 Psychiatry and Neurology, shall both be appointed from a list containing the names of

1 not less than three physicians and not less than three psychiatrists submitted to the
2 Governor by the Oklahoma State Medical Association;

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

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

9 4. Three members, qualified by education and experience in the area of substance
10 abuse recovery, who shall be appointed from a list of not less than ten names submitted
11 to the Governor by a state association of substance abuse recovery programs or
12 organizations ~~for terms ending on December 31, 2002, December 31, 2004, and December~~
13 ~~31, 2006, respectively;~~ and

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

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

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

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

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

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

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

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

14 I. Members of the Board of Mental Health and Substance Abuse Services shall be
15 allowed to serve on the State Board of Medical Licensure and Supervision during
16 members' terms on the Board of Mental Health and Substance Abuse Services.

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

20 A. Until June 30, 2013, the Board of Mental Health and Substance Abuse Services
21 and the Oklahoma Health Care Authority Board shall continue to purchase, on a fee-for-
22 service basis, treatment services provided by certified alcohol and drug counselors, as

1 defined in Chapter 43B, Section 1871 of Title 59 of the Oklahoma Statutes, provided such
2 services are provided by certified alcohol and drug counselors employed by organizations
3 under contract with the Board of Mental Health and Substance Abuse Services or the
4 Oklahoma Health Care Authority Board.

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

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

11 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,
12 dated 02-23-10 - DO PASS, As Amended and Coauthored.