

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 249

By: Holt

4
5 AS INTRODUCED

6 An Act relating to professional counseling; amending
7 59 O.S. 2011, Section 1905, as amended by Section 6,
8 Chapter 229, O.S.L. 2013 (59 O.S. Supp. 2014, Section
9 1905), which relates to duties and powers of the
10 State Board of Behavioral Health Licensure; requiring
Board to adopt emergency rules in certain
circumstances; providing certain construction; and
providing an effective date.

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

13 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1905, as
14 amended by Section 6, Chapter 229, O.S.L. 2013 (59 O.S. Supp. 2014,
15 Section 1905), is amended to read as follows:

16 Section 1905. A. The State Board of Behavioral Health
17 Licensure shall:

18 1. Prescribe, adopt and promulgate rules to implement and
19 enforce the provisions of the Licensed Professional Counselors Act,
20 including the adoption of the State Department of Health rules by
21 reference;

22 2. Adopt and establish rules of professional conduct; ~~and~~

23 3. Set license and examination fees as required by the Licensed
24 Professional Counselors Act; and

1 4. Promulgate emergency rules for the provision of counseling
2 services approved by the Licensed Professional Counselors Act, the
3 Marital and Family Therapist Licensure Act, and the Licensed
4 Behavioral Practitioner Act following a declaration of emergency
5 issued by the Governor or the Legislature pursuant to the Oklahoma
6 Emergency Management Act of 2003 or a declaration of a catastrophic
7 health emergency issued by the Governor pursuant to the Catastrophic
8 Health Emergency Powers Act; provided, such rules shall only be
9 valid for the duration of a declaration of emergency authorized by
10 the Oklahoma Emergency Management Act of 2003 or a declaration of a
11 catastrophic health emergency authorized by the Catastrophic Health
12 Emergency Powers Act. Nothing in this section shall be construed as
13 to permit the adoption of permanent rules weakening the licensing
14 requirements established by the Licensed Professional Counselors
15 Act, the Marital and Family Therapist Licensure Act, and the
16 Licensed Behavioral Practitioner Act.

17 B. The Board shall have the authority to:

18 1. Seek injunctive relief;

19 2. Request the district attorney to bring an action to enforce
20 the provisions of the Licensed Professional Counselors Act;

21 3. Receive fees and deposit said fees into the Licensed
22 Professional Counselors Revolving Fund as required by the Licensed
23 Professional Counselors Act;

1 4. Issue, renew, revoke, deny, suspend and place on probation
2 licenses to practice professional counseling pursuant to the
3 provisions of the Licensed Professional Counselors Act;

4 5. Examine all qualified applicants for licenses to practice
5 professional counseling;

6 6. Request assistance from the State Board of Medical Licensure
7 and Supervision for the purposes of investigating complaints and
8 possible violations of the Licensed Professional Counselors Act;

9 7. Accept grants and gifts from various foundations and
10 institutions; and

11 8. Make such expenditures and employ such personnel as the
12 Executive Director may deem necessary for the administration of the
13 Licensed Professional Counselors Act.

14 SECTION 2. This act shall become effective November 1, 2015.

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