

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

☐ FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

☐ COMMITTEE AMENDMENT

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 657, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Brecheen

Brecheen-AM-FS-Req#1637  
3/20/2017 4:33 PM

(Floor Amendments Only)    Date and Time Filed: \_\_\_\_\_

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

FLOOR SUBSTITUTE  
FOR

SENATE BILL NO. 657

By: Brecheen of the Senate

and

Ritze of the House

FLOOR 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:

- 1           a.     intended to cause a person to believe that performing,  
2                     or failing to perform, an act would result in serious  
3                     physical, financial or emotional harm or distress to  
4                     or physical restraint against any person, and  
5           b.     that can reasonably be construed as being for the  
6                     purpose of sexual gratification of the licensed mental  
7                     health professional.

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

12           1.    A single act of therapeutic deception by a licensed mental  
13 health professional with one current or former patient shall be a  
14 felony punishable by a fine not exceeding Five Thousand Dollars  
15 (\$5,000.00) and the immediate revocation of the licensed mental  
16 health professional's license by the appropriate licensing board;

17           2.    Multiple acts of therapeutic deception by a licensed mental  
18 health professional with one current or former patient shall be a  
19 felony punishable by a fine not exceeding Ten Thousand Dollars  
20 (\$10,000.00) and the immediate revocation of the licensed mental  
21 health professional's license by the appropriate licensing board;  
22 and

23           3.    Multiple acts of therapeutic deception by a licensed mental  
24 health professional with two or more current or former patients

1 shall be a felony punishable by a fine not exceeding Twenty Thousand  
2 Dollars (\$20,000.00) and the immediate revocation of the licensed  
3 mental health professional's license by the appropriate licensing  
4 board.

5 D. Each licensing board with jurisdiction over the professions  
6 specified in Section 1-103 of Title 43A of the Oklahoma Statutes  
7 shall promptly report complaints of sexual exploitation made by  
8 patients to a local law enforcement agency for criminal  
9 investigation.

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

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12 56-1-1637 AM 3/20/2017 4:33:26 PM  
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