



Mary Fallin

Governor

**NOTIFICATION FROM GOVERNOR MARY FALLIN
REGARDING PROPOSED PERMANENT AGENCY RULES**

On February 8, 2016, the Oklahoma Health Care Authority, pursuant to Executive Order 2013-34, provided Proposed Permanent Rules to the Office of the Governor.

On February 15, 2016, I disapprove the following rules, and thereby, in accordance with Executive Order 2013-34, prohibit their adoption:

317:30-5-280

317:30-5-281

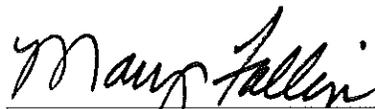
317:30-5-282

317:30-5-283

317:30-5-661.4.

These Proposed Permanent Rules, if adopted, would effectively bar independent licensed behavioral health practitioners (LBHPs) from providing mental health services to children who are SoonerCare members. According to Oklahoma Department of Mental Health and Substance Abuse Services, the rule changes are necessary to achieve a budget cut, but will not prevent or delay children from getting the therapy they need, since the amendments do not affect, in any way, reimbursement for LBHPs who work at agencies.

Our analysis, by contrast, indicates the proposed measures will not save money. There are no cost savings to be realized if thousands of children simply switch providers; there are, however, the very real possibilities of delayed access, duplicative services having to be performed while practitioners become familiarized with new clients, and additional and unnecessary trauma for foster children who may have to recount histories of physical and/or sexual abuse to new therapists, and try to establish trust in yet another adult authority figure. I understand that budgetary constraints will force us to make difficult choices in the days and months ahead, and that these choices will likely result in less services for vulnerable populations. But that is why every cut must be well-justified, certain of achieving its projected savings, and, to the extent possible, fair in its impact. Because the Proposed Permanent Rules fail to meet those fundamental criteria, they are hereby disapproved.


Mary Fallin, Governor

Attest:



Chris Benge, Secretary of State