

**TITLE 377. OFFICE OF JUVENILE AFFAIRS
CHAPTER 3. ADMINISTRATIVE SERVICES**

RULE IMPACT STATEMENT

1. A brief description of the purpose of the rule:

Title 377. Office of Juvenile Affairs
Chapter 3. Administrative Services
Subchapter 11. Risk Management
Part 1. Drug Policy
377:3-11-5. Substance screening [AMENDED]
377:3-11-6. Substance to be tested [AMENDED]
377:3-11-8. Collection procedures [AMENDED]
377:3-11-9. Consequences of refusal [AMENDED]
377:3-11-10. Consequences of positive test results [AMENDED]
377:3-11-11. Job applicant and employee ~~rights~~opportunities [AMENDED]
377:3-11-12. General provisions [AMENDED]

Summary: Rule revisions are the result of substantive changes within the Oklahoma State Statutes, as per House Bill 2033 (2011), pertaining to drug testing of employees and applicants, also known as the Standards for Workplace Drug and Alcohol Testing Act, 75 O.S., §§ 551-563, effective November 1, 2011. The proposed rules are necessary in order to avoid violation of state law.

2. A brief description of the classes of persons who most likely will be affected by the proposed rule:

OJA employees and job applicants will be affected by the proposed rules.

3. A brief description of classes of persons who will benefit from the proposed rule:

OJA employees and job applicants will benefit from the proposed rules.

4. A brief description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:

Rule revisions should not have an economic impact on any affected classes.

5. The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the state proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues, if it can be projected by the agency.

The cost of implementation and enforcement of the proposed rules is minimal.

6. A determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:

Amended rules should not have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rules.

7. A determination of whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

Amended rules should not have an economic impact on any small business or require their cooperation in implementing or enforcing the rules.

8. An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule:

Proposed rules should not be costly nor require other methods to update the proposed rule.

9. A determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

Proposed rules ensure that there will be no conflict between the state law as amended and OJA's Rules. If they are not amended, the public will be at risk of having to conform to rules that do not comply with state law.

10. A determination of any detrimental effect on the public health, safety and environment if the proposed rule is not implemented:

If the proposed rules do not pass, then OJA's drug testing policy, that is applicable to OJA employees and job applicants from the public, will conflict with state law.

11. The date the rule impact statement was prepared and if modified, the date modified:

Prepared on December 1, 2011; modified on December 7, 2011.

**TITLE 377. OFFICE OF JUVENILE AFFAIRS
CHAPTER 10. Office of Juvenile Affairs**

RULE IMPACT STATEMENT

1. A brief description of the purpose of the rule:

Title 377. Office of Juvenile Affairs
Chapter 10. Office of Juvenile Affairs
Subchapter 7. Contract Programs and Services
Part 3. Contract-Based Residential Care
377:10-7-20. Specialized residential high intensity treatment programs (“Level E”)
[AMENDED]

Summary: Rule revisions are to provide for amended and new language changes pertaining to OJA Level E facilities.

2. A brief description of the classes of persons who most likely will be affected by the proposed rule:

OJA employees and juveniles will be affected by the proposed rules.

3. A brief description of classes of persons who will benefit from the proposed rule:

OJA employees and juveniles will benefit from the proposed rules.

4. A brief description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:

Rule revisions should not have an economic impact on any affected classes.

5. The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the state proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues, if it can be projected by the agency.

The cost of implementation and enforcement of the proposed rules is minimal.

6. A determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:

Amended rules should not have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rules.

7. A determination of whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

Amended rules should not have an economic impact on any small business or require their cooperation in implementing or enforcing the rules.

8. An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule:

Proposed rules should not be costly nor require other methods to update the proposed rule.

9. A determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

Proposed rules should not have any effect on the public health, safety and environment if it is implemented, and it is not designed to reduce significant risks to the public health, safety and environment.

10. A determination of any detrimental effect on the public health, safety and environment if the proposed rule is not implemented:

Proposed rules should not have any detrimental effect on the public health, safety and environment if it is not implemented.

11. The date the rule impact statement was prepared and if modified, the date modified:

Prepared on December 1, 2011; modified on December 7, 2011.