

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE  
FOR

HOUSE BILL NO. 4078

By: McCall

COMMITTEE SUBSTITUTE

An Act relating to mental health; amending 43A O.S. 2011, Section 2-103, as last amended by Section 2, Chapter 4, O.S.L. 2019 (43A O.S. Supp. 2019, Section 2-103), which relates to the Board of Mental Health and Substance Abuse Services; modifying status of the Commissioner of Mental Health and Substance Abuse Services; modifying members constituting a quorum; repealing 43A O.S. 2011, Section 2-201, which relates to the Commissioner of Mental Health and Substance Abuse; and providing an effective date.

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

SECTION 1. AMENDATORY 43A O.S. 2011, Section 2-103, as last amended by Section 2, Chapter 4, O.S.L. 2019 (43A O.S. Supp. 2019, Section 2-103), is amended to read as follows:

Section 2-103. A. The Board of Mental Health and Substance Abuse Services shall be composed of the following nine (9) members:

1. Five members appointed by the Governor;
2. Two members appointed by the Speaker of the House of Representatives; and

1        3. Two members appointed by the President Pro Tempore of the  
2 Senate.

3        B. 1. Each member shall serve at the pleasure of his or her  
4 appointing authority and may be removed or replaced without cause.

5        2. Any member of the Board shall be prohibited from voting on  
6 any issue in which the member has a direct financial interest.

7        ~~3. The Commissioner of Mental Health and Substance Abuse~~  
8 ~~Services shall be an ex officio member of the Board, but shall be~~  
9 ~~entitled to vote only in case of a tie vote.~~

10       C. The Board shall elect from among its members a chair and a  
11 vice-chair. The chair may call meetings at any time.

12       D. All regularly scheduled meetings of the Board shall be held  
13 at the Central Office of the Department of Mental Health and  
14 Substance Abuse Services, Oklahoma City, Oklahoma, unless otherwise  
15 scheduled. ~~Six~~ Five members shall constitute a quorum at any  
16 meeting, and all action may be taken by an affirmative vote of the  
17 majority of the members present at any such meeting.

18       E. The action taken by the Board on any matter, or any document  
19 passed by the Board, shall be considered official when such action  
20 is placed in writing and signed by the chair or vice-chair.

21       F. The duties of the Board shall pertain to the care,  
22 treatment, and hospitalization of persons with mental illness, or  
23 alcohol- or drug-dependent persons.

1       G. Members of the Board of Mental Health and Substance Abuse  
2 Services shall be allowed their necessary travel expenses pursuant  
3 to the provisions of the State Travel Reimbursement Act.

4       H. Members of the Board of Mental Health and Substance Abuse  
5 Services shall be allowed to serve on the State Board of Medical  
6 Licensure and Supervision and the State Board of Osteopathic  
7 Examiners during members' terms on the Board of Mental Health and  
8 Substance Abuse Services.

9       SECTION 2.       REPEALER       43A O.S. 2011, Section 2-201, is  
10 hereby repealed.

11       SECTION 3. This act shall become effective November 1, 2020.

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