

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2686 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Rick West

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2686

By: West (Rick)

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to mental health; amending 43a O.S.  
9 2021, Section 3-601, which relates to opioid  
10 substitution treatment programs and addicted persons;  
11 mandating drug screens; and providing an effective  
12 date.

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

14 SECTION 1. AMENDATORY 43a O.S. 2021, Section 3-601, is  
15 amended to read as follows:

16 Section 3-601. A. Any Class II controlled dangerous substance,  
17 when used in this state by an opioid substitution treatment program  
18 for persons with a history of opioid addiction to or physiologic  
19 dependence on controlled dangerous substances, shall only be used:

- 20 1. In treating persons with a history of addiction;  
21 2. In treating persons with a one-year history of opioid  
22 addiction to or physiologic dependence on controlled dangerous  
23 substances, as defined by the Code of Federal Regulations, and  
24 documentation of attempting another type of treatment; or

1 3. If clinically appropriate, the program physician may waive  
2 the requirement of a one-year history of opioid addiction for  
3 consumers within six (6) months of release from a penal institution,  
4 for consumers with a pregnancy verified by the program physician, or  
5 for consumers having previously received treatment for opioid  
6 addiction and within two (2) years of discharge from that treatment  
7 episode.

8 Provided, however, that persons who are participating in the  
9 opioid substitution treatment program, pursuant to this subsection,  
10 shall be administered a minimum of eight (8) random, witnessed,  
11 urine drug screens annually.

12 B. Any conviction for a violation of the provisions of this  
13 section or any rules promulgated pursuant to the provisions of this  
14 section shall be a felony.

15 C. For the purposes of this section, "opioid substitution  
16 treatment program" means a person, private physician, or  
17 organization that administers or dispenses an opioid drug to a  
18 narcotic addict for the purposes of detoxification or maintenance  
19 treatment or provides, when necessary and appropriate, comprehensive  
20 medical and rehabilitation services. A private physician who  
21 administers buprenorphine with a waiver from the Drug Enforcement  
22 Administration shall not be considered an opioid substitution  
23 treatment program. An opioid substitution treatment program shall  
24 be certified by the Board of Mental Health and Substance Abuse

1 Services, or the Commissioner of Mental Health and Substance Abuse  
2 Services upon delegation by the Board, and registered with the  
3 federal Drug Enforcement Administration for the use of an opioid  
4 drug to treat narcotic addiction.

5 D. The Board of Mental Health and Substance Abuse Services  
6 shall promulgate rules and standards for the certification of all  
7 programs, private facilities, and organizations which provide opioid  
8 substitution treatment directed to those physiologically dependent  
9 on or addicted to opioids. These facilities and organizations shall  
10 be known as "Opioid Substitution Treatment Programs". Only  
11 certified facilities may receive and assist opioid-dependent and  
12 addicted persons by providing Class II controlled substances in  
13 opioid substitution treatment and rehabilitation.

14 E. The Board of Mental Health and Substance Abuse Services  
15 shall promulgate rules and standards regulating the treatment and  
16 services provided by opioid substitution treatment programs.  
17 Failure to comply with rules and standards promulgated by the Board  
18 shall be grounds for revocation, suspension or nonrenewal of  
19 certification.

20 F. Opioid substitution treatment programs shall notify the  
21 Department of Mental Health and Substance Abuse Services of plans to  
22 close or relocate within a minimum of thirty (30) days prior to  
23 closure or relocation.

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1 G. Failure to comply with rules and standards promulgated by  
2 the Board of Mental Health and Substance Abuse Services pursuant to  
3 this section shall be grounds for reprimand, suspension, revocation  
4 or nonrenewal of certification.

5 SECTION 2. This act shall become effective November 1, 2023.

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7 59-1-7685 TJ 02/22/23

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