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March 28, 2024

ENGROSSED HOUSE
BILL NO. 3330

By: Roe, May, Provenzano, and
Munson of the House

and

Rosino of the Senate

An Act relating to mental health; providing for definitions; mandating certain application information for behavioral health professionals; mandating certain renewal information for behavioral health professionals; providing for promulgation of rules; providing for annual report to the Legislature; 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 3-335 of Title 43A, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Board" means any of the following:

- a. the State Board of Examiners of Psychologists,
- b. the State Board of Behavioral Health Licensure,
- c. the Oklahoma State Board of Licensed Social Workers,

or

d. the Oklahoma Board of Licensed Alcohol and Drug Counselors;

2. "Licensed mental health professional" means an individual who holds any type of license pursuant to the:

- a. Psychologists Licensing Act,
- b. Psychology Interjurisdictional Compact,
- c. Licensed Professional Counselors Act,
- d. Janet Phillips Act of 2023,
- e. Marital and Family Therapist Licensure Act,
- f. Social Worker's Licensing Act, or
- g. Licensed Alcohol and Drug Counselors Act; and

3. "Certified mental health professional" means an individual who holds any type of certification pursuant to the Unified Community Mental Health Services Act.

B. Every applicant for a behavioral health certification or license issued by a designated board shall provide the following information:

1. Demographic information, including race, ethnicity, gender, date of birth, and languages spoken;

2. Educational background, training information, internship information, if applicable, and location of internship or program attended; and

3. If the applicant has any other mental health certifications or licenses.

1 C. Every mental health professional who is renewing a
2 behavioral health certification or license issued by a designated
3 board shall report the following information:

4 1. Changes to demographic information required upon initial
5 application for licensure or certification;

6 2. Workforce retention information, including, but not limited
7 to, anticipated changes in licensure status or retirement; and

8 3. Workforce practice trends, including, but not limited to:

9 a. practice specialization, if applicable,

10 b. practice location and physical address, if applicable,

11 c. service delivery area, by county,

12 d. if the licensee is currently using their license and

13 if its average use is between one (1) through ten

14 (10), eleven (11) through twenty (20), twenty-one (21)

15 through thirty (30), or over thirty-one (31) hours of

16 client-facing hours per week, and

17 e. the use of telehealth.

18 D. The boards designated in subsection A of this section shall
19 promulgate rules to effectuate the provisions of this section.

20 E. The boards designated in subsection A of this section shall
21 furnish de-identified annual licensure and certification data to the
22 Oklahoma Department of Mental Health and Substance Abuse Services.

23 F. The Oklahoma Department of Mental Health and Substance Abuse
24 Services shall compile the de-identified information collected in

1 this section into an annual report. The report shall not contain
2 any personal identifying information. The annual report shall be
3 posted on the agency's website and submitted to the President Pro
4 Tempore of the Oklahoma State Senate, the Speaker of the Oklahoma
5 House of Representatives, and the chairs of the committees with
6 responsibility over public health in both chambers of the
7 Legislature.

8 G. Nothing in this section shall be interpreted to expand the
9 amount of public-facing data about Oklahoma's individual behavioral
10 health licensees.

11 SECTION 2. This act shall become effective November 1, 2024.

12 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
13 March 28, 2024 - DO PASS
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