

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 52<sup>nd</sup> Legislature

<b>Bill No.:</b>	<b>SB 1772</b>
<b>Version:</b>	<b>Committee Substitute</b>
<b>Author:</b>	<b>Rep. Scott Martin/ Sen. Anderson</b>
<b>Date:</b>	<b>4/15/2010</b>
<b>Impact:</b>	<b>ODMHSAS Fee Rev. \$10,000</b>

**Bill Summary**

Research Analyst: Marcia Goff

The Committee Substitute for SB 1772 restores the title and provides that all certifications issued by the Department of Mental Health and Substance Abuse Services (ODMHSAS) are only valid for the specified period of time and are deemed to be expired as a matter of law unless a renewal of the certification has been issued by the Department. The measure makes records of an investigation into allegations of consumer mistreatment by ODMHSAS confidential and provides a process for the court to order the disclosure of such records and authorizes certain persons to receive a summary of the investigation. The bill also expands the maximum length of time a hospital or mental health facility can detain a consumer in emergency detention without a court order from 72 hours to 120 hours.

**Fiscal Summary**

Fiscal Analyst: John McPhetridge

SB 1772 in its current form, provides clean up and clarifying language related to the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS). The measure also extends the initial lease term of property held by ODMHSAS from 10 years to 50 years; modifies the procedures related to the confidentiality of certain reports, the relationship between ODMHSAS and the Advocate General of the Office of Consumer Advocacy, the powers of the Commissioner of ODMHSAS, definitions related to Community mental health centers and services. The measure institutes regulation and certification of peer recovery support specialists, and authorizes the ODMHSAS Board to establish an application and renewal fee not to exceed \$100. The measure extends the maximum length of Emergency Detention from 72 to 120 hours.

**Fiscal Analysis**

ODMHSAS estimates that no more than 100 individuals will pursue certification as a recovery support specialists, and no more than \$10,000 in fees will be generated, related to the certifications. The modifications in lease terms on ODMHSAS property could increase market interest in such properties and lead to additional lease revenues for ODMHSAS; however, such increases are speculative and cannot be quantified at this time. ODMHSAS contends that extending the period of emergency detention from 72 hours to 120 hours, could make such services eligible for Medicaid reimbursement, thus leveraging federal dollars. Currently such services are paid for with 100% state dollars. The modification would allow ODMHSAS flexibility to use existing state resources in ODMHSAS's budget to potentially leverage federal dollars. No additional state cost will result for the state's Medicaid Program.

**Long Term Fiscal Considerations**

None

Fiscal Analysis Reviewed By:

*Janice Buchanan*

House Fiscal Director