

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3546

By: Townley

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to mental health; directing the Board
10 of Mental Health and Substance Abuse Services to
11 promulgate rules for certification of Problem
12 Gambling Treatment Counselors; providing that rules
13 include criteria for certification and renewal;
14 providing for application for certification;
15 authorizing the Board to establish application and
16 renewal fees; limiting use of title as Problem
17 Gambling Treatment Counselor; providing for grounds
18 for revocation, suspension or nonrenewal of
19 certification; providing for codification; and
20 providing an effective date.

21
22
23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

24 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 1. Employed by the state;

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

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

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

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

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

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

23 E. Problem Gambling Treatment Counselors certified by the Board
24 or the Commissioner shall only use the title "Problem Gambling

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

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

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

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

21 H. No Problem Gambling Treatment Counselor shall operate or
22 continue to operate as a Problem Gambling Treatment Counselor unless
23 the Problem Gambling Treatment Counselor complies with the rules
24

1 promulgated by the Board and is certified as required by this
2 section.

3 SECTION 2. This act shall become effective November 1, 2020.
4

5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/26/2020 -
6 DO PASS, As Amended.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24