

**OKLAHOMA DEPARTMENT OF MENTAL HEALTH
AND SUBSTANCE ABUSE SERVICES**

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TITLE 450
CHAPTER 17
Standards and Criteria for
Community Mental Health Centers

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SUBCHAPTER 1. GENERAL PROVISIONS

450:17-1-1. Purpose

- (a) This chapter sets forth the Standards and Criteria used in the certification of Community Mental Health Centers and implements 43A O.S. § 3-306.1, which authorizes the Board of Mental Health and Substance Abuse Services, or the Commissioner upon delegation by the Board, to certify Community Mental Health Centers.
- (b) The rules regarding the certification process including but not necessarily limited to application, fees and administrative sanctions are found in the Oklahoma Administrative Code, Title 450 Chapter 1, Subchapters 5 and 9.

450:17-1-2. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Abuse" means the causing or permitting of harm or threatened harm to the health, safety, or welfare of a resident by a staff responsible for the resident's health, safety, or welfare, including but not limited to: non-accidental physical injury or mental anguish; sexual abuse; sexual exploitation; use of mechanical restraints without proper authority; the intentional use of excessive or unauthorized force aimed at hurting or injuring the resident; or deprivation of food, clothing, shelter, or healthcare by a staff responsible for providing these services to a resident.

"Adults who have a serious mental illness" are persons eighteen (18) years of age or older who meet the following criteria:

- (A) Currently or at any time during the past year have had a diagnosable mental, behavioral or emotional disorder of sufficient duration to meet criteria specified within DSM-IV with the exception of "V" codes, substance abuse disorders, and developmental disorders, unless they co-occur with another diagnosable serious mental illness; and
- (B) Based on a client assessment scale, has moderate impairment in at least four, severe impairment in two or extreme impairment in one of the following areas:
- (i) Feeling, mood and affect;
 - (ii) Thinking;
 - (iii) Family relationships;
 - (iv) Interpersonal skills;
 - (v) Role performance;
 - (vi) Socio-legal; or
 - (vii) Self care and basic needs; or
- (C) Has duration of illness of at least one year and at least moderate impairment in two, or severe impairment in one of the following areas:
- (i) Feeling, mood and affect;
 - (ii) Thinking;
 - (iii) Family relationships;
 - (iv) Interpersonal skills;
 - (v) Role performance;
 - (vi) Socio-legal; or

(vii) Self care and basic needs.

"Case management services" means planned linkage, advocacy and referral assistance provided in partnership with a consumer to support that consumer in self sufficiency and community tenure and take place in the individual's home, in the community, or in the facility, in accordance with a treatment plan developed with and approved by the consumer and qualified staff. "Children who have a serious emotional disturbance" are persons under eighteen (18) years of age who meet the following criteria:

(A) Possess a diagnosable, serious disorder under DSM-IV such as pervasive developmental disorder, childhood schizophrenia, schizophrenia of adult-type manifesting in adolescence, conduct disorder, affective disorder, other disruptive behaviors, or other disorders with serious medical implications such as eating disorders, or persistent involvement with alcohol or drugs; and

(B) Based on a client assessment scale, has moderate impairment in at least four, severe impairment in two, or extreme impairment in one in the following areas:

- (i) Feeling, mood and affect;
- (ii) Thinking;
- (iii) Substance use;
- (iv) Family relationships;
- (v) Interpersonal skills;
- (vi) Role performance;
- (vii) Socio-legal;
- (viii) Self care and basic needs; or
- (ix) Caregiver resources; or

(C) Has duration of illness for at least one year and has a functioning level of moderate impairment in at least two, or severe impairment in one of the following areas:

- (i) Feeling, mood and affect;
- (ii) Thinking;
- (iii) Family relationships;
- (iv) Interpersonal skills;
- (v) Role performance;
- (vi) Socio-legal; or
- (vii) Self care and basic needs.

"Chronic Homelessness" refers to an individual with a disabling condition who has either: (a) been continuously homeless for a year or more, or (b) has had at least 4 episodes of homelessness in the past 3 years. For this condition, the individual must have been on the streets or in an emergency shelter (i.e. not transitional housing) during these episodes. Chronic homelessness only includes single individuals, not families. A disabling condition is a diagnosable substance abuse disorder, serious mental illness, or developmental disability, including the co-occurrence of two or more of these conditions.

"Creating A Positive Environment" or **"CAPE"** means a specific curriculum designed by ODMHSAS to train staff in verbal and non-verbal communication techniques in the management of selected and potentially problematic behaviors and to foster attitudes that promote the consumer's dignity and self-esteem in facility treatment settings.

"Clinical privileging" means an organized method for treatment facilities to authorize an individual permission to provide specific care and treatment services to consumers within well-defined limits, based on the evaluation of the individual's license, education, training, experience, competence, judgment, and other credentials.

"Clubhouse" means a psychiatric rehabilitation program currently certified as a Clubhouse through the International Center for Clubhouse Development (ICCD).

"Community living programs" means either transitional or permanent supported housing for persons not in crisis who need assistance with obtaining and maintaining an independent living situation.

"Community mental health center" or **"CMHC"** means a facility offering a comprehensive array of community-based mental health services, including but not limited to, inpatient treatment, outpatient treatment, partial hospitalization, emergency care, consultation and education; and, certain services at the option of the center, including, but not limited to, prescreening, rehabilitation services, pre-care and aftercare, training programs, and research and evaluation.

"Consumer" means an individual, adult or child, who has applied for, is receiving or has received evaluation or treatment services from a facility operated or certified by ODMHSAS or with which ODMHSAS contracts and includes all persons referred to in OAC Title 450 as client(s) or patient(s) or resident(s) or a combination thereof.

"Consumer advocacy" includes all activities on behalf of the consumer to assist with or facilitate resolution of problems in the acquisition of resources or services needed by the consumer.

"Consumer committee" or **"consumer government"** means any established group within the facility comprised of consumers, led by consumers and meets regularly to address consumer concerns to support the overall operations of the facility.

"Co-occurring disorder" means any combination of mental health and substance abuse symptoms or diagnoses in a consumer.

"Co-occurring disorder capability" means the organized capacity within any type of program to routinely screen, identify, assess, and provide properly matched interventions to individuals with co-occurring disorders.

"Co-occurring disorder enhanced" means that the program (or subunit of the program) provides a specialized service designed for individuals with co-occurring disorders, usually with a higher level of available service capacity or intensity for the co-occurring substance use disorder than would be the case in a comparable co-occurring disorder capable program.

"Crisis Intervention" means an immediately available service to meet the psychological, physiological and environmental needs of individuals who are mentally ill.

"Crisis stabilization" means emergency, psychiatric, and substance abuse services for the resolution of crisis situations and may include placement of an individual in a protective environment, basic supportive care, and medical assessment, and, if needed, referral provided in a to an ODMHSAS certified facility having nursing and medical support available.

"Critical incident" means an occurrence or set of events inconsistent with the routine operation of the facility, or the routine care of a consumer. Critical incidents specifically include but are not necessarily limited to the following: adverse drug events; self-destructive

behavior; deaths and injuries to consumers, staff and visitors; medication errors; residential consumers that are absent without leave (AWOL); neglect or abuse of a consumer; fire; unauthorized disclosure of information; damage to or theft of property belonging to a consumer or the facility; other unexpected occurrences; or events potentially subject to litigation. A critical incident may involve multiple individuals or results.

"Cultural competency" means the ability to recognize, respect, and address the unique needs, worth, thoughts, communications, actions, customs, beliefs and values that reflect an individual's racial, ethnic, religious, sexual orientation, and/or social group.

"DSM" means the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.

"Emergency detention" means the detention of a person who appears to be a person requiring treatment in a facility approved by the Commissioner of Mental Health and Substance Abuse Services as appropriate for such detention after the completion of an emergency examination and a determination that emergency detention is warranted for a period not to exceed seventy-two (72) hours, excluding weekends and holidays, except upon a court order authorizing detention beyond a seventy-two-hour period or pending the hearing on a petition requesting involuntary commitment or treatment as provided by 43A of the Oklahoma Statutes.

"Emergency examination" means the examination of a person who appears to be a mentally ill person, an alcohol-dependent person, or drug-dependent person and a person requiring treatment, and whose condition is such that it appears that emergency detention may be warranted, by a licensed mental health professional to determine if emergency detention of the person is warranted.

"Facility" means community mental health center.

"General psychiatric rehabilitation" or "PSR" means a type of psychiatric rehabilitation program which focuses on long term recovery and maximization of self-sufficiency, role function and independence. General psychiatric rehabilitation programs may be organized within a variety of structures which seek to optimize the participants' potential for occupational achievement, goal setting, skill development and increased quality of life.

"Hard of hearing" is any degree of hearing loss which interferes with the individual's ability to communicate without some form of specialized accommodation which may include, but not be limited to: hearing aids, sign language interpreters, assistive listening devices, or communication through speech reading. The hearing loss of those individuals needing special services may range from mild, 25 to 45 decibels in the better functioning ear, to profound, 90 decibels or more.

"Historical timeline" means a method by which a specialized form is used to gather, organize and evaluate information about significant events in a consumer's life, experience with mental illness, and treatment history.

"Homebased services to children and adolescents" means intensive therapeutic services provided in the home to children for the purpose of reduction of psychiatric impairment and preventing removal of the child to a more restrictive setting for care. Services include a planned combination of procedures developed by a team of qualified mental health professionals, including a physician.

"Homeless" refers to a person who is sleeping in an emergency shelter; sleeping in places not meant for human habitation, such as cars, parks, sidewalks, or abandoned or condemned buildings; spending a short time (30 consecutive days or less) in a hospital or other institution, but ordinarily sleeping in the types of places mentioned above; living in transitional/supportive housing but having come from streets or emergency shelters; being evicted within a week from a private dwelling unit and having no subsequent residence identified and lacking the resources and support networks needed to obtain access to housing; being discharged from an institution and having no subsequent residence identified and lacking the resources and support networks needed to obtain access to housing; or is fleeing a domestic violence situation and no subsequent residence has been identified and the person lacks the resources and support networks needed to obtain housing.

"Independent living skills, assistance in development of" means all activities directed at assisting individuals in the development of skills necessary to live and function within the community, e.g., cooking, budgeting, meal planning, housecleaning, problem-solving, communication and vocational skills.

"Integrated Client Information System" or "ICIS" is a comprehensive management information system based on national standards for mental health and substance abuse databases. It is a repository of diverse data elements that provide information about organizational concepts, staffing patterns, consumer profiles, program or treatment focus, and many other topics of interest to clinicians, administrators and consumers. It includes unique identifiers for agencies, staff and consumers that provide the ability to monitor the course of consumer services throughout the statewide DMHSAS network. ICIS collects data from hospitals, community mental health centers, substance abuse agencies, domestic violence service providers, residential care facilities, prevention programs, and centers for the homeless which are operated or funded in part by DMHSAS.

"Licensed mental health professional" or "LMHP" means:

- (A) a psychiatrist who is a diplomate of the American Board of Psychiatry and Neurology;
- (B) a licensed Doctor of Medicine or Doctor of Osteopathy who has received specific training for and is experienced in performing mental health therapeutic, diagnostic, or counseling functions;
- (C) a licensed clinical psychologist;
- (D) a licensed professional counselor as defined in Section 1906 of Title 59 of the Oklahoma Statutes;
- (E) a person licensed as a clinical social worker pursuant to the provisions of Section 1250 et seq. of Title 59 of the Oklahoma Statutes;
- (F) a licensed marital and family therapist as defined in Section 1925.2 of Title 59 of the Oklahoma Statutes;
- (G) a licensed behavioral practitioner as defined in Section 1931 of Title 59 of the Oklahoma Statutes; or
- (H) an advanced practice nurse as defined in Section 567.3a of Title 59 of the Oklahoma Statutes specializing in mental health.

"Linkage" refers to the communication and coordination with other service providers to assure timely appropriate referrals between the CMHC and other providers.

"Medical resident" means a physician who is a graduate of a school of medicine or osteopathy and who is receiving specialized training in a teaching hospital under physicians who are certified in that specialty.

"Medication error" means an error in prescribing, dispensing or administration of medication, regardless if the error reached the consumer, e.g., omission of prescribed drugs, giving drugs not prescribed, prescribing inappropriate drugs, prescribing or administering incorrect dosages, incorrectly filling or labeling prescriptions, incorrectly transcribing medication orders.

"ODMHSAS" means the Oklahoma Department of Mental Health and Substance Abuse Services.

"Oklahoma Administrative Code" or "OAC" means the publication authorized by 75 O.S. § 256 known as The Oklahoma Administrative Code, or, prior to its publication, the compilation of codified rules authorized by 75 O.S. § 256(A) (1) (a) and maintained in the Office of Administrative Rules.

"Performance Improvement" or "PI" means an approach to the continuous study and improvement of the processes of providing health care services to meet the needs of consumers and others. Synonyms, and near synonyms include continuous quality improvement, continuous improvement, organization-wide quality improvement and total quality management.

"Permanent supported housing" means a type of Community Living Program, either permanent scattered site housing or permanent congregate housing, where consumers are assisted with locating housing of their choice and are offered on-going support services based on need and choice to ensure successful independent living.

"Program of Assertive Community Treatment" or "PACT" is a clinical program that provides continuous treatment, rehabilitation, and support services to persons with mental illness in settings that are natural to the consumer.

"Progress notes" mean a chronological written description of services provided to a consumer and documentation of the consumer's response related to the intervention plan.

"Psychological-Social evaluations" are in-person interviews conducted by professionally trained personnel designed to elicit historical and current information regarding the behavior and experiences of an individual, and are designed to provide sufficient information for problem formulation and intervention.

"Vocational assessment services" means a process utilized to determine the individual's functional work-related abilities and vocational preferences for the purpose of the identification of the skills and environmental supports needed by the individual in order to function more independently in an employment setting, and to determine the nature and intensity of services which may be necessary to obtain and retain employment.

"Resident" means a person residing in a community living program certified by ODMHSAS.

"Residential treatment" means a structured, 24-hour supervised treatment program for individuals who are mentally ill with a minimum of twenty-one (21) hours of therapeutic services provided per week with the emphasis on stabilization and rehabilitation for transfer to a less restrictive environment. Stay in the program is time limited.

"Restraint" refers to manual, mechanical, and chemical methods that are intended to restrict the movement or normal functioning of a portion of an individual's body.

“Screening” means the process to determine whether the person seeking assistance needs further comprehensive assessment.

"Sentinel event" is a type of critical incident that is an unexpected occurrence involving the death or serious physical or psychological injury to a consumer, or risk thereof. Serious injury specifically includes loss of limb or function. The phrase "or risk thereof" includes a variation in approved processes which could carry a significant chance of a serious adverse outcome to a consumer. These events signal the need for immediate investigation and response. Sentinel events include, but are not limited to: suicide, homicide, criminal activity, assault and other forms of violence, including domestic violence or sexual assault, and adverse drug events resulting in serious injury or death.

"Serious Emotional Disturbance" or "SED" means a child from birth to eighteen years of age who does not have a primary diagnosis of a developmental disorder(s) and meets the following criteria:

(A) possesses a diagnosable, serious disorder under DSM-IV such as pervasive developmental disorder, childhood schizophrenia, schizophrenia of adult-type manifesting in adolescence, conduct disorder, affective disorder, other disruptive behaviors, or other disorders with serious medical implications such as eating disorders, or persistent involvement with alcohol or drugs; and

(B) has a functioning level which includes: a moderate impairment in at least four; severe impairment in two; or extreme impairment in one of the following areas; OR has an illness with a duration of at least one year and has a functioning level of moderate impairment in at least two; or a severe impairment in one of the following areas:

(i) Feeling, mood and affect include: an uncontrolled emotion that is clearly disruptive in its effects on other aspects of a child's life; frustration, anger, loneliness and boredom persist beyond the precipitating situation; and symptoms of distress are pervasive and do not respond to encouragement or reassurance;

(ii) Thinking processes include: daily life is disrupted due to impaired thoughts and thinking process; an inability to distinguish between fantasy and reality exists; and unusual thoughts or attachments to objects are present;

(iii) Substance use includes: frequent difficulties due to substance use and repeated use of substances causing difficulty at home or in school;

(iv) Family situation includes: disruption of family relationships or family does not function as a unit and experiences frequent turbulence; relationships that exist are psychologically devastating; the child does not have family support and is abused or neglected;

(v) Interpersonally the child will: have a severe inability to establish or maintain a personal social support system; lacks close friends or group affiliations; is socially isolated; and lacks age appropriate social skills;

(vi) Role performance consists of: frequent disruption of role performance and the individual is unable to meet usual expectations; has persistent behavior problems; and has failure, or been suspended or expelled from school;

(vii) Socio-legal issues include: inability to maintain conduct within the limits prescribed by law, rules and strong mores; shows little concern for

consequences of actions; and delinquent acts or frequent contact with law enforcement exists;

(viii) Self care and basic needs are such that the ability to care for self is considerably below expectation; or

(ix) Caregiver resources are: the caregiver has difficulties in providing for the child's basic needs; or the developmental needs are such that there is a negative impact on the child's level of functioning.

"Service area" means a geographic area established by the Department of Mental Health and Substance Abuse Services for support of mental health and substance abuse services [43A O.S. § 3-302(1)].

"Socialization" means all activities, which encourage interaction and the development of communication, interpersonal, social and recreational skills and can include consumer education.

"Special need, persons with" means any persons with a condition which is considered a disability or impairment under the "American with Disabilities Act of 1990" including, but not limited to the deaf or hard of hearing, visually impaired, physically disabled, developmentally disabled, persons with disabling illness, persons with mental illness. See "Americans with Disabilities Handbook," published by U.S. Equal Employment Opportunity Commission and U.S. Department of Justice.

"Supportive services" refers to assistance with the development of problem-solving and decision-making skills to maintain or achieve optimal functioning within the community and can include consumer education.

"Transitional housing program" means a type of Community Living Program in which the consumer's stay in the residence is considered temporary and time-limited in nature. The actual program model may include a range of approaches, including but not limited to supervised transitional living programs and supervised transitional housing programs.

"Trauma informed " means the capacity for a facility and all its programs to recognize and respond accordingly to the presence of the effects of past and current traumatic experiences in the lives of its consumers.

"Vocational placement services" means a process of developing or creating an appropriate employment situation matched to the functional abilities and choices of the individual for the purpose of vocational placement. Services may include, but are not limited to, the identification of employment positions, conducting job analysis, matching individuals to specific jobs, and the provision of advocacy with potential employers based on the choice of the individual served.

"Vocational preparation services" means services that focus on development of general work behavior for the purpose of vocational preparation such as the utilization of individual or group work-related activities to assist individuals in understanding the meaning, value and demands of work; to modify or develop positive work attitudes, personal characteristics and work behaviors; to develop functional capacities; and to obtain optimum levels of vocational development.

"Volunteer" means any person who is not on the program's payroll, but provides direct services and fulfills a defined role within the program and includes interns and practicum students.

450:17-1-3. Meaning of verbs in rules

The attention of the facility is drawn to the distinction between the use of the words "shall," "should," and "may" in this chapter:

- (1) "Shall" is the term used to indicate a mandatory statement, the only acceptable method under the present standards.
- (2) "Should" is the term used to reflect the most preferable procedure, yet allowing for the use of effective alternatives.
- (3) "May" is the term used to reflect an acceptable method that is recognized but not necessarily preferred.

450:17-1-4. Annual review of standards and criteria [REVOKED]

~~This chapter shall be reviewed annually by the ODMHSAS.~~

450:17-1-6. Services

All facilities providing services shall have a group of services herein designated as core services. CMHCs may have specific additional services herein designated as optional services. Optional services may be an ODMHSAS contractual requirement(s). Both core services and optional services are required to demonstrate progress toward becoming co-occurring disorder capable.

(1) Core services are:

- (A) Screening, intake, assessment and referral;
- (B) Emergency services, which include crisis intervention, emergency examinations, and emergency detention if the CMHC is also certified as a community based structured crisis center or provides acute inpatient services;
- (C) Medication clinic services;
- (D) Case management (adult and juvenile);
- (E) Adult psychiatric rehabilitation programs;
- (F) Outpatient counseling; and
- (G) Services to homeless individuals.

(2) Optional services are:

- (A) Homebased services to children and adolescents;
- (B) Day treatment services to children and adolescents;
- (C) Vocational employment services;
- (D) Community living programs;
- (E) Crisis stabilization;
- (F) Inpatient services within the CMHC setting;
- (G) Program of Assertive Community Treatment; and
- (H) Behavioral health aide services to children, adolescents and families.

450:17-1-7. Applicability

The standards and criteria for services as subsequently set forth in this chapter are applicable to CMHCs as stated in each subchapter.

SUBCHAPTER 3. REQUIRED SERVICES

PART 1. REQUIRED SERVICES

450:17-3-1. Required core services

The services in this subchapter are core services, are required of each CMHC, and are required to be provided in a co-occurring capable manner.

450:17-3-2. Core community mental health services

- (a) Each CMHC shall provide the following services:
 - (1) Screening intake and referral services;
 - (2) Emergency services;
 - (3) Outpatient counseling;
 - (4) Case management services;
 - (5) Adult psychiatric rehabilitation programs;
 - (6) Medication clinic services; and
 - (7) Service to homeless individuals.
- (b) Compliance with 450:17-3-2 shall be determined by a review of the following:
 - (1) On-site observation;
 - (2) Staff interviews;
 - (3) Written materials;
 - (4) Program policies;
 - (5) Evaluations;
 - (6) ICIS data; and
 - (7) Clinical records.

450:17-3-3. Availability of services

- (a) The core services shall be available to individuals regardless of their work schedule.
 - (1) All services provided on an outpatient basis shall be routinely available at least forty (40) hours per week, and will include at least one evening or weekend day per week.
 - (2) CMHC policy shall provide an arrangement for hours in addition to 8:00 AM - 5:00 PM according to the needs of consumers. This applies to the main CMHC location and full time satellite offices with two (2) or more full time employed clinical staff.
 - (3) For CMHCs not providing 24 hour on-site services, hours of operation shall be conspicuously posted.
- (b) Compliance with 450:17-3-3 shall be determined by a review of the following: schedules; posting of hours; policy and procedures; and consumer needs assessment.

PART 3. SCREENING, INTAKE, ASSESSMENT AND REFERRAL

450:17-3-21. Integrated screening, intake, and assessment services

- (a) CMHC policy and procedure shall require that a screening of each consumer's service needs is completed in a timely manner. An integrated screening should be welcoming and culturally appropriate, as well as maximize recognition of the prevalence of co-occurring

disorders among those who typically present for services at a Community Mental Health Center.

(b) Upon determination of appropriate admission, consumer intake, and assessment information shall contain, but not be limited to, the following:

- (1) Behavioral, including substance use, abuse, and dependence;
- (2) Emotional, including issues related to past or current trauma;
- (3) Physical;
- (4) Social and recreational; and
- (5) Vocational.

(c) The consumer and family as appropriate shall be an active participant(s) in the screening, intake and assessment process.

(d) The CMHC shall have policy and procedures specific to each program service which dictate timeframes by when assessments must be completed and documented. In the event the consumer is not admitted and as a result the assessment is not included in the clinical record, the policy shall specify how screening and assessment information is maintained and stored.

(e) Compliance with 450:17-3-21 shall be determined by a review of clinical records, and policy and procedures.

450:17-3-22. Screening, intake and assessment services, access or referral to needed services

(a) Written policy and procedures governing the screening, intake and assessment services shall specify the following:

- (1) The information to be obtained on all applicants or referrals for admission;
- (2) The procedures for accepting referrals from outside agencies or organizations;
- (3) The procedure to be followed when an applicant or referral is found to be ineligible for admission;
- (4) Methods of collection of information from family members, significant others or other social service agencies;
- (5) Methods for obtaining a physical examination or continued medical care where indicated;
- (6) Referral to other resources when the consumer has treatment or other service needs the facility cannot meet;
- (7) Emphasis on welcoming all consumers and conveying a recovery oriented hopeful message; and
- (8) No barriers to entry based solely on the presence of current or recent substance use.

(b) Compliance with 450:17-3-22 shall be determined by a review of the facility's written policy and procedures.

PART 5. EMERGENCY SERVICES

450:17-3-41. Emergency services

(a) CMHCs shall provide, on a twenty-four (24) hour basis, accessible co-occurring disorder capable services for substance abuse and/or psychiatric emergencies.

- (b) This service shall include the following:
- (1) 24-hour assessment and evaluation, including emergency examinations, characterized by welcoming engagement of all individuals and families;
 - (2) Availability of 24-hour inpatient referral;
 - (A) CMHC staff shall be actively involved in the emergency services and referral process to state-operated psychiatric inpatient units.
 - (B) Referral to state-operated psychiatric inpatient units by the CMHC shall occur only after all other community resources are explored with the individual and family if family is available and the consumer gives written consent for release.
 - (C) Prior notification to the state-operated psychiatric inpatient unit of all referrals from CMHCs is required.
 - (3) Availability of assessment and evaluation in external settings- ;
 - (4) Referral services, which shall include actively working with local sheriffs and courts regarding the appropriate referral process and appropriate court orders (43A O.S. §§ 5-201 through 5-407);
 - (5) CMHCs serving multiple counties shall provide or arrange for on-site assessment of persons taken into protective custody [43A O.S. § 5- 06(5)] in each county;
 - (6) The CMHC's emergency telephone response time shall be less than fifteen (15) minutes from initial contact, unless there are extenuating circumstances;
 - (7) Face-to-face strength based assessment, addressing both mental health and substance abuse issues which include a description of the client's strengths in managing mental health and/or substance abuse issues and disorders during a recent period of stability prior to the crisis;
 - (8) Intervention and resolution; and
 - (9) No arbitrary barriers to access an evaluation based on active substance use or designated substance levels.
- (c) Compliance with 450:17-3-41 shall be determined by a review of policy and procedures, and clinical records.

450:17-3-42. Emergency examinations

- (a) The CMHC shall provide or otherwise ensure the capacity for performing emergency examinations. This capacity must be available 24 hours per day, seven days a week.
- (b) Compliance with 450:17-3-42 shall be determined by a review of the following: policy and procedures; emergency contact records; clinical records; PI documentation; and staff on-call schedules.

450:17-3-43. Emergency examinations, staffing

- (a) Staff providing emergency examinations shall be an LMHP as defined in 43A O.S. § 1-103 and meet the CMHC's privileging requirements for the provision of emergency services, which shall include core competency in emergency evaluation of co-occurring disorders.
- (b) Compliance with 450:17-3-43 shall be determined by a review of clinical privileging records and personnel records.

PART 7. OUTPATIENT COUNSELING SERVICES

450:17-3-61. Outpatient counseling services

(a) Facilities that provide outpatient services shall offer a range of co-occurring disorder capable services to consumers based on their needs regarding emotional, social and behavioral problems. These outpatient counseling services shall be provided or arranged for, and shall include, but not be limited to the following:

- (1) Individual counseling;
- (2) Group counseling;
- (3) Marital or family counseling;
- (4) Psychological/psychometric evaluations or testing; and
- (5) Psychiatric assessments.

(b) Compliance with 450:17-3-61 shall be determined by a review of written policy and procedures; clinical records; and ICIS data reported by facilities.

450:17-3-62. Outpatient counseling services, substance abuse

(a) Facilities shall provide co-occurring disorder capable outpatient substance abuse counseling services.

(b) These services shall include the provision of Human Immunodeficiency Virus (HIV) education, training, and counseling services for drug dependent persons (43A O.S. § 3-425.1), and every facility shall:

- (1) Provide educational sessions regarding HIV to such persons, and also make the sessions available to spouses or other sexual partners of the drug dependent person; and
- (2) Refer all drug dependent persons for HIV infection testing and counseling.

(c) The HIV testing and counseling may be provided by the facility, or through a public or private organization for the testing or counseling services. All test results shall be maintained in the confidential manner prescribed by applicable state or federal statutes or regulations.

(d) Compliance with 450:17-3-62 shall be determined by a review of the following: written policy and procedures; substance abuse consumer records; and other supporting facility records and documentation.

PART 9. MEDICATION CLINIC SERVICES

450:17-3-81. Medication clinic services

(a) Medication clinic services shall include an assessment of each individual's condition and needs; and an assessment of the effectiveness of those services.

(b) Medication clinic services shall be co-occurring capable and shall utilize accepted practice guidelines for psychopharmacologic management of co-occurring disorders.

(c) CMHCs shall offer comprehensive medication clinic services to consumers in need of this service, including, but not limited to:

- (1) Prescribing or administering medication, including evaluation and assessment of the medication services provided.

- (2) Medication orders and administration:
 - (A) Only licensed staff physicians, medical residents or consultant physicians shall write medication orders and prescriptions.
 - (B) A list of those physicians authorized to prescribe medications shall be maintained and regularly updated.
 - (C) A list of licensed staff members authorized to administer medications shall be maintained and regularly updated.
- (3) Physician's assistants and nurse practitioners may write medication orders, or prescriptions consistent with state and federal law.
- (d) Compliance with 450:17-3-81 shall be determined by on-site observation and a review of the following: clinical records, written policy and procedures, and roster of licensed, credentialed staff.

450:17-3-82. Medication clinic, medication monitoring

- (a) Medication administration, storage and control, and consumer reactions shall be regularly monitored.
- (b) Facilities shall assure proper storage and control of medications, immediate response if incorrect or overdoses occur, and have appropriate emergency supplies available if needed.
 - (1) Written procedures for medication administration shall be available and accessible in all medication storage areas, and available to all staff authorized to administer medications.
 - (2) All medications shall be kept in locked, non-consumer accessible areas. Conditions which shall be considered in medication storage are light, moisture, sanitation, temperature, ventilation, and the segregation and safe storage of poisons, external medications, and internal medications.
 - (3) Telephone numbers of the state poison centers shall be immediately available in all locations where medications are prescribed, or administered, or stored.
 - (4) A qualified physician shall supervise the preparation and stock of an emergency kit which is readily available, but accessible only to staff.
- (c) Compliance with 450:17-3-82 shall be determined by on-site observation and a review of the following: written policy and procedures, clinical records, and PI records.

450:17-3-83. Medication clinic, error rates

- (a) The facility's performance improvement program shall specifically, objectively, and systematically monitor medications administration or dispensing or medication orders and prescriptions to evaluate and improve the quality of consumer care.
- (b) Compliance with 450:17-3-83 shall be determined by a review of the following: facility policies; PI logs; data; and reports.

450:17-3-84. Availability of medications in a CMHC's community living setting

- (a) This standard applies to a CMHC's residential program(s) not having on-site medical staff.
- (b) The CMHC shall have policy and procedures governing consumer access to medications and shall include, at least, the following items:

- (1) Non-medical staff and volunteers shall not dispense or administer medication;
 - (2) Medication shall be not withheld from consumers for whom it is prescribed, for non-medical reasons. There shall be policies governing the provision of medication to clients who are actively using substances at the time of their dosage, which document how to determine which medications should continue to be provided, and which medications should be withheld or postponed;
 - (3) Prescribed medication shall be stored in a non-resident area that shall be kept locked, except those medications which may be needed by the consumer on an emergency basis; and
 - (4) Only medication and medical supplies shall be stored in a non-resident area apart from the medication storage area.
- (c) Compliance with 450:17-3-84 shall be determined by on-site observation; and a review of the following: clinical records, medication logs, and policy and procedures.

450:17-3-85. Pharmacy Services

- (a) The CMHC shall provide specific arrangements for pharmacy services to meet consumers' psychiatric needs. Provision of services may be made through agreement with another program, through a pharmacy in the community, or through the CMHC's own Oklahoma licensed pharmacy.
- (b) Compliance with 450:17-3-85 shall be determined by a review of the following: clinical records; written agreements for pharmacy services; on-site observation of in-house pharmacy; and State of Oklahoma pharmacy license.

PART 11. CASE MANAGEMENT

450:17-3-101. Case management services, adult

- (a) Case management efforts shall empower consumers to access and use needed services and meet self-determined goals. These services include resource skills development and consumer advocacy provided in various settings based on consumer need.
- (b) Case management services shall be co-occurring disorder capable and made available to all adults who have a serious mental illness, and shall provide the following:
 - (1) Screening to determine their need for case management services, which shall include evidence the following were evaluated:
 - (A) Consumer's level of functioning within the community;
 - (B) Consumer's job skills and potential;
 - (C) Client strengths and resources;
 - (D) Consumer's present living situation and support system;
 - (E) Consumer's use of substances and orientation to changes related to substance use;
 - (F) Consumer's medical and health status;
 - (G) Consumer's needs or problems which interfere with the ability to successfully function in the community; and
 - (H) Consumer's goals, hopes and dreams.
 - (2) Emergency services and emergency assistance.

(c) Compliance with 450:17-3-101 shall be determined by on-site observation and a review of the following: clinical records, and written policy and procedures.

450:17-3-101.1. Case management services, child, adolescent and family

(a) Case management services shall be co-occurring disorder capable and offered to children and their families to assure access to needed services. This includes referral, linkage and advocacy. These services may be offered to any child or family who presents for service at a community mental health center but must be offered to a child identified as Seriously Emotionally Disturbed. Services should be offered in a manner that engages families in intervention strategies which promote healthy decisions regarding substance use in order to promote healthy support for the presenting child.

(b) The case manager shall know the local available services, the procedures and criteria for assessing local services. The case manager shall act as an advocate for the child and family in obtaining needed community resources, including coordination of efforts with the child's school.

(c) The case manager shall develop a case management service plan based on the needs of the child and family.

(d) The case management services shall be specified in the child's case management service plan. The inability to make face-to-face contact shall be documented in the child's case record.

(e) Compliance with 450:17-3-101.1 shall be determined by review of case records of consumers, and their families, receiving juvenile case management services.

450:17-3-102. Case management services, locale and frequency

(a) Case management services shall be provided within community settings; the residence of the consumer; or any other appropriate settings, based on the individual needs of the consumer. Contact with consumers shall be made on at least a monthly basis unless otherwise specified in the treatment plan.

(b) Compliance with 450:17-3-102 shall be determined by a review of the following: Case managers shall contact each consumer at least once a month, unless otherwise specified in the treatment plan to monitor progress or provide case management services. Inability to make face to face contact shall be documented. Contact was made with consumers as specified in the treatment plan.

450:17-3-103. Case management services for the hospitalized consumer and consumers in substance abuse treatment facilities

(a) Case managers shall maintain contact with hospitalized consumers and consumers in any level of substance abuse treatment. Individuals in an inpatient psychiatric unit setting shall be provided face-to-face case management assessment upon discharge. This shall occur as soon as possible, but shall not exceed one (1) week post-discharge.

(b) Case managers from the CMHC to which the consumer will be discharged shall assist the consumer and psychiatric inpatient unit and/or substance abuse treatment facility with discharge planning for consumers returning to the community.

(c) Each CMHC shall assign at least one (1) staff member who is responsible for linkage between psychiatric inpatient unit and/or the substance abuse treatment facility and the

CMHC. Linkage shall include, but not be limited to, the following activities, pursuant to appropriately signed releases and adherence to applicable privacy provisions:

- (1) Regular visits or communication with the psychiatric inpatient unit and/or substance abuse treatment facility to monitor progress of those consumers hospitalized and/or in facility-based substance abuse treatment from the CMHC's service area.
- (2) Attendance at meetings established for the purpose of improving communication and coordination between the inpatient unit and/or substance abuse treatment facility and the CMHC.
- (3) Provide knowledge and communication to other CMHC staff regarding psychiatric inpatient unit admission and/or substance abuse treatment facility and discharge procedures.
- (d) Compliance with 450:17-3-103 shall be determined by a review of the following: clinical records; staff interviews; information from ODMHSAS operated psychiatric inpatient unit; substance abuse treatment facilities; meetings minutes (CMHC or state-operated psychiatric inpatient unit); and a review of a minimum of ten (10) clinical records of consumers hospitalized or receiving facility-based substance abuse treatment within the past twelve (12) months.

450:17-3-106. Case management services, staff credentials

- (a) Individuals providing case management services shall be certified as a behavioral health case manager pursuant to Oklahoma Administrative Code, Title 450, Chapter 50.
- (b) Facility supervisors must be a certified behavioral health case manager pursuant to Oklahoma Administrative Code, Title 450, Chapter 50 if they directly supervise the equivalent of two (2) or more FTE certified behavioral health case managers who provide case management services as part of their regular duties.
- (c) Compliance with 450:17-3-106 shall be determined by a review of the facility personnel records and credentialing files.

PART 15. ADULT RECOVERY AND REHABILITATION PROGRAMS

450:17-3-141. Psychiatric rehabilitation programs

- (a) This section governs day programs for persons living with serious mental illness. These standards reflect two recovery focused programs: General psychiatric rehabilitation model (PSR) and Clubhouse model.
- (b) The CMHC shall provide either, or both, the PSR model or Clubhouse model. CMHC policy and procedures shall reflect that these models incorporate the following core principles:
 - (1) Recovery is the ultimate goal of psychiatric rehabilitation. Interventions must facilitate the process of recovery.
 - (2) Psychiatric rehabilitation practices help people re-establish normal roles in the community and their integration into community life.
 - (3) Psychiatric rehabilitation practices facilitate the development of personal support networks.
 - (4) Psychiatric rehabilitation practices facilitate an enhanced quality of life for each person receiving services.

- (5) People have the capacity to learn and grow.
- (6) People receiving services have the right to direct their own affairs, including those that are related to their psychiatric disability.
- (7) People are to be treated with respect and dignity.
- (8) Psychiatric rehabilitation practitioners make conscious and consistent efforts to eliminate labeling and discrimination, particularly discrimination based upon a disabling condition.
- (9) Culture and ethnicity play an important role in recovery. They are sources of strength and enrichment for the person and the services.
- (10) Psychiatric rehabilitation interventions build on the strength of each person.
- (11) Psychiatric rehabilitation services are to be coordinated, accessible, and available as long as needed.
- (12) Services are to be designed to address the unique needs of each individual, consistent with the individual's cultural values and norms.
- (13) Psychiatric rehabilitation practices actively encourage and support the involvement of persons in normal community activities, such as school and work, throughout the rehabilitation process.
- (14) The involvement and partnership of persons receiving services and family members is an essential ingredient of the process of rehabilitation and recovery.
- (15) Psychiatric rehabilitation practitioners should constantly strive to improve the services they provide.

(c) Psychiatric rehabilitation programs recognize that co-occurring substance abuse disorders will be common place among many of the participants in these programs. As such, the program shall be co-occurring disorder capable and facilitate processes for dual recovery for these individuals.

(d) Psychiatric rehabilitation programs are required to maintain minimum staff ratios to assure participants have choices in activities and staff with whom they work. The following staffing ratios shall be maintained for each location at which a psychiatric rehabilitation program is in operation.

- (1) Ten (10) or fewer participants in attendance; at least one staff member present provided arrangements for emergency back up staff coverage are in place and described in the program's policy and procedures;
- (2) Eleven (11) to twenty eight (28) participants in attendance; at least two staff members present; or,
- (3) Programs with twenty nine (29) or more participants shall maintain a 14:1 participant-to-staff ratio.

(e) Compliance with 450:17-3-141 shall be determined by on-site observation; interviews with participants; interviews with staff; a review of policy and procedures; and a review of clinical records; or proof of compliance with 450:17-3-146.

450:17-3-144. General psychiatric rehabilitation (PSR)

(a) The PSR shall be designed to provide an array of services that focus on long term recovery and maximization of self-sufficiency, role functioning, and independence as distinguished from the symptom stabilization function of acute care. Program services shall seek to optimize the participant's potential for occupational achievement, goal setting, skill

development, and increased quality of life, therefore maximizing the individual's independence from institutional care and supports in favor of community and peer support.

(b) The program shall be open a minimum of five (5) hours per day for at least three (3) days per week.

(c) Proof of completion of orientation in the PSR model shall be kept on file for all program staff members. The CMHC policies and procedures shall document a plan by which employees who are staff members in the PSR program are to be oriented to the PSR model.

(d) Program participants shall be referred to as members, as opposed to patients or clients. Members choose the way they utilize the program. Participation is voluntary; there shall be no artificial reward systems such as, but not limited to, token economy and point systems.

(e) The program shall incorporate the following functions:

(1) **Recovery Orientation.** The service elements include a Recovery oriented treatment plan, member goal setting, employment and educational support services, and a staff philosophy of recovery that permeates all service elements and activities.

(2) **Empowerment Orientation.** The service elements include peer support, leadership skill development, member participation on agency boards, and participation in consumer advocacy groups. All PSR programs shall establish an advisory committee consisting of members and a staff person, which will address issues such as program development and planning, and program problem solving.

(3) **Competency Orientation.** The service elements include curriculum based life skills training (covering self-management of illness, independent living skills, social skills, and work related skills), a multi-dynamic learning approach, an explicit focus on generalization to contexts beyond the immediate learning task and transfer of skills to real life situations and a community based supports component that provides on-going in home or community based support services, based on consumer need and choice, in the areas of housing, employment, education and the development of natural supports (i.e., family, cultural and social). Curricula shall include attention to building decision making capacity and life skills to implement decisions regarding substance use, including nicotine and caffeine, to promote health choices. Decision making should not be mandated abstinence but should be client-centered within the overall context of recovery goals. Service elements also include a work unit component that adheres to the following standards:

(A) Members and staff work side-by-side.

(B) The work completed is work generated by the PSR program. No work for outside individuals or agencies is acceptable.

(C) All work in the PSR program is designed to help members regain self-worth, purpose and confidence; it is not intended to be job specific training.

(D) The program is organized into one or more work units, each of which has sufficient staff, members and meaningful work.

(f) Compliance with 450:17-3-144 shall be determined by on-site observation; interviews with members; interviews with staff; a review of policy and procedures; and a review of clinical records.

450:17-3-146. Clubhouse Model

(a) The Clubhouse program shall be certified as a Clubhouse through the International Center for Clubhouse Development (ICCD). A Clubhouse shall be considered certified when a copy of the Clubhouse's current ICCD certification has been received by ODMHSAS Provider Certification. When a Clubhouse is renewing certification, a Clubhouse will continue to be considered certified provided the following conditions are met:

- (1) At least (60) days prior to expiration of ICCD certification a copy of the application to ICCD for re-certification has been received by ODMHSAS Provider Certification.
- (2) A copy of the re-certification visit schedule from the ICCD has been received by ODMHSAS Provider Certification.
- (3) Within one-hundred and twenty (120) days of the ICCD re-certification visit, a copy of the re-certification letter from the ICCD reflecting that the Clubhouse has been recertified has been received by ODMHSAS Provider Certification.
- (4) Any interim notice or decision of ICCD regarding re-certification status has been received by ODMHSAS Provider Certification.

(b) Compliance with 450:17-3-146 shall be determined by receipt of the identified documentation needed to support that a Clubhouse program is ICCD certified.

PART 17. SERVICES TO HOMELESS INDIVIDUALS

450:17-3-161. Services to homeless individuals

(a) CMHCs shall provide the following services to individuals within their service area who are homeless, including those individuals experiencing chronic homelessness and who have a serious mental illness, including co-occurring substance use disorders:

- (1) Linkage and contacts with local emergency services, shelters, state-operated psychiatric inpatient unit, and any other organizations which may be in contact with homeless persons;
- (2) Linkage and contacts with local housing authorities;
- (3) Contact, and work with those who are homeless and who have a serious mental illness, to assist with accessing CMHC services, income benefit programs, and housing programs, among other services; and
- (4) These services shall be addressed in CMHC policy and procedures.

(b) Compliance with 450:17-3-161 shall be determined by a review of the following: documentation of linkage activities and agreements; clinical records; ICIS reporting data; and, CMHC policy and procedures.

SUBCHAPTER 5. OPTIONAL SERVICES

PART 1. APPLICABILITY

450:17-5-1. Applicability

The services in this subchapter are optional services. However, if the services in this subchapter are provided, either on the initiative of the CMHC, or as an ODMHSAS contractual requirement of the CMHC, all rules and requirements of this subchapter shall

apply to the affected CMHC's certification.

PART 5. HOMEBASED SERVICES TO CHILDREN AND ADOLESCENTS

450:17-5-22. Homebased services to children and adolescents, family preservation

(a) Homebased services to children and adolescents may be available in any location based on consumer's need for the purpose of reducing psychiatric impairment or preventing out-of-home placement. If provided, these services shall:

- (1) Be provided based on an assessed family need for this intensive service to prevent unnecessary out-of-home placement of the child/adolescent;
- (2) Have written policies and procedures specifically defining the philosophy to include:
 - (A) Provision of, or arrangement for, twenty-four (24) hour Emergency services;
 - (B) Provision of parent education and training;
 - (C) Accessing community resources and services for children and families; and
 - (D) Provision of integrated interventions to address co-occurring issues in the child and/or family.
- (3) Home services scheduled as the child and family's needs dictate, taking into account services will often times need to be offered during evening and weekend hours; and
- (4) Limit caseload size, based on the acuity level of the children and families, not to exceed a caseload of twelve (12) families actively involved in homebased services.

(b) Compliance with 450:17-5-22 shall be determined by a review of written policy and procedures, consumer clinical records, ICIS data on-site observation; and staff interviews.

450:17-5-25. Behavioral health aide services to children, adolescents and families

(a) Behavioral health aide services to children and adolescents may be available in any location based on a consumer's need for the purpose of reducing psychiatric impairment or preventing out-of-home placement. Behavioral health aides provide behavior management, redirection and life skills remedial training in home, school or community setting, to include training and remediation of children and the families on behavioral, interpersonal, communication, self help, safety, substance use decisions, and daily living skills. If provided, these services shall:

- (1) Be provided based on an assessed (1) family need for this intensive service to prevent unnecessary out-of-home placement of the child/adolescent;
- (2) Have written policies and procedures specific to this service;
- (3) Use only qualified staff in accordance with the following requirements:
 - (A) Behavioral Health Aides must have completed 60 hours or equivalent of college credit, or may substitute one year of relevant employment and/or responsibility in the care of emotionally disturbed children for one year of college experience, for up to two years of college experience.
 - (B) Behavioral Health Aides must complete the Module 1, CPR, Blood Born Pathogens, and First Aid training portions of the specialized training and education curriculum provided by the ODMHSAS before beginning work with children and families, and must have successfully completed the entire training and education curriculum, including passing a final examination, within six (6) months of their

employment.

(C) The supervisor for Behavioral Health Aides must possess a bachelor's degree plus two years of case management or care coordination experience. Supervision is to include:

- (i) weekly team supervision for a minimum of four hours of direct service; and
- (ii) one-on-one supervision will take place as needed in real time consultation/coaching (on the job training – this can mean visiting the aide on the job, receiving calls from the aide from the job for consultation, etc.).

(b) Behavioral Health Aides will function under the general direction of the established systems of care team and pursuant to the child/adolescent's current plan of care (treatment plan). Treatment plans must be overseen and approved by a licensed Mental Health Professional.

(c) Compliance with 450:17-5-25 shall be determined by a review of written policy and procedures, personnel records, on-site observation; and staff interviews.

PART 7. DAY TREATMENT SERVICES, CHILDREN AND ADOLESCENTS

450:17-5-34. Day treatment services for children and adolescents

(a) Day treatment services are designed for non-residential consumers who spend only a part of a twenty-four (24) hour period in the program.

(1) Hours of operation shall be held during periods which make it possible for consumers to receive a minimum of three (3) hours of treatment and services each day in the program, excluding time spent in fulfillment of academic educational activities as required by law; days and hours of operation shall be regularly scheduled and conspicuously displayed so as to communicate the schedule to the public; and

(2) Services provided shall be co-occurring disorders capable and include, at a minimum, the following:

- (A) Weekly individual therapy, group, and family therapy;
- (B) Social skills development through activities which encourage interaction and the development of communications and interpersonal skills;
- (C) Integrated attention to decision making and healthy skill building regarding substance use, including nicotine and caffeine;
- (D) Recreation and leisure activities;
- (E) Emergency services;
- (F) Habilitation services;
- (G) Referral to other resources when indicated by treatment goals and objectives; and

(H) Provide, or arrange for, academic education as required by state or federal law.

(b) Compliance with 450:17-5-34 shall be determined by on-site observation; and a review of the following: clinical records, policy and procedures, and program descriptions.

PART 9. VOCATIONAL EMPLOYMENT SERVICES

450:17-5-45. Vocational employment services

(a) The vocational employment services program is an identified program within the CMHC that assists in the rehabilitation and support of persons with psychiatric disabilities, which may include but is not limited to the following:

- (1) Vocational assessment services;
- (2) Vocational preparation services;
- (3) Vocational placement services; and
- (4) Other on and off-site employment support services.

(b) If offered by a CMHC, vocational employment services should be co-occurring disorder capable and be available to individuals with co-occurring disorders who are interested in work as a goal, even if they are not yet abstinent.

(c) Compliance with 450:17-5-45 shall be determined by on-site observation and a review of the following: organization chart; interagency agreements; written policy and procedures; and contractual agreements.

PART 11. COMMUNITY LIVING PROGRAMS

450:17-5-56. Community living programs

(a) Community living programs shall be co-occurring disorders capable and include at least one of the following two types of supportive housing options for persons not in crisis who need assistance with obtaining and maintaining an independent living situation:

- (1) Transitional housing; or
- (2) Permanent Supported housing;

(b) A community living program shall have written policies and procedures specifying how, and by whom, the following services shall be performed:

- (1) Medical treatment for residents on both emergency and routine bases;
- (2) Mental health and substance abuse services on both emergency and routine bases;
- (3) Daily living, social and occupational evaluation and progress planning;
- (4) Daily living and social skills training;
- (5) Occupational and vocational training;
- (6) Assistance to residents in locating appropriate alternative living arrangements as clinically indicated or requested by resident or as part of program completion or graduation;
- (7) A mechanism for orientation and education of new residents, which shall include, at least:
 - (A) Emergency procedures including fire, health and safety procedures;
 - (B) Resident rights and responsibilities; and
 - (C) Program expectations and rules; and

(8) Assistance to residents in accessing community resources including but not limited to rental assistance and other benefits.

(c) There shall be documentation indicating that each resident has received orientation and education on emergency procedures, resident rights and responsibilities, and program expectations and rules.

(d) To ensure a safe and sanitary environment for residents, the following shall apply for all CMHC owned and/or managed housing facilities:

(1) The apartment or house and furnishings shall be in good repair, and free of unpleasant odors, and insect and rodent infestations.

(2) The apartment or house shall contain safe heating and air conditioning systems, which are in proper working conditions. Each apartment or house shall have an annual fire and safety inspection by the State or local Fire Marshal's office.

(3) Apartments or houses shall be inspected by CMHC staff on a regular basis as specified in agency Policy and Procedures to ensure that fire, health or safety hazards do not exist.

(4) The program shall develop and maintain emergency policy and procedures which shall include but are not limited to:

(A) Fire response and evaluations;

(B) Response to other disasters;

(C) Relocation if housing unit(s) become unlivable; and

(D) Personal accident or illness.

~~(d)~~ (e) Compliance with 450:17-5-56 shall be determined by on-site observation; interviews with residents, program staff, and other appropriate CMHC staff; and a review of facility documentation including a review of the CMHC written policy and procedures and resident records.

450:17-5-59.1. Transitional housing programs

(a) The length of stay for Transitional housing programs shall be temporary and transitional in nature.

(b) Transitional housing programs shall include at least one of the following two types of housing programs:

(1) Supervised transitional living programs; or

(2) Supported transitional housing programs.

(c) Transitional housing programs shall define general parameters for length of stay.

(d) Compliance with 450:17-5-59.1 shall be determined by a review of the program's written policy and procedures.

450:17-5-60. Supervised transitional living programs

(a) Supervised transitional living programs are supervised places of temporary transitional residence for mental health consumers needing on-site support twenty-four (24) hours a day. These programs are intended to assist residents with stabilization and acquisition of skills necessary to transition to an independent living situation.

(b) Supervised transitional living programs shall:

(1) Have paid staff on duty twenty-four (24) hours a day, with backup coverage in case of staff unscheduled absences, illness or emergencies.

(2) Maintain staffing number and composition, and training and expertise to sufficiently supervise, provide and maintain the services as defined in the program's goals and objectives and to ensure the safety of the residents.

(3) Develop and implement a component of governance by the tenants.

(4) Be licensed by the Oklahoma State Department of Health if required.

(c) In these programs, the following shall be available for all residents, and shall be specified on the resident's treatment plan or housing plan, according to individual resident

needs and interests: The program shall offer 20 hours per week of meaningful activity. A minimum of ten (10) hours should be provided on-site, with at least eight (8) of those ten (10) hours focusing specifically on independent living skills training.

(d) Compliance with 450:17-5-60 shall be determined by on-site observation; interviews with residents, program staff, and other appropriate CMHC staff; and a review of the following: policy and procedures, facility documentation (including staff schedules), residents' council minutes, and valid State Department of Health Certificate of Licensure if required.

450:17-5-64. Supported transitional housing programs

(a) Supported transitional housing programs are grouped apartment or other residential settings with staff available as needed, but there is not necessarily twenty-four (24) hour on-site supervision. In these programs, the following shall be available for all residents, and shall be specified on the resident's treatment plan or housing plan, according to individual resident needs and interests:

(1) The program shall offer or make available psychiatric rehabilitation program services for residents;

(2) The program shall offer or make available at least one (1) evening or weekend socialization and recreational activity per week; and

(3) The program shall offer or make available eight (8) hours of meaningful activity per week. A minimum of five (5) of those hours should include on-site independent living skills training. This shall include working side-by-side with the resident(s) to instruct in the development of independent living skills.

(b) Compliance with 450:17-5-64 shall be determined by interviews with residents, program staff, or other appropriate CMHC staff; and a review of facility documentation including a review of the CMHC written policy and procedures and resident records.

450:17-5-66. Permanent supported housing programs

(a) Permanent supported housing programs include at least one of the following two (2) types of housing programs:

(1) Permanent scattered site housing programs; or

(2) Permanent congregate housing programs.

(b) In permanent supported housing programs the following shall be available for all residents, and shall be specified on the resident's treatment plan or housing plan, according to individual resident needs and interests:

(1) The CMHC permanent supported housing programs shall make ongoing monthly contact with each resident, either on or offsite.

(2) The program shall offer independent living skill training. This training shall include working side by side with residents to provide instruction in the development of independent living skills.

(3) Psychiatric rehabilitation program services shall be made available to residents.

(4) The CMHC shall offer, or arrange for, socialization and recreational opportunities at least twice a week for individuals in permanent supported housing programs; including at least one evening activity.

(c) Compliance with 450:17-5-66 shall be determined by interviews with residents, program

staff, and other appropriate CMHC staff; and a review of CMHC policy and procedures, and resident records.

450:17-5-67.2. Permanent scattered-site housing programs

(a) The permanent scattered-site housing programs shall facilitate the acquisition of permanent, scattered site housing in the community, which in any given housing complex has no more than fifty-percent (50%) of its residents with psychiatric disabilities.

(b) Resident choice shall be documented in the selection of housing.

(c) The Resident shall be the lessee, and the services provider shall not be the landlord.

(d) Compliance with 450:17-3-67.2 shall be determined by the following: on-site observation; interviews with residents, program staff and other appropriate CMHC staff; and a review of facility and resident record documentation.

450:17-5-67.3. Permanent congregate housing programs

(a) Permanent congregate housing programs are programs in which the individual is assisted in finding an apartment or housing within the community, where the housing complex has more than 50% of its residents with psychiatric disabilities.

(b) Resident choice shall be documented in the selection of housing.

(c) The Resident shall be the lessee, and the landlord may be the services provider.

(d) Compliance with 450:17-5-67.3 shall be determined by the following: on-site observation; interviews with residents, program staff and other appropriate CMHC staff; and a review of facility and resident record documentation.

PART 13. CRISIS STABILIZATION

450:17-5-81. Certification required for provision of crisis stabilization services.

If a CMHC chooses to provide crisis stabilization services as optional services, the CMHC must become certified as a Community-based Structured Crisis Center and comply with OAC Title 450, Chapter 23, Standards and Criteria for Community-based Structured Crisis Center.

PART 15. INPATIENT SERVICES

450:17-5-95. Inpatient services within the community mental health setting

(a) Inpatient services are intended to meet the needs of consumers through evaluation, treatment, and stabilization.

(b) Inpatient services shall be co-occurring disorders capable and include:

(1) Evaluation and diagnostic studies for both mental health and substance abuse disorders;

(2) Intensive care and treatment, including detoxification when required, during acute periods of emotional disturbance or profound crisis;

(3) Initiation and stabilization of psychotropic medication regimen, if indicated;

(4) Other services as defined by needs of individual consumers; and

(5) A multidisciplinary co-occurring disorder competent treatment team, including twenty-four (24) hour psychiatric nursing, and a medical staff, shall be employed to meet the broad clinical needs of consumers.

(c) Compliance with 450:17-5-95 shall be determined by a review of the following: CMHC policy and procedures; clinical records; and staffing patterns and clinical privileging.

450:17-5-96. Inpatient services within the community mental health setting, service issues

(a) Policy and procedures for inpatient services shall be established and maintained, addressing service issues within the inpatient unit.

(b) The written policy and procedures shall define and direct:

(1) Admissions including admission and exclusion criteria. (Note: There should be no arbitrary barriers to admission based on substance levels or substance history);

(2) Assessment;

(3) Treatment planning;

(4) Documentation of progress;

(5) Discharge and aftercare planning and implementation;

(6) Follow-up;

(7) Treatment modalities utilized and methods for implementation; and

(8) The provision of services to persons with special needs.

(c) Compliance with 450:17-5-96 shall be determined by a review of the following: written policy and procedures; and by staff interviews.

450:17-5-97. Inpatient services within the community mental health setting, clinical medical health issues

(a) Complete physical examinations and health assessments shall be conducted on each consumer.

(b) The consumer shall receive the complete physical examination and health assessment by a qualified physician within twenty-four (24) hours of admission.

(c) A qualified physician must evaluate the health status of a consumer prior to ordering medication.

(d) Compliance with 450:17-5-97 shall be determined by a review of the clinical records, inpatient services.

450:17-5-98. Inpatient services within the community mental health setting, activity services

(a) Activity services shall be provided for consumers of the inpatient services.

(b) These activity services shall:

(1) Meet the social, recreational, physical, health maintenance, and integrated mental health and substance abuse rehabilitative needs of the consumer; and

(2) Be scheduled during day, evening, and weekend hours.

(c) Compliance with 450:17-5-98 shall be determined by a review of the following:

(1) On-site observation;

(2) Personnel files;

(3) Job descriptions;

- (4) Records and schedules of the activities provided;
- (5) Daily activity schedules; and
- (6) Policy and procedures.

450:17-5-99. Inpatient services within the community mental health setting, environment

(a) The environment of the inpatient setting shall be planned, developed, and maintained to respond to the range of needs of consumers served. The environmental quality and type, and the rationales for the development of environment shall be defined by written policy and procedures. Attention to the needs of special populations shall be reflected in these written policy and procedures.

(1) The plan for environment shall include the following, as indicated by the clinical status of consumers served:

- (A) Use of outdoor areas,
- (B) Safety, security, and sanitation needs,
- (C) Areas to accommodate a range of social activities,
- (D) Areas offering privacy to the individual to be alone or talk with staff, family, or others, and
- (E) Facilities shall be appropriately furnished and supplied with materials and equipment suited to the age and physical status of consumers served.

(2) Dining and sleeping areas shall be comfortable and conducive to relaxation.

(3) Consumers shall be allowed to wear their own appropriate clothing.

(4) Consumers shall be allowed to display personal belongings and decorate their living and sleeping areas as appropriate to clinical status of consumers.

(5) Consumers shall be encouraged to assume responsibility for maintaining their living areas, as appropriate to their clinical status.

(b) Compliance with 450:17-5-99 shall be determined by a review of the written policy and procedures; and observation of facility environment.

450:17-5-100. Mechanical restraints

(a) Mechanical restraints may only be utilized in hospitals, crisis stabilization units and inpatient services which are an integral part of a CMHC and shall never be used unless it is determined by a licensed physician of the facility to be required by the immediate needs of a consumer for the safety and protection of the consumer or other persons.

(b) The facility shall have a written protocol for the use of mechanical restraints which include, but is not limited to:

- (1) Criteria to be met prior to authorization of the use of mechanical restraints;
- (2) Signature of the person authorizing use is required;
- (3) Time limit of said authorizations;
- (4) Circumstances which automatically terminate an authorization;
- (5) Setting a time period, not to exceed every fifteen (15) minutes, an individual in mechanical restraints shall be observed and checked by a registered nurse;
- (6) Requiring in every use of mechanical restraints the specific reason for such use, the actual start and stop times of use, authorizing signature and record of times the consumer was observed and checked. All the items listed in 450:18-5-3(b)(6) shall be

made a part of the consumer record;

(7) Maintenance in the facility of a chronological log which includes the name of every consumer placed in mechanical restraints, and the date upon which this event occurred.

This is the responsibility of the facility director; and

(8) A process of peer review to evaluate use of mechanical restraints.

PART 19. PROGRAM FOR ASSERTIVE COMMUNITY TREATMENT

450:17-5-127. Program of assertive community treatment

If a CMHC chooses to provide a program of assertive community treatment (PACT) as an optional service, the CMHC must become certified as a PACT and comply with OAC Title 450, Chapter 55, Standards and Criteria for Programs of Assertive Community Treatment.

SUBCHAPTER 7. FACILITY CLINICAL RECORDS

450:17-7-1. Clinical record keeping system

Each CMHC shall maintain an organized clinical record system for the collection and documentation of information appropriate to the treatment processes; and which insures organized, easily retrievable, usable clinical records stored under confidential conditions and with planned retention and disposition.

450:17-7-2. Applicability

The requirements of this subchapter are applicable to a CMHC's clinical services, core and optional.

450:17-7-3. Basic requirements

(a) The CMHC's policies and procedures shall:

(1) Define the content of the consumer record in accordance with 450:17-7-4 through 17-7-9.

(2) Define storage, retention and destruction requirements for consumer records. ODMHSAS operated CMHCs shall comply with the Department's Records Disposition Schedule as approved by the Oklahoma Archives and Records Commission.

(3) Require consumer records be contained within equipment which is maintained under locked, secure measures.

(4) Require legible entries in consumer records, signed with first name or initial, last name, and dated by the person making the entry.

(5) Require the consumer's name be typed or written on each page in the consumer record.

(6) Require a signed consent for treatment before a consumer is admitted on a voluntary basis.

(7) Require a signed consent for follow-up before any contact after discharge is made.

(b) Compliance with 450:17-7-3 shall be determined by a review of the following: facility policy, procedures or operational methods; clinical records; other facility provided documentation; and PI information and reports. A CMHC may propose administrative and

clinical efficiencies through a streamlining of the requirements noted in this subchapter if client outcomes are maintained or improved and face-to-face clinical time is able to be increased by proposed reduction in recordkeeping requirements. Such proposal shall be submitted for consideration and approval by the Department.

450:17-7-4. Record access for clinical staff

(a) The CMHC shall assure consumer records are readily accessible to the program staff directly caring for the consumer. Such access shall be limited to the minimum necessary to carry out the staff member's job functions or the purpose for the use of the records.

(b) Compliance with 450:17-7-4 shall be determined by on-site observation and staff interviews.

450:17-7-5. Clinical record content, screening, intake and assessment

(a) All facilities shall complete a face-to face screening with each individual to determine appropriateness of admission.

(b) The CMHC shall document the face-to-face screening between the potential consumer and the CMHC including how the consumer was welcomed and engaged, how the consumer was assisted to identify goals and experience hope, how the consumer received integrated screening to identify both immediate and ongoing needs and how the consumer was assisted to determine appropriateness of admission, and/or to access other appropriate services.

(c) Upon determination of appropriate admission, consumer assessment demographic information shall contain but not be limited to the following:

- (1) Date, to include month, day and year of the interview or intake including re-admissions for CMHC services;
- (2) Source of information;
- (3) Consumer's first name, middle initial and last name;
- (4) Gender;
- (5) Birth date;
- (6) Home address;
- (7) Telephone number;
- (8) Referral source;
- (9) Reason for referral;
- (10) Significant other to be notified in case of emergency; and
- (11) ICIS intake data core content.

(d) All programs shall complete a psychological-social assessment which gathers sufficient information to assist the consumer in developing an individualized service plan. The program shall develop a psychological-social evaluation which contains, but is not limited to the following:

- (1) Identification of the consumer's strengths, needs, abilities, and preferences;
- (2) History of the presenting problem;
- (3) Previous treatment history, to include mental health and substance abuse;
- (4) Health history and current biomedical conditions and complications;
- (5) Alcohol and drug use history;
- (6) History of trauma;

- (7) Family and social history, including alcohol and drug use;
- (8) Educational attainment, difficulties, and history;
- (9) Cultural and religious orientation;
- (10) Vocational, occupational and military history;
- (11) Sexual history, including HIV, AIDS and STD at-risk behaviors;
- (12) Marital or significant other relationship history;
- (13) Recreational and leisure history;
- (14) Legal history;
- (15) Present living arrangement;
- (16) Economic resources;
- (17) Level of functioning;
- (18) Current support system including peer and other recovery supports;
- (19) Current medications, if applicable, to record a consumer's current medications, and shall include obtainable information regarding the name of prescribing physician, name of medication, strength and dosage, and length of time consumer was on the medication;
- (20) Strengths/assets and weakness/liabilities of the consumer;
- (21) Consumer's expectations in terms of service; and
- (22) Assessment summary or diagnosis, and signature of the assessor and date of the assessment.

(e) The CMHC shall have policy and procedures that dictate timeframes by when intake assessment must be completed for each program service to which a client is admitted.

(f) An intake assessment update, to include date, identifying information, source of information, present needs, present life situation, current level of functioning, and what consumer wants in terms of service, is acceptable only on re-admissions within one (1) year of previous admission.

(g) Compliance with 450:450:17-7-5 shall be determined by a review of the following: psychological-social assessment instruments; consumer records; case management assessments; interviews with staff and consumers; policies and procedures and other facility documentation.

450:17-7-5.1. Clinical record content, on-going assessment

(a) The CMHC shall have procedures and policies which delineate the process, protocols, and timeframes by which on-going clinical assessments occur.

(b) Compliance with 450: 17-7-5.1 shall be determined by a review of the clinical records and agency policies and procedures.

450:17-7-8. Integrated Service plan

(a) The service plan is performed with the active participation of the consumer and a support person or advocate if requested by the consumer. In the case of children under the age of 18, it is performed with the participation of the parent or guardian and the child as age and developmentally appropriate. The service plan shall provide the formation of measurable service objectives and reflect ongoing changes in goals and objectives based upon consumer's progress or preference or the identification of new needs, challenges and problems.

- (b) The integrated service plan is developed after and based on information obtained in the mental health assessment and includes the evaluation of the assessment information by the clinician and the consumer.
- (c) For adults, the service plan must be focused on recovery and achieving maximum community interaction and involvement including goals for employment, independent living, volunteer work, or training. For children, the service plan must address school and educational concerns and assisting the family in caring for the child in the least restrictive level of care.
- (d) Comprehensive integrated service plans must be completed within five (5) treatment sessions for each program service to which a consumer is admitted.
- (e) Comprehensive integrated service plan contents shall address the following:
- (1) Consumer strengths, needs, abilities, and preferences;
 - (2) Identified presenting challenges, needs and diagnosis;
 - (3) Goals for treatment with specific, measurable, attainable, realistic and time limited objectives;
 - (4) Description of the consumer's involvement in and responses to the treatment plan and his/her signature and date;
 - (5) Date each objective is initiated and target date for completion;
 - (6) Type and frequency of services estimated to be provided;
 - (7) The practitioner(s) who will be providing and responsible for each service;
 - (8) Any needed referrals for services; and
 - (9) Specific discharge criteria.
- (f) Service plan updates shall address the following:
- (1) Progress on previous service plan goals and/or objectives;
 - (2) A statement documenting a review of the current service plan and an explanation if no changes are to be made to the service plan;
 - (3) Change in goals and/or objectives (including target dates) based upon consumer's progress or identification of new need, challenges and problems;
 - (4) Change in frequency and/or type of services provided;
 - (5) Change in practitioner(s) who will be responsible for providing services on the plan;
 - (6) Additional referrals for needed services; and
 - (7) Change in discharge criteria.
- (g) Integrated Service Plan updates should occur at a minimum of every 6 months during which services are provided.
- (h) Service plans, both comprehensive and update, must include dated signatures for the consumer (if over age 14), the parent/guardian (if under age 18 or otherwise applicable), the primary service practitioner.
- (i) Compliance with 450:17-7-8 shall be determined by a review of the clinical records.

450:17-7-9. Medication record

- (a) A medication record shall be maintained on all consumers who receive medications or prescriptions through the outpatient clinic services and shall be a concise and accurate record of the medications the consumer is receiving or prescribed.
- (b) The consumer record shall contain a medication record with the following information

on all medications ordered or prescribed by physician staff:

- (1) The record of medication administered, dispensed and prescribed shall include all of the following:
 - (A) Name of medication,
 - (B) Dosage,
 - (C) Frequency of administration or prescribed change,
 - (D) Route of administration, and
 - (E) Staff member who administered or dispensed each dose, or prescribing physician; and
- (2) A record of pertinent information regarding adverse reactions to drugs, drug allergies, or sensitivities during intake, updated when required by virtue of new information, and kept in a highly visible location in or on the record.
- (c) Compliance with 450:17-7-9 shall be determined by a review of medication records and clinical records.

450:17-7-10. Progress Notes

- (a) Progress notes shall chronologically describe the services provided, the consumer's response to the services provided and the consumer's progress in treatment.
- (b) Progress notes, except for in PSR programs, shall address the following:
 - (1) Date;
 - (2) Person(s) to whom services were rendered;
 - (3) Start and stop time for each timed treatment service;
 - (4) Integrated service plan ~~problems~~ needs, goals and/or objectives addressed;
 - (5) Type of Service provided;
 - (6) Progress or lack of progress made in treatment as it relates to service plan ~~problems~~ needs, goals and/or objectives;
 - (7) Consumer's response, and family's response when applicable, to the treatment services provided;
 - (8) Any new ~~problem~~ need(s), goals and/or objectives identified during the treatment service;
 - (9) Signature of the service provider; and
 - (10) Credentials of service provider.
- (c) Progress notes for PSR programs shall address the following:
 - (1) Date(s) attended during the week;
 - (2) Start and stop time(s) for each day attended;
 - (3) Specific goal(s) and/or objectives addressed during the week (these must be identified on the service plan);
 - (4) Type of skills training provided during the week;
 - (5) Consumer satisfaction with staff intervention(s);
 - (6) Progress made toward goals and objectives;
 - (7) Any new needed supports identified during the week;
 - (8) Signature of the psychiatric rehabilitation practitioner; and
 - (9) Credentials of the psychiatric rehabilitation practitioner.
- (d) Progress notes shall be documented according to the following time frames:

- (1) Outpatient staff must document each visit or transaction including missed appointments;
 - (2) Community living program staff shall complete a summary note monthly identifying the name of the person served and the day(s) the person received the service;
 - (3) Inpatient: nursing service is to document on each shift. Each member of the treatment team shall write a weekly progress note for the first two months and monthly thereafter; and
 - (4) PSR staff must maintain a daily, member sign-in/sign-out record of member attendance, and shall write a progress note daily or a summary progress note weekly.
- (e) Compliance with 450:17-7-10 shall be determined by a review of clinical records.

450:17-7-11. Other records content

- (a) The consumer record shall contain copies of all consultation reports concerning the consumer.
- (b) When psychometric or psychological testing is done, the consumer record shall contain a copy of a written report describing the test results and implications or recommendations for treatment.
- (c) The consumer record shall contain any additional information relating to the consumer, which has been secured from sources outside the program.
- (d) Compliance with 450:17-7-11 shall be determined by a review of clinical records.

450:17-7-12. Discharge summary

- (a) A discharge summary shall document the consumer's progress made in treatment; response to services rendered; and recommendation for any referrals, if deemed necessary.
- (b) A discharge summary shall be entered in each consumer's record within fifteen (15) days of release, discharge, or transfer from inpatient treatment or upon discharge from facility services. Consumers who have received no services for one hundred twenty (120) days shall be discharged if it is determined that services are no longer needed or desired.
- (c) The discharge summary shall minimally include, but is not be limited to:
 - (1) Presenting problem at intake;
 - (2) Medication summary when applicable;
 - (3) Treatment provided and treatment outcome and results;
 - (4) Psychiatric and physical diagnosis or the final assessment;
 - (5) Discharge plan: Written recommendations, specific referrals for implementing aftercare services, including medications. Aftercare plans shall be developed with the knowledge and cooperation of the consumer, when possible;
 - (6) In the event of death of a consumer: A summary statement including this information shall be documented in the record; and
 - (7) Signature of staff member, professional credentials, if any, and date.
- (d) Compliance with 450:17-7-12 shall be determined by a review of closed consumer records.

SUBCHAPTER 9. CONSUMER RECORDS AND CONFIDENTIALITY

450:17-9-1.1. Confidentiality of mental health and drug or alcohol abuse treatment information

Confidentiality policy, procedures and practices must comply with federal and state law, guidelines, and standards, and with OAC 450:15-3-20.1 and OAC 450:15-30-60.

~~(a) — All mental health and drug or alcohol abuse treatment information, whether recorded or not, and all communications between a physician or psychotherapist and a consumer are both privileged and confidential. — In addition, the identity of all consumers who have received or are receiving mental health or drug or alcohol abuse treatment services is both confidential and privileged. — Such information shall only be available to persons or agencies actively engaged in the treatment of the consumer unless a state or federal law exception applies.~~

~~(b) — All facilities shall have policy and procedures protecting the confidential and privileged nature of mental health and drug or alcohol abuse treatment information in compliance with state and federal law and which contain at a minimum:~~

~~(1) — an acknowledgment that all mental health and drug or alcohol abuse treatment information, whether recorded or not, and all communications between a physician or psychotherapist and a consumer are both privileged and confidential and will not be released without the written consent of the consumer or the consumer's legally authorized representative;~~

~~(2) — an acknowledgment that the identity of a consumer who has received or is receiving mental health or drug or alcohol abuse treatment services is both confidential and privileged and will not be released without the written consent of the consumer or the consumer's legally authorized representative;~~

~~(3) — a procedure to limit access to mental health and drug or alcohol abuse treatment information to only those persons or agencies actively engaged in the treatment of the patient and to the minimum amount of information necessary to carry out the purpose for the release;~~

~~(4) — a procedure by which a consumer, or the consumer's legally authorized representative, may access the consumer's mental health and drug or alcohol abuse treatment information;~~

~~(5) — an acknowledgement that certain state and federal law exceptions to disclosure of mental health and drug or alcohol abuse treatment information without the written consent of the consumer or the consumer's legally authorized representative exist and the facility will release information as required by those laws; and~~

~~(6) — a procedure by which to notify a consumer of his or her right to confidentiality.~~

~~(c) — A facility disclosing information pursuant to a written consent to release information shall ensure the written consent form complies with all applicable state and federal law and contains at a minimum the following:~~

~~(1) — the name of the person or program permitted to make the disclosure;~~

~~(2) — the name or title of the person or the name of the organization to which disclosure is to be made;~~

~~(3) — the name of the consumer whose records are to be released;~~

- ~~(4) a description of the information to be disclosed;~~
 - ~~(5) the specific reason for the disclosure;~~
 - ~~(6) the signature of the consumer or the consumer's legally authorized representative;~~
 - ~~(7) the date the consent to release was signed by the consumer or the consumer's legally authorized representative;~~
 - ~~(8) an expiration date, event or condition which shall ensure the release will last no longer than reasonably necessary to serve the purpose for which it is given;~~
 - ~~(9) a statement of the right of the consumer, or the consumer's legally authorized representative, to revoke the consent to release in writing and a description of how the patient may do so;~~
 - ~~(10) a confidentiality notice which complies with state and federal law; and~~
 - ~~(11) a statement in bold face writing that "The information authorized for release may include records which may indicate the presence of a communicable or venereal disease which may include, but is not limited to, diseases such as hepatitis, syphilis, gonorrhea, and the human immunodeficiency virus, also known as Acquired Immune Deficiency Syndrome (AIDS)."~~
- ~~(d) Compliance with 450:17-9-1.1 shall be determined by a review of facility policy and procedures; facility forms; consumer record reviews; interviews with staff and consumers; and any other supporting facility documentation.~~

SUBCHAPTER 11. CONSUMER RIGHTS

450:17-11-1. Consumer rights, inpatient and residential

The CMHC shall comply with applicable rules in Title 450, Chapter 15. Consumer Rights.

450:17-11-3. Consumer's grievance policy

The CMHC shall comply with applicable rules in Title 450, Chapter 15. Consumer Rights.

450:17-11-4. ODMHSAS consumer advocacy division

The ODMHSAS Office of Consumer Advocacy, in any investigation or monitoring regarding consumer rights shall have access to consumers, facility records and facility staff as set forth in OAC 450:15-7-3(b).

SUBCHAPTER 13. ORGANIZATIONAL MANAGEMENT

450:17-13-1. Organizational and facility description

(a) The CMHC shall have a written organizational description which is reviewed annually and minimally includes:

- (1) The overall target population specifically including welcoming those individuals with co-occurring disorders, for whom services will be provided;
- (2) The overall mission statement; and
- (3) The annual facility goals and objectives, including the goal of continued progress for the agency in providing recovery oriented, culturally competent, trauma informed and co-occurring capable services.

- (b) The CMHC's governing authority shall review and approve the mission statement and annual goals and objectives and document their approval.
- (c) The CMHC shall make the organizational description, mission statement and annual goals available to staff.
- (d) The CMHC shall make the organizational description, mission statement and annual goals available to the general public upon request.
- (e) Each CMHC shall have in writing, by program component or service, the following:
 - (1) Philosophy and description of services, including the philosophy of recovery oriented and welcoming service delivery;
 - (2) Identity of the professional staff that provides these services;
 - (3) Admission and exclusionary criteria that identify the type of consumers for whom the services is primarily intended, with no exclusion criteria based on active substance use disorders;
 - (4) Goals and objectives, including making progress toward co-occurring capable, trauma informed, and culturally competent service delivery; and
 - (5) Delineation of processes to assure welcoming accessible, integrated, and co-occurring capable services and a plan for how each program component will address the needs of individuals with co-occurring disorders.
- (f) The CMHC shall have written statement of the quality improvement processes, procedures and plans for attaining the organization's goals and objectives. These procedures and plans shall define specific tasks, including actions regarding the organization's co-occurring capability set target dates and designate staff responsible for carrying out the procedures and plans.
- (g) Compliance with OAC 450:18-13-1 shall be determined by a review of the facility's target population definition; facility policy and procedures; mission statement; written plan for professional services; other stated required documentation; and any other supporting documentation.

450:17-13-2. Information analysis and planning

- (a) The CMHC shall have a defined and written plan for conducting an organizational needs assessment which specifies the methods and data to be collected, to include, but not limited to information from:
 - (1) Consumers;
 - (2) Governing Authority;
 - (3) Staff;
 - (4) Stakeholders;
 - (5) Outcomes management processes;
 - (6) Quality record review and
 - (7) Self-assessment tools to determine progress toward co-occurring, recovery oriented, trauma informed and consumer driven capability.
- (b) The CMHC shall have a defined ongoing system to collect data and information on a quarterly basis to manage the organization.
- (c) Information collected shall be analyzed to improve consumer services and organizational performance.
- (d) The CMHC shall prepare an end of year management report, which shall include but

not be limited to:

- (1) an analysis of the needs assessment process, and
 - (2) performance improvement program findings.
- (e) The management report shall be communicated and made available to, among others:
- (1) the governing authority,
 - (2) facility staff, and
 - (3) ODMHSAS if and when requested.
- (f) Compliance with OAC 450:17-13-2 shall be determined by a review of the written program evaluation plan(s); written annual program evaluation(s), special or interim program evaluations; program goals and objectives; and other supporting documentation provided.

SUBCHAPTER 15. PERFORMANCE IMPROVEMENT AND QUALITY MANAGEMENT

450:17-15-1.1. Performance improvement program

- (a) The CMHC shall have an ongoing performance improvement program designed to objectively and systematically monitor, evaluate and improve the quality of consumer care.
- (b) The Performance improvement program shall also address the fiscal management of the organization.
- (c) The facility shall have an annual written plan for performance improvement activities. The plan shall include but not be limited to:
- (1) Outcomes management specific to each program component which minimally measures:
 - (A) efficiency;
 - (B) effectiveness; and
 - (C) consumer satisfaction.
 - (2) A quarterly quality consumer record review to evaluate and ensure, among others:
 - (A) the quality of services delivered;
 - (B) the appropriateness of services;
 - (C) patterns of service utilization;
 - (D) consumers are provided an orientation to services, and actively involved in making informed choices regarding the services they receive;
 - (E) assessments are thorough, timely and complete;
 - (F) treatment goals and objectives are based on, at a minimum,
 - (i) assessment findings, and
 - (ii) consumer input;
 - (G) services provided are related to the treatment plan goals and objectives;
 - (H) services are documented as prescribed by policy; and
 - (I) the treatment plan is reviewed and updated as prescribed by policy.
 - (3) Clinical privileging;
 - (4) Review of critical and unusual incidents and consumer grievances and complaints; and
 - (5) Improvement in the following:

- (A) co-occurring capability, including the utilization of self-assessment tools as determined or recommended by ODMHSAS;
 - (B) provision of trauma informed services;
 - (C) provision of culturally competent services; and
 - (D) provision of consumer driven services.
- (d) The CMHC shall monitor the implementation of the performance improvement plan on an ongoing basis and makes adjustments as needed.
- (e) Performance improvement findings shall be communicated and made available to, among others:
- (1) the governing authority;
 - (2) facility staff; and
 - (3) ODMHSAS if and when requested.
- (f) Compliance with 450:17-15-1.1 shall be determined by a review of the written program evaluation plan; written program evaluations (annual and or special or interim; program goals and objectives; and other supporting documentation provided).

450:17-15-5. Incident reporting

- (a) The facility shall have written policies and procedures requiring documentation and reporting of critical incidents and analysis of the contributors to the incident, with attention to issues that may reflect opportunities for system level or program level improvement.
- (b) The documentation for critical incidents shall contain, minimally:
- (1) the facility, name and signature of the person(s) reporting the incident;
 - (2) the name(s) of the consumer(s), staff member(s) or property involved;
 - (3) the time, date and physical location of the critical incident;
 - (4) the time and date the incident was reported and name of the staff person within the facility to whom it was reported;
 - (5) a description of the incident;
 - (6) resolution or action taken, date action taken, and signature of appropriate staff; and
 - (7) severity of each injury, if applicable. Severity shall be indicated as follows:
 - (A) No off-site medical care required or first aid care administered on-site;
 - (B) Medical care by a physician or nurse or follow-up attention required; or
 - (C) Hospitalization or immediate off-site medical attention was required;
- (c) Critical incidents shall be reported to ODMHSAS with specific timeframes, as follows:
- (1) Critical incidents requiring medical care by a physician or nurse or follow-up attention and incidents requiring hospitalization or immediate off-site medical attention shall be delivered via fax or mail to ODMHSAS Provider Certification within twenty-four (24) hours of the incident being documented.
 - (2) Critical incidents involving allegations constituting a sentinel event or consumer abuse shall be reported to ODMHSAS immediately via telephone or fax, but not more than twenty-four (24) hours of the incident. If reported by telephone, the report shall be followed with a written report within twenty-four (24) hours.
- (d) Compliance with 450:17-15-5 shall be determined by a review of facility policy and procedures; copies of incidents reports at the facility; and reports of incidents submitted to ODMHSAS.

SUBCHAPTER 19. HUMAN RESOURCES

450:17-19-1. Personnel policies and procedures

- (a) The facility shall have written personnel policies and procedures approved by the governing authority.
- (b) All employees shall have access to personnel policies and procedures, as well as other Rules and Regulations governing the conditions of their employment.
- (c) The facility shall develop, adopt, and maintain policies and procedures at each provider location to promote the objectives of the center and provide for qualified personnel during all hours of operation to support the functions of the facility and the provision of quality care.
- (d) Compliance with 450:17-19-1 shall be determined by a review of written personnel policies and procedures, and other supporting documentation provided.

450:17-19-2. Job descriptions

- (a) There shall be job descriptions for all positions setting forth minimum qualifications and duties of each position.
- (b) All job descriptions shall include an expectation of core competencies in relation to individuals with co-occurring disorders.
- (c) Compliance with 450:17-19-2 shall be determined by a review of written job descriptions for all facility positions, and other supporting documentation provided.

450:17-19-3. Utilization of volunteers

- (a) In facilities where volunteers are utilized, specific policies and procedures shall be in place to define the purpose, scope, and training, supervision and operations related to the use of volunteers.
- (b) A qualified staff member shall be assigned the role of, or responsibility as, the volunteer coordinator.
- (c) Volunteer policies and procedures shall be reviewed by the governing authority upon revision.
- (d) There shall be documentation to verify orientation of each volunteer which shall enable him or her to have knowledge of program goals and familiarity with routine procedures.
- (e) The volunteer orientation shall include explanations, at a minimum, of the following:
 - (1) The importance of maintaining confidentiality and protecting consumer's rights, as well as the legal ramifications of State and Federal regulations concerning confidentiality;
 - (2) The facility's policies and procedures;
 - (3) Any other necessary information to ensure that volunteer staff members are knowledgeable enough to carry out the responsibilities of their position; and
 - (4) Documentation of volunteer's understanding of policies, goals and job.
- (f) Compliance with 450:17-19-3 shall be determined by a review of volunteer policies and procedures; designation of a volunteer coordinator; written orientation plan; orientation program; written goals and objectives; volunteer personnel files; and volunteer records.

SUBCHAPTER 21. STAFF DEVELOPMENT AND TRAINING

450:17-21-1. Staff qualifications

- (a) All staff who provide clinical services shall have documented qualifications or training specific to the clinical services they provide within the CMHC.
- (b) Compliance with 450:17-21-1 shall be determined by a review of staff personnel files and other supporting documentation provided.

450:17-21-2. Staff development

- (a) The CMHC shall have a written plan for the professional growth and development of all administrative, professional and support staff.
- (b) This plan shall include, but not be limited to:
 - (1) orientation procedures;
 - (2) in-service training and education programs;
 - (3) availability of professional reference materials; and
 - (4) mechanisms for insuring outside continuing educational opportunities for staff members.
- (c) The results of performance improvement activities, accrediting and audit findings and recommendations shall be addressed by and documented in the staff development and clinical privileging processes.
- (d) Staff competency development shall be aligned with the organization's goals related to co-occurring capability, and incorporate a training plan, training activities, and supervision designed to improve co-occurring core competencies of all staff.
- (e) Staff education and in-service training programs shall be evaluated by the CMHC at least annually.
- (f) Compliance with 450:17-21-2 shall be determined by a review of the staff development plan; clinical privileging processes; documentation of in-service training programs; and other supporting documentation provided.

450:17-21-3. Annually required in-service training for all employees

- (a) In-service presentations shall be conducted each calendar year and are required for all employees on the following topics:
 - (1) Fire and safety;
 - (2) AIDS and HIV precautions and infection control;
 - (3) Consumer's rights and the constraints of the Mental Health Patient's Bill of Rights;
 - (4) Confidentiality;
 - (5) Oklahoma Child Abuse Reporting and Prevention Act, 10 O.S. §§ 7101-7115; and
 - (6) Facility policy and procedures
 - (7) Cultural Competence; ~~and,~~
 - (8) Co-occurring disorder competency and treatment principles—;
 - (9) Trauma informed and;
 - (10) Age and developmentally appropriate trainings, where applicable.
- (b) All clinical staff shall have non-physical intervention training in techniques and philosophies addressing appropriate non-violent interventions for potentially physical interpersonal conflicts, staff attitudes which promote dignity and enhanced self-esteem.

keys to effective communication skills, verbal and non-verbal interaction and non-violent intervention within three (3) months of being hired with annual updates thereafter.

(c) The local facility Executive Director shall designate which positions and employees, including temporary employees, will be required to successfully complete physical intervention training. An employee shall not provide direct care services to consumers until completing this training.

(d) The training curriculum for 450:17-21-3 (b) and (c) must be approved by the ODMHSAS commissioner or designee in writing prior to conducting of any training pursuant to this provision.

(e) Compliance with 450:17-21-3 shall be determined by a review of in-service training records; personnel records; and other supporting written information provided.

450:17-21-4. First Aid and CPR training

(a) The CMHC shall have staff during all hours of operation at each program site who maintains current certification in basic first aid and Cardiopulmonary Resuscitation (CPR).

(b) Compliance with 450:17-21-4 shall be determined by a review of staff training records and other supporting written information, including, but not limited to staff schedules to assure all program sites are continuously staff with staff trained in item (a) above.

450:17-21-5. CAPE training [REVOKED]

~~(a) The CMHC shall require all persons providing direct clinical services have training in Creating A Positive Environment (CAPE) with annual updates within six (6) months of being hired.~~

~~(b) In lieu of CAPE, a CMHC may petition DMHSAS Provider Certification for approval to substitute CAPE with a different curriculum that must be published, have similar learning objectives, and incorporate similar number of hours required for staff training. Such petition will have to be approved in writing prior to conducting of any training pursuant to this provision.~~

~~(c) Compliance with 450:17-21-5 shall be determined by a review of staff training records and other supporting written information.~~

SUBCHAPTER 23. FACILITY ENVIRONMENT

450:17-23-1. Facility environment

(a) The CMHC shall obtain an annual fire and safety inspection from the State Fire Marshall or local authorities which documents approval for continued occupancy.

(b) CMHC staff shall know the exact location, contents and use of first aid supply kits and fire fighting equipment. First aid supplies and fire fighting equipment shall be maintained in appropriately designated areas within the facility.

(c) There shall be posted written plans and diagrams noting emergency evacuation routes in case of fire, and shelter locations in case of severe weather.

(d) Facility grounds shall be maintained in a manner to provide a safe environment for consumers, personnel, and visitors.

(e) The director of the CMHC or designee shall appointment of a safety officer.

(f) The facility shall have an emergency preparedness program designed to provide for

the effective utilization of available resources so that consumer care can be continued during a disaster. The emergency preparedness program is evaluated annually and is updated as needed.

(g) Policies for the use and control of personal electrical equipment shall be developed and implemented.

(h) There shall be an emergency power system to provide lighting throughout the facility.

(i) The CMHC director shall ensure there is a written plan to cope with internal and external disasters. External disasters include, but are not limited to, tornados, explosions, and chemical spills.

(j) Compliance with 450:17-23-1 shall be determined by visual observation; posted evacuation plans; a review of the CMHC's annual fire and safety inspection report; and a review of policy, procedures and other supporting documentation provided.

SUBCHAPTER 25. GOVERNING AUTHORITY

450:17-25-1. Documents of authority

(a) There shall be a duly constituted authority and governance structure for assuring legal responsibility and for requiring accountability for performance and operation of the facility (including all components and satellites).

(b) The governing authority shall have written documents of its source of authority, which shall be available to the public upon request.

(c) In accordance with governing body bylaws, rules and regulations, the chief executive officer is responsible to the governing body for the overall day-to-day operation of the facility, including the control, utilization, and conservation of its physical and financial assets and the recruitment and direction of the staff.

(1) The source of authority document shall state:

(A) The eligibility criteria for governing body membership;

(B) The number and types of membership;

(C) The method of selecting members;

(D) The number of members necessary for a quorum;

(E) Attendance requirements for governing body membership;

(F) The duration of appointment or election for governing body members and officers; and

(G) The powers and duties of the governing body and its officers and committees or the authority and responsibilities of any person legally designated to function as the governing body.

(2) There shall be an organizational chart setting forth the operational components of the facility and their relationship to one another.

(d) Compliance with 450:17-25-1 shall be determined by a review of the following: bylaws, articles of incorporation, written document of source of authority, minutes of governing board meetings, job description of the CEO, and the written organizational chart.

450:17-25-2. Board composition

(a) Members of the Board of Directors shall reside, or be employed, or otherwise have a demonstrated interest in the area served.

- (b) The composition of the Board shall reflect an equitable representation of the population distribution in the service area. Each county in a multi-county service area of five or fewer counties must be represented on the Board by at least one resident of the county. CMHCs serving six or more counties may rotate such membership or otherwise ensure representation.
- (c) Composition of the Board shall also reflect a broad representation of the community, including minorities, at least one consumer of Mental Health services and one family member of a child with an emotional disturbance.
- (d) No more than forty percent of the Board's members shall be providers of mental health services.
- (e) The Board shall have no less than seven members.
- (f) System shall be devised to provide for a staggering of terms so that the terms of the Directors do not all expire at the same time.
- (g) The Board shall have a provision for the removal of individuals from the Board for non-attendance of Board meetings.
- (h) The governing body shall meet at least quarterly.
- (i) Employees of an agency shall be prohibited from participation as Board members of their governing authority, except in an ex-official, nonvoting capacity.
- (j) The meetings of the Board of Directors shall comply with the Oklahoma open meeting laws.
- (k) Compliance with 450:17-25-2 shall be determined by a review of facility policy and procedures regarding governing authority; governing body bylaws, rules and regulations; governing body minutes; membership rolls; and other documentation as needed.

SUBCHAPTER 27. SPECIAL POPULATIONS

450:17-27-1. Americans with disabilities act of 1990

- (a) Under Titles 11 and 111 of the ADA, the CMHCs shall comply with the "Accessibility Guidelines for Buildings and Facilities (ADAAG) for alterations and new construction." United States government facilities are exempt for the ADA as they shall comply with the "Uniform Federal Accessibility Standards (UFAS)", effective August 7, 1984. Also available for use in assuring quality design and accessibility is the American National Standards Institute (ANSI) A117.1 "American National Standard for Accessible and Usable Buildings and Facilities."
- (b) State and local standards for accessibility and usability may be more stringent than ADA, UFAs, or ANSI A 117.1. The CMHC shall assume responsibility for verification of all applicable requirements and comply with the most stringent standards.
- (c) The CMHC shall have written policy and procedures providing or arranging for services for persons who fall under the protection of the Americans With Disabilities Act of 1990 and provide documentation of compliance with applicable Federal, state, and local requirements. A recommended reference is the "Americans With Disabilities Handbook" published the in U.S. Equal Employment Opportunities Commission and the U.S. Department of Justice.
- (d) Compliance with 450:17-27-1 shall be determined through a review of facility written policy and procedure; and any other supporting documentation.

450:17-27-2. Human Immunodeficiency Virus (HIV), and Acquired Immunodeficiency Syndrome (AIDS)

- (a) The facility shall have a policy of non-discrimination against persons with HIV infection or AIDS.
- (b) All facilities shall observe the Universal Precautions For Transmission of Infectious Diseases as set forth in, "Occupational Exposure to Bloodborne Pathogens" published by the (U.S.) Occupations Safety Health Administration [OSHA]; and
 - (1) There shall be written documentation the aforesated Universal Precautions are the policy of the facility;
 - (2) In-service training regarding the Universal Precautions shall be a part of employee orientation and, at least once per year, is included in employee in-service training.
- (c) Compliance with 450:17-27-2 is determined by reviews of facility policy and procedure and in-service training records, schedules, or other documentation.