

OKLAHOMA STATUTES RELEVANT TO THE PRACTICE OF PSYCHOLOGY

The following list of references pertains to statutes relevant to the general practice of psychology and to preparation for the Jurisprudence Examination. The list is not exhaustive of all statutes that might be relevant to a specific psychologist, particularly if the psychologist is practicing in a specialty area. For some acts reference is made to select sections of direct importance to psychologists rather than to the entire section of the law.

Title 10A, Article 1, Chapter 1, Sec 1-1-102	Legislative Intent – Purpose (child abuse and neglect)
Title 10A, Article 1, Chapter 1, Sec 1-1-105	Definitions (child abuse and neglect)
Title 10A, Article 1, Chapter 2, Sec 1-2-101	Duty to Report Abuse or Neglect of Child Under Eighteen Statewide Centralized Hotline Failure to Report – False Report
Title 10A, Article 1, Chapter 2, Sec 1-2-104	Immunity from Civil or Criminal Penalty
Title 10A, Article 1, Chapter 2, Sec 1-2-105	Prompt Investigation of Child Abuse and Neglect Health Records – Written Report Temporary Restraining Order
Title 10A, Article 1, Chapter 2, Sec 1-2-107	Information Provided to Person or Agency Providing Professional Services
Title 12, Chapter 39, Sec. 2004.1	Subpoena
Title 12, Chapter 40, Sec. 2503	Physician and Psychotherapist-Patient Privilege
Title 12, Chapter 41, Sec. 3235	Physical and Mental Examination of Persons
Title 36, Chapter 1, Sec. 3634	Chiropraxy, Podiatry, Psychology and Clinical Social Work - Accident and Health Benefit
Title 36, Chapter 1, Sec, 4404	Form of Policy (freedom of choice)
Title 43, Section 109.6	Certain Information and Records to be Available to Both Custodial and Noncustodial Parent
Title 43A, Chapter 1, Sec. 1-103	Definitions (Oklahoma Mental Health Code)
Title 43A, Chapter 1, Sec. 1-109	Privileged and Confidential Nature of Medical Records and Physician/Client Communications
Title 43A, Chapter 1, Sec. 1-109.1	Designation of Family Member as Treatment Advocate Treatment Advocate Consent
Title 43A, Chapter 1, Sec. 3-422	Privileged and Confidential Information
Title 43A, Chapter 1, Sec. 5-206	Definitions (emergency detention)
Title 43A, Chapter 1, Sec. 5-207	Emergency Detention
Title 43A, Chapter 1, Sec. 5-208	Examination of Person in Protective Custody

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Title 43A, Chapter 1, Sec. 5-410	Petition to the District Court
Title 43A, Chapter 1, Sec. 5-501 through Sec. 5-513	Short Title – Public Policy – Legislative Intent (Inpatient Mental Health and Substance Abuse Treatment of Minors Act)
Title 43A, Chapter 1, Sec. 10-101 through Sec. 10-111	Protective Services for the Elderly and Incapacitated Adults Act.
Title 43A, Chapter 1, Sec. 11-101 Through Sec. 11-103	Advance Directives for Mental Health Treatment Act
Title 59, Chapter 16, Sec. 725.1 Sec. 725.2 Sec. 725.3	Use of Words Right to Use Word “Doctor” or Abbreviation Thereof Violations of Provisions
Title 59, Chapter 34, Sec. 1351 through Sec. 1376	Psychologists Licensing Act
Title 63, Chapter 1, Sec. 1-502.2	Confidential Information – Written Consent Multidisciplinary Advisory Committee Violations - Penalties
Title 63, Chapter 54, Sec. 2601 Sec. 2602 Sec. 2603 Sec. 2605	Definitions Right to Self-Consent Under Certain Circumstances – Doctor Patient Privileges Payment for Services Provision of Health Care not Mandatory
Title 70, Chapter 1, Sec. 11-107	SCHOOLS – Psychiatric or psychological examination, testing Or treatment and eliciting of certain personal information Prohibited without parental consent
Title 76, Sec. 19	Access to Medical Records – Copies – Waiver of Privileges
Title 76, Section 20.1	Required Standard of Care for Those Engaged in Practice of Healing Arts

The full text of these laws can be found at www.oscn.net click on “Legal Research”, then on “Oklahoma Statutes Citationized”, and then on “Expand” on the specific Title.

In addition to these specific statutes, all psychologists should know and understand the following:

- Psychologists Licensing Act* Title 59, OS 2003, Sections 1351-1376
- Rules of the Board* Title 575 OAC
 - Chapter 1 - Organization of Board and Procedures for Handling Complaints
 - Chapter 10 - Licensure of Psychologists
- 2002 APA Ethical Principles of Psychologists and Code of Conduct*
- 2005 ASPPB Code of Conduct*

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*Available on Board website : www.ok.gov/osbep

APA Guidelines for Practitioners: www.apapracticecentral.org/ce/guidelines/index.aspx

Record Keeping Guidelines

Guidelines for Psychological Evaluations in Child Protection Matters

Guidelines for Child Custody Evaluations in Family Law Proceedings

Guidelines for Psychological Practice With Girls and Women

Guidelines for Psychological Practice with Older Adults

Guidelines on Multicultural Education, Training, Research, Practice, and Organizational Change for Psychologists

Practice Guidelines Regarding Psychologists' Involvement in Pharmacological Issues

Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Health Information Technology for Economic and Clinical Health Act (HITECH Act)

American Recovery and Reinvestment Act (ARRA) of 2009

FTC “Red Flags Rule”

Information and resources on HIPAA, HITECH and Red Flags Rule may be found at:

www.apapracticecentral.org/business/hipaa/index.aspx

www.apapracticecentral.org/business/legal/index.aspx

www.hhs.gov/oct/privacy/hipaa

Confidentiality of Alcohol and Drug Abuse Patient Records: Title 42 CFR Part 2

Text and Information with regard to 42 CFR Part 2 may be found at:

www.access.gpo.gov/.../SAMHSA'sPart2-

[HIPAAComparisonClearedWordVersion.doc](#)

Oklahoma Standard Authorization Form

www.ok.gov/health/Organization/HIPAA_Privacy_Rules/