

SENATE FLOOR VERSION

February 23, 2017

SENATE BILL NO. 609

By: Treat of the Senate

and

ODonnell of the House

An Act relating to victim assistance professionals; amending 74 O.S. 2011, Section 18p-6, which relates to promulgation of rules; directing the Attorney General to adopt and promulgate rules and standards for certification of victim assistance professionals; directing certification guidelines; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2011, Section 18p-6, is amended to read as follows:

Section 18p-6. A. Effective July 1, 2005, all administrative rules promulgated by the Department of Mental Health and Substance Abuse Services relating to domestic violence and sexual assault programs shall be transferred to and become a part of the administrative rules of the Office of the Attorney General. The Office of Administrative Rules in the Secretary of State's office shall provide adequate notice in the Oklahoma Register of the transfer of such rules, and shall place the transferred rules under

1 the Administrative Code section of the Attorney General. Such rules
2 shall continue in force and effect as rules of the Office of the
3 Attorney General from and after July 1, 2005, and any amendment,
4 repeal or addition to the transferred rules shall be under the
5 jurisdiction of the Attorney General.

6 B. The Attorney General shall adopt and promulgate rules and
7 standards for certification of batterers intervention and domestic
8 violence programs and for private facilities and organizations which
9 offer domestic and sexual assault services in this state. These
10 facilities shall be known as "certified domestic violence shelters"
11 or "certified domestic violence programs" or "certified sexual
12 assault programs" or "certified treatment programs for batterers",
13 as applicable.

14 C. Applications for certification as a certified domestic
15 violence shelter, domestic violence program, sexual assault program
16 or treatment program for batterers, pursuant to the provisions of
17 this section, shall be made to the Office of the Attorney General on
18 prescribed forms. The Attorney General may certify the shelter or
19 program for a period of three (3) years subject to renewal as
20 provided in the rules promulgated by the Attorney General. Nothing
21 in this section shall preclude the Office of the Attorney General
22 from making inspection visits to a shelter or program to determine
23 contract or program compliance.

1 D. The Attorney General shall adopt and promulgate rules and
2 standards for certification of victim assistance professionals based
3 on guidelines from the National Advocate Credentialing Program
4 Consortium. The certification guidelines shall include, but not be
5 limited to, requiring victim assistance professionals to attend
6 annual victim-centered, trauma-informed training based on guidance
7 from national victim assistance organizations for individual victim
8 assistance professionals in community, system, tribal and military-
9 based programs.

10 E. Licensed physicians, licensed psychologists, licensed social
11 workers, individual members of the clergy, licensed marital and
12 family therapists, licensed behavioral practitioners, and licensed
13 professional counselors shall be exempt from certification
14 requirements; provided, however, these exemptions shall only apply
15 to individual professional persons in private practice and not to
16 any domestic violence program or sexual assault program operated by
17 such person.

18 ~~E.~~ F. Facilities providing services for persons who commit
19 domestic abuse, victims or survivors of domestic abuse or sexual
20 assault and any dependent children of such victims or survivors
21 shall comply with standards promulgated by the Attorney General;
22 provided, that the certification requirements and standards
23 promulgated by the Attorney General shall not apply to programs and
24 services offered by the Department of Health, the Department of

1 Mental Health and Substance Abuse Services, the Department of
2 Corrections or the Department of Human Services. The batterers
3 intervention, domestic violence or sexual assault programs certified
4 pursuant to the provisions of this section shall cooperate with
5 inspection personnel of this state and shall promptly file all
6 reports required by the Attorney General. Failure to comply with
7 rules and standards of the Attorney General shall be grounds for
8 revocation of certification, after proper notice and hearing.

9 ~~F.~~ G. The Attorney General is hereby authorized to collect from
10 each applicant the sum of One Hundred Fifty Dollars (\$150.00) to
11 help defray the costs incurred in the certification process.

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

13 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
14 February 23, 2017 - DO PASS
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