

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE  
FOR

HOUSE BILL NO. 3546

By: Townley

COMMITTEE SUBSTITUTE

An Act relating to mental health; directing the Board of Mental Health and Substance Abuse Services to promulgate rules for certification of Problem Gambling Treatment Counselors; providing that rules include criteria for certification and renewal; providing for application for certification; authorizing the Board to establish application and renewal fees; limiting use of title as Problem Gambling Treatment Counselor; providing for grounds for revocation, suspension or nonrenewal of certification; providing for codification; and providing an 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 3-322a of Title 43A, unless there is created a duplication in numbering, reads as follows:

A. The Board of Mental Health and Substance Abuse Services shall promulgate rules and standards for certification of Problem Gambling Treatment Counselors who are:

1. Employed by the state;

1        2.    Employed by behavioral services providers contracting with  
2 the state to provide behavioral health services;

3        3.    Employed by a tribe or tribal facility that provides  
4 behavioral health services; or

5        4.    Employed by an Oklahoma Department of Veterans Affairs or a  
6 United States Department of Veterans Affairs facility.

7        B.    Such rules and standards shall address criteria for  
8 certification and renewal, including minimum education requirements,  
9 examination and supervision requirements, continuing education  
10 requirements, and rules of professional conduct.

11       C.    Application for certification as a Problem Gambling  
12 Treatment Counselor shall be made to the Department of Mental Health  
13 and Substance Abuse Services on prescribed forms authorized by the  
14 Department. The Board, or the Commissioner of Mental Health and  
15 Substance Abuse Services upon delegation by the Board, may certify  
16 the Problem Gambling Treatment Counselor for a period of two (2)  
17 years subject to renewal as provided in the rules promulgated by the  
18 Board.

19       D.    The Board is authorized to establish an application and  
20 renewal fee of no more than One Hundred Dollars (\$100.00) to defray  
21 the costs incurred in the certification process.

22       E.    Problem Gambling Treatment Counselors certified by the Board  
23 or the Commissioner shall only use the title "Problem Gambling  
24 Treatment Counselor" if employed by the state, employed by

1 behavioral services providers contracting with the state to provide  
2 behavioral health services, employed by a tribe or tribal facility  
3 that provides behavioral health services or employed by an Oklahoma  
4 Department of Veterans Affairs or a United States Department of  
5 Veterans Affairs facility.

6 F. This section shall not be construed to permit the certified  
7 Problem Gambling Treatment Counselor to practice any of the  
8 following professions or use the following titles unless also  
9 licensed or accredited by the appropriate authority:

- 10 1. Physician;
- 11 2. Psychologist;
- 12 3. Clinical social worker;
- 13 4. Professional counselor;
- 14 5. Marital and family therapist;
- 15 6. Behavioral practitioner; or
- 16 7. Alcohol and drug counselor.

17 G. Failure to comply with the rules and standards promulgated  
18 by the Board shall be grounds for revocation, suspension or  
19 nonrenewal of certification.

20 H. No Problem Gambling Treatment Counselor shall operate or  
21 continue to operate as a Problem Gambling Treatment Counselor unless  
22 the Problem Gambling Treatment Counselor complies with the rules  
23 promulgated by the Board and is certified as required by this  
24 section.

SECTION 2. This act shall become effective November 1, 2020.

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