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THE STATE SENATE  
Monday, March 29, 2010

ENGROSSED  
House Bill No. 2999  
As Amended

ENGROSSED HOUSE BILL NO. 2999 - By: Steele, McAffrey and Pittman of the House and Crain of the Senate.

[ mental health - Board of Mental Health and Substance Abuse Services - modifying membership - providing for services - codification - effective date ]

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

SECTION 1. AMENDATORY 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 2-103), is amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

18 I. Members of the Board of Mental Health and Substance Abuse  
19 Services shall be allowed to serve on the State Board of Medical  
20 Licensure and Supervision during members' terms on the Board of  
21 Mental Health and Substance Abuse Services.

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

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

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

1 SECTION 3. This act shall become effective November 1, 2010.  
2 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-24-10 - DO  
3 PASS, As Amended and Coauthored.