

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 811

By: David of the Senate

and

Enns of the House

COMMITTEE SUBSTITUTE

An Act relating to mental health; amending 43A O.S. 2011, Section 3-403, as amended by Section 3, Chapter 213, O.S.L. 2013 (43A O.S. Supp. 2016, Section 3-403), which relates to the Oklahoma Alcohol and Drug Abuse Services Act; modifying definition; and providing an effective date.

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

SECTION 1. AMENDATORY 43A O.S. 2011, Section 3-403, as amended by Section 3, Chapter 213, O.S.L. 2013 (43A O.S. Supp. 2016, Section 3-403), is amended to read as follows:

Section 3-403. As used in the Oklahoma Alcohol and Drug Abuse Services Act:

1. "Approved treatment facility" means any facility which:

a. offers either inpatient, intermediate or outpatient treatment to any person suffering from alcohol or drug abuse, or alcohol- or drug-related problems, and

b. is certified by the Board of Mental Health and
Substance Abuse Services;

2. An "alcohol-dependent person" is one who uses alcoholic
beverages to such an extent that it impairs the health, family life,
or occupation of the person and compromises the health and safety of
the community;

3. A "drug-dependent person" means a person who is using a
controlled substance as presently defined in Section 102 of the
Federal Controlled Substances Act and who is in a state of psychic
or physical dependence, or both, arising from administration of that
controlled substance on an intermittent or continuous basis. Drug
dependence is characterized by behavioral and other responses which
include a strong compulsion to take the substance on a continuous
basis in order to experience its psychic effects, or to avoid the
discomfort of its absence;

4. "Intoxicated person" means a person whose mental or physical
functioning is substantially impaired as the direct result of the
consumption of alcohol or drugs;

5. "Medical detoxification" means diagnostic and treatment
services performed by licensed facilities for acute alcohol
intoxication, delirium tremens and physical and neurological
complications resulting from acute intoxication. Medical
detoxification includes the services of a physician and attendant
medical personnel including nurses, interns and emergency room

1 personnel, the administration of a medical examination and a medical
2 history, the use of an emergency room and emergency medical
3 equipment if warranted, a general diet of three meals each day, the
4 administration of appropriate laboratory tests, and supervision by
5 properly trained personnel until the person is no longer medically
6 incapacitated by the effects of alcohol;

7 6. "Nonmedical detoxification" means detoxification services
8 for intoxicated clients with no apparent physical or neurological
9 symptoms requiring medical treatment as a result of their
10 intoxication. Nonmedical detoxification includes providing a bed,
11 oral administration of fluids, three meals a day and the taking of
12 the client's temperature, blood pressure and pulse at least once
13 every six (6) hours for the duration of the client's stay in the
14 nonmedical detoxification service;

15 7. "Inpatient treatment" means the process of providing
16 residential diagnostic and treatment services on a scheduled basis;

17 8. "Intermediate care" means an organized therapeutic
18 environment in which a client may receive diagnostic services,
19 counseling, vocational rehabilitation and/or work therapy while
20 benefiting from the support which a full or partial residential
21 setting can provide. Intermediate care should provide a transition
22 between the inpatient detoxification facility and reintegration into
23 community life. Intermediate care must include provision for a bed,
24 three meals a day and medical support if needed;

1 9. "Transitional living facility" and "halfway house" means an
2 approved treatment facility which offers or provides temporary
3 residential accommodations, meals, supervision at all times
4 residents are in the facility or on facility premises, and services,
5 including counseling, short-term supportive care, case management,
6 mental health services or treatment services. The terms do not
7 include residential substance abuse centers which are facilities
8 that provide treatment for consumers in a live-in setting that
9 provides a regimen consisting of twenty-four (24) treatment hours
10 per week;

11 10. "Short-term supportive care" means a service rendered to
12 any person residing in a halfway house or transitional living
13 facility which is sufficient to assist the person to meet or achieve
14 an adequate level of daily living and to learn or develop adequate
15 daily living skills. Daily living skills shall include, but not be
16 limited to, resident participation in meal preparation and routine
17 housekeeping and laundry tasks. Short-term supportive assistance
18 includes, but is not limited to, assistance in the preparation of
19 meals, housekeeping, laundry tasks and personal hygiene. Short-term
20 supportive assistance shall not include medical services or personal
21 care as defined in Section 1-820 of Title 63 of the Oklahoma
22 Statutes;

23 11. "Treatment" means the broad range of emergency, inpatient,
24 intermediate and outpatient services and care, including diagnostic

1 evaluation, medical, psychiatric, psychological and social service
2 care, vocational rehabilitation and career counseling, which may be
3 extended to alcohol-dependent, intoxicated and drug-dependent
4 persons; and

5 12. "Faith-based" means an organization, association, facility
6 or program that offers services within a context of religious
7 beliefs that are articulated by the organization's, association's,
8 facility's or program's mission statement, affiliations, or
9 sponsoring entities.

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

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12 56-1-7402 SD 04/04/17
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