

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 657

6 By: Brecheen

7 COMMITTEE SUBSTITUTE

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

10
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

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

- 22 a. intended to cause a person to believe that performing,
23 or failing to perform, an act would result in serious
24

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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