

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE  
ABUSE SERVICES  
CHAPTER 17. STANDARDS AND CRITERIA FOR COMMUNITY MENTAL  
HEALTH CENTERS**

**RULE IMPACT STATEMENT**

**PROPOSED RULES:**

SUBCHAPTER 1. GENERAL PROVISIONS

450:17-1-2 Definitions [AMENDED]

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

SUBCHAPTER 7. FACILITY CLINICAL RECORDS

450:17-7-10 Progress Notes [AMENDED]

SUBCHAPTER 9. CONSUMER RECORDS AND CONFIDENTIALITY

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

SUBCHAPTER 21. STAFF DEVELOPMENT AND TRAINING

450:17-21-3 Annually required in-service training for all employees  
[AMENDED]

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

1. **THE PURPOSE OF THE PROPOSED RULES.** In accordance with the Administrative Procedures Act these proposed rules are part of the Department's review of Title 450 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 as community mental health centers. Further, this Section requires the Board to promulgate rules and standards for certification of facilities or organizations that desire to be certified. The proposed rules clarify existing rules and are intended to comply with statutory changes. Consumer rights regarding confidentiality are expanded, strengthened and clarified.
2. **THE CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULES, INCLUDING CLASSES THAT WILL BEAR THE COSTS OF THE PROPOSED RULE, AND ANY INFORMATION ON COST IMPACTS RECEIVED FROM PRIVATE OR PUBLIC ENTITIES.** Consumers and employees and consumers of community mental health centers operated by, under contract with, and certified by ODMHSAS.
3. **THE CLASSES OF PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULES.** Consumers of community mental health centers, their families, and the communities in which these centers operate.
4. **THE PROBABLE ECONOMIC IMPACT OF THE PROPOSED RULES UPON THE AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS, INCLUDE A LISTING OF ALL FEE CHANGES AND**

**WHENEVER POSSIBLE, JUSTIFICATION FOR EACH.** ODMHSAS does not anticipate these rules to increase the costs of this Department or other affected parties.

5. **THE PROBABLE COSTS AND BENEFITS TO ODMHSAS AND TO ANY OTHER AGENCY FOR IMPLEMENTING AND ENFORCING THE PROPOSED RULES AS WELL AS, ANY ANTICIPATED EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES, IF SUCH CAN BE PROJECTED.** The proposed revisions are revenue and expense neutral. ODMHSAS and other organizations responsible for implementation and enforcement currently must comply with comparable or similar requirements.
6. **DETERMINATION WHETHER IMPLEMENTATION OF THE PROPOSED RULES WILL HAVE AN ECONOMIC IMPACT UPON ANY POLITICAL SUBDIVISIONS OR REQUIRE THEIR COOPERATION IN IMPLEMENTING AND ENFORCING THE PROPOSED RULES.** ODMHSAS does not anticipate the implementation of these proposed revisions will have an economic impact upon any political subdivision or parties required to implement or enforce such.
7. **DETERMINATION IF IMPLEMENTATION OF THE PROPOSED RULES MAY HAVE AN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES.** ODMHSAS has determined these rules will not have an adverse effect on small businesses.
8. **THE MEASURES ODMHSAS HAS TAKEN TO MINIMIZE COMPLIANCE COSTS AND A DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY METHODS OR LESS INTRUSIVE METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES.** Throughout the year ODMHSAS staff gather relevant information via on-site reviews, contract compliance verification, performance improvement activities and public forums that consist of volunteer Oklahoma citizens. Additionally, ODMHSAS staff meets regularly with stakeholders in order to communicate the planned actions of the Department concerning rulemaking, as well as other issues. While it is difficult to balance the needs of our consumers with those of the various providers, the Department proposes rules with each of these issues and interests considered.
9. **DETERMINATION OF THE EFFECT OF THE PROPOSED RULES ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND, IF THE PROPOSED RULES ARE DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT. EXPLAIN THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULES WILL REDUCE THE RISK.** ODMHSAS anticipates these rules to enhance treatment services by more clearly defining service expectations.

- 10. DETERMINATION IF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULES ARE NOT IMPLEMENTED.** Community mental health centers provide comprehensive and essential services to citizens throughout the state of Oklahoma. The programs provide a public health service assuring quality and accessible care for persons and their families impacted by mental illnesses. Facilities operating without the benefit of monitoring and oversight pursuant to these rules could potentially provide care in unsafe and ineffective manners.

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