

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 657

By: Brecheen

COMMITTEE SUBSTITUTE

[mental health - specifying punishments -
codification - effective date]

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 14-101 of Title 43A, unless
there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Protection
Against Sexual Exploitation by a Mental Health Services Provider
Act".

B. As used in the Protection Against Sexual Exploitation By a
Mental Health Services Provider Act:

"Therapeutic deception" means any act, scheme, plan or pattern
by a licensed mental health professional:

a. intended to cause a person to believe that performing,
or failing to perform, an act would result in serious

1 physical, financial or emotional harm or distress to
2 or physical restraint against any person, and

3 b. that can reasonably be construed as being for the
4 purpose of sexual gratification of the licensed mental
5 health professional.

6 C. A licensed mental health professional as defined by Section
7 1-103 of Title 43A of the Oklahoma Statutes who engages in
8 therapeutic deception of a patient or former patient shall be
9 subject to any applicable criminal sanctions as follows:

10 1. A single act of therapeutic deception by a licensed mental
11 health professional with one current or former patient shall be a
12 misdemeanor punishable by a fine not exceeding Five Thousand Dollars
13 (\$5,000.00);

14 2. Multiple acts of therapeutic deception by a licensed mental
15 health professional with one current or former patient shall be a
16 misdemeanor punishable by a fine not exceeding Ten Thousand Dollars
17 (\$10,000.00); and

18 3. Multiple acts of therapeutic deception by a licensed mental
19 health professional with two or more current or former patients
20 shall be a felony punishable by a fine not exceeding Twenty Thousand
21 Dollars (\$20,000.00).

22 SECTION 2. This act shall become effective November 1, 2017.

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