

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE
SERVICES
CHAPTER 18. STANDARDS AND CRITERIA FOR ALCOHOL AND DRUG
TREATMENT PROGRAMS
RULE IMPACT STATEMENT**

PROPOSED RULES:

SUBCHAPTER 1. GENERAL PROVISIONS

- 450:18-1-2 Definitions [AMENDED]
- 450:18-1-6 Annual review of standards and criteria [REVOKED]

SUBCHAPTER 5. ORGANIZATIONAL AND FACILITY MANAGEMENT

- 450:18-5-3.2 Standards for food service [AMENDED]

SUBCHAPTER 7. CONSUMER RECORDS

- 450:18-7-3.1 Confidentiality of mental health and drug or alcohol abuse treatment information [AMENDED]

SUBCHAPTER 13. SUBSTANCE ABUSE TREATMENT SERVICES

- 450:18-13-21 Outpatient services [AMENDED]
- 450:18-13-42 Service requirements [AMENDED]
- 450:18-13-141 Adult residential treatment for consumers with co-occurring disorders [AMENDED]
- 450:18-13-201 Halfway house services for persons with dependent children [AMENDED]

PURPOSE OF THE PROPOSED RULES: In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 18 are part of the Department's review of Title 450. The proposed rules clarify existing rules and are intended to comply with statutory changes. Consumer rights regarding confidentiality are expanded, strengthened and clarified.

CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULES, INCLUDING CLASSES THAT WILL BEAR THE COSTS OF THE PROPOSED RULE: Employees and consumers of substance abuse treatment services either operated or certified by or under contract with ODMHSAS. However, the Department has determined these rules to be revenue and cost neutral.

CLASSES OF PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULES: Consumers of substance abuse treatment services, the organizations operated and certified by or under contract with ODMHSAS to provide these services, and the employees of these treatment providers.

PROBABLE ECONOMIC IMPACT OF THE PROPOSED RULES UPON THE AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS: The Department does not anticipate these rules will increase the costs of this Department or any affected parties.

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: The Department has determined these proposed revisions to be revenue and expense neutral.

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. The Department does not anticipate the implementation or enforcement of the proposed revisions will have an economic impact upon any political subdivision.

DETERMINATION IF IMPLEMENTATION OF THE PROPOSED RULES MAY HAVE AN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES. The Department has determined these rule revisions will not have an adverse effect on small businesses.

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. Additionally, ODMHSAS staff meets regularly with stakeholders in order to communicate the planned actions of the Department with regards to rulemaking, as well as other issues, and offers Technical Assistance to contractors. 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.

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: ODMHSAS anticipates these rules to enhance treatment services by more clearly defining service expectations, and continuing to address life safety mandates. In addition, these revisions add statutory credentialing qualifications of staff by incorporating licensure and certification requirements for the professional treatment of alcohol and drug use, abuse, and dependence.

DETERMINATION IF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULES ARE NOT IMPLEMENTED: If the proposed rules are not implemented, alcohol and drug treatment programs and their services will not be optimized thus compromising consumers' and their families' safety and well-being.

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