

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 948

By: David

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5
6 AS INTRODUCED

7 An Act relating to the regulation of mental health
8 professionals; amending 59 O.S. 2001, Sections 1904,
9 1925.4 and 1933, as amended by Section 14, Chapter
10 523, O.S.L. 2004 (59 O.S. Supp. 2010, Section 1933),
11 which relate to Advisory Boards to the State
12 Commissioner of Health for the regulation of mental
13 health professionals; modifying membership of certain
14 advisory boards; and providing an effective date.

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

16 SECTION 1. AMENDATORY 59 O.S. 2001, Section 1904, is
17 amended to read as follows:

18 Section 1904. A. 1. There is hereby created the "Oklahoma
19 Licensed Professional Counselors Advisory Board" whose duty shall be
20 to advise the Department on the provisions of the Licensed
21 Professional Counselors Act, except as otherwise provided by law.

22 2. The Advisory Board shall consist of ~~seven (7)~~ nine (9)
23 members who shall be appointed by the State Commissioner of Health
24 with the advice and consent of the State Board of Health. ~~Five~~ Six
members shall be licensed professional counselors and ~~two~~ three
members shall be lay persons who are not affiliated with any

1 practice of counseling or delivering of health or mental health
2 services. The Commissioner shall appoint successors for a four-year
3 term.

4 3. All professional appointees shall be selected from a list of
5 qualified candidates submitted by the Executive Committee of the
6 Oklahoma Counseling Association acting in conjunction with the
7 executive committees of all state professional counseling
8 associations which represent a specialty recognized pursuant to the
9 Licensed Professional Counselors Act.

10 B. Vacancies occurring in the Advisory Board shall be filled
11 for the unexpired term by appointment of the Commissioner with the
12 advice and consent of the Board from a list of qualified candidates
13 submitted within thirty (30) days of such vacancy by the Executive
14 Committee of the Oklahoma Counseling Association acting in
15 conjunction with the executive committees of all state professional
16 counseling associations which represent a specialty recognized
17 pursuant to the Licensed Professional Counselors Act. Such
18 appointments shall be made within thirty (30) days after the
19 candidates' names have been submitted if possible.

20 C. Any Advisory Board member may be removed by the
21 Commissioner, after written notice, for incapacity, incompetence,
22 neglect of duty, misfeasance or malfeasance in office.

23 D. Members of the Advisory Board shall serve without
24 compensation, but shall be reimbursed their actual and necessary

1 travel expenses as provided by the provisions of the State Travel
2 Reimbursement Act.

3 E. Advisory Board members shall be ineligible for reappointment
4 for a period of three (3) years following completion of their term.

5 F. The Advisory Board shall hold at least four regular meetings
6 each year. Meetings shall be held at such time and place as the
7 Advisory Board may provide. The Advisory Board shall elect annually
8 the following officers: A chair, a vice-chair, and a secretary.
9 Four members of the Advisory Board shall constitute a quorum.

10 SECTION 2. AMENDATORY 59 O.S. 2001, Section 1925.4, is
11 amended to read as follows:

12 Section 1925.4. A. 1. There is hereby created the "Oklahoma
13 Licensed Marital and Family Therapist Advisory Board" whose duty
14 shall be to advise in administering the provisions of the Marital
15 and Family Therapist Licensure Act, except as otherwise provided by
16 law.

17 2. The Advisory Board shall consist of ~~seven (7)~~ nine (9)
18 members who shall be appointed by the State Commissioner of Health
19 with the advice and consent of the State Board of Health. ~~Five~~ Six
20 members shall be licensed marital and family therapists who shall
21 each have been for at least five (5) years immediately preceding
22 appointment actively engaged as marital and family therapists in
23 rendering professional services in marital and family therapy, or in
24 rendering services in marital and family therapy as members of the

1 clergy, who are in good standing in their denominations, or in the
2 education and training of master's, doctoral or post-doctoral
3 students of marital and family therapy, or in marital and family
4 therapy research, and shall have spent the majority of the time
5 devoted to such activity during the two (2) years preceding
6 appointment to the Advisory Board. ~~Two~~ Three members shall be lay
7 persons who are not affiliated with any practice of marital and
8 family therapy.

9 3. All appointees shall be residents of the State of Oklahoma.
10 Except for the lay members, the Commissioner shall select the first
11 appointees from a list of qualified candidates submitted by the
12 executive committees of state marital and family therapists'
13 associations. The other members of the first Advisory Board shall
14 serve the following terms: One member for one (1) year, two members
15 for two (2) years, two members for three (3) years and one member
16 for four (4) years. Thereafter, at the expiration of the term of
17 each member, the Commissioner shall appoint a successor for four (4)
18 years. All appointees other than the lay members shall be selected
19 from a list of qualified candidates submitted by the executive
20 committees of all marital and family therapists associations in this
21 state which represent a specialty recognized pursuant to the
22 provisions of the Marital and Family Therapist Licensure Act.

23 B. Vacancies occurring on the Advisory Board shall be filled
24 for the unexpired term by appointment of the Commissioner with the

1 advice and consent of the Board from a list of qualified candidates
2 submitted within thirty (30) days of such vacancy by the executive
3 committees of all marital and family therapists associations in this
4 state which represent a specialty recognized pursuant to the
5 provisions of the Marital and Family Therapist Licensure Act. Such
6 appointments shall be made within thirty (30) days after the
7 candidates' names have been submitted if possible.

8 C. Any Advisory Board member may be removed by the
9 Commissioner, after written notice, for incapacity, incompetence,
10 neglect of duty, misfeasance or malfeasance in office.

11 D. Members of the Advisory Board shall serve without
12 compensation, but shall be reimbursed their actual and necessary
13 travel expenses pursuant to the State Travel Reimbursement Act,
14 ~~Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.~~

15 E. Advisory Board members shall be ineligible for reappointment
16 for a period of three (3) years following completion of their terms.

17 F. The Advisory Board shall meet within thirty (30) days after
18 the appointment of its members by the Commissioner. Thereafter the
19 Advisory Board shall hold at least four regular meetings each year.
20 Meetings shall be held at such time and place as the Advisory Board
21 may provide. The Advisory Board shall elect annually the following
22 officers: a chair, a vice-chair, and a secretary. Four members of
23 the Advisory Board shall constitute a quorum.

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1 SECTION 3. AMENDATORY 59 O.S. 2001, Section 1933, as
2 amended by Section 14, Chapter 523, O.S.L. 2004 (59 O.S. Supp. 2010,
3 Section 1933), is amended to read as follows:

4 Section 1933. A. There is hereby created the "Oklahoma
5 Licensed Behavioral Practitioners Advisory Board" whose duty shall
6 be to advise the State Department of Health on the provisions of the
7 Licensed Behavioral Practitioner Act, except as otherwise provided
8 by law.

9 B. 1. The Advisory Board shall consist of ~~seven (7)~~ nine (9)
10 members who shall be appointed by the State Commissioner of Health,
11 with the advice and consent of the State Board of Health, ~~as~~
12 ~~follows:~~

- 13 a. ~~two members for a term ending June 30, 2004,~~
- 14 b. ~~two members for a term ending June 30, 2005,~~
- 15 c. ~~two members for a term ending June 30, 2006, and~~
- 16 d. ~~one member for a term ending June 30, 2007.~~

17 ~~Upon expiration of such terms, the Commissioner shall appoint~~
18 ~~successors~~ for four-year terms.

19 ~~2. Four~~ Five members shall be licensed behavioral
20 practitioners; provided, initial behavioral practitioner appointees
21 shall not be required to be licensed under the Licensed Behavioral
22 Practitioner Act before the end of the first year that the license
23 is available. One member shall be a licensed mental health
24 professional other than a licensed behavioral practitioner, and ~~two~~

1 three members shall be lay persons who are not affiliated with any
2 practice of behavioral health service delivery or the delivering of
3 health or mental health services.

4 ~~3.~~ 2. All professional appointees shall be selected from a list
5 of qualified candidates submitted by the Executive Board of the
6 North American Association of Masters in Psychology acting in
7 conjunction with the executive committees of all state professional
8 behavioral health associations which represent a specialty
9 recognized pursuant to the Licensed Behavioral Practitioner Act.

10 C. Vacancies occurring in the Advisory Board shall be filled
11 for the unexpired term by appointment by the Commissioner, with the
12 advice and consent of the Oklahoma State Board of Health, from a
13 list of qualified candidates submitted within thirty (30) days of
14 such vacancy by the Executive Board of the North American
15 Association of Masters in Psychology acting in conjunction with the
16 executive committees of all state professional behavioral health
17 associations which represent a specialty recognized pursuant to the
18 Licensed Behavioral Practitioner Act. Such appointments shall be
19 made within thirty (30) days after the candidates' names have been
20 submitted if possible.

21 D. Any Advisory Board member may be removed by the
22 Commissioner, after written notice, for incapacity, incompetence,
23 neglect of duty, or misfeasance or malfeasance in office.

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1 E. Members of the Advisory Board shall serve without
2 compensation, but shall be reimbursed their actual and necessary
3 travel expenses as provided by the provisions of the State Travel
4 Reimbursement Act.

5 F. Advisory Board members shall be ineligible for reappointment
6 for a period of three (3) years following completion of a term.

7 G. The Advisory Board shall hold at least four regular meetings
8 each year. Meetings shall be held at such time and place as the
9 Advisory Board may provide. The Advisory Board shall elect annually
10 the following officers: A chair, a vice-chair, and a secretary.
11 Four members of the Advisory Board shall constitute a quorum.

12 SECTION 4. This act shall become effective November 1, 2011.

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