

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

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TITLE 450

Chapter 21

**Certification of Alcohol and Drug Substance Abuse
Courses (ADSAC),
Organizations and Facilitators**

Effective July 1, 2006

Authority: Oklahoma Board of Mental Health and Substance Abuse Services; 43A O.S. §§ 2-101, 3-451 through 3-460; 47 O.S. §§ 6-212.2 and 11-902; 22 O.S. § 991c

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SUBCHAPTER 1. CERTIFICATION OF ALCOHOL AND DRUG SUBSTANCE ABUSE COURSES (ADSAC), ORGANIZATIONS AND INSTRUCTORS

450:21-1-1. Purpose

This chapter sets forth the standards and criteria used in the certification of Alcohol and Drug Substance Abuse courses and facilitators and implements 43A O.S. §§ 3-451 through 3-460.

450:21-1-2. Statutory authority

(a) Under 43A O.S. § 3-453(D), ODMHSAS has authority to certify Alcohol and Drug Substance Abuse Courses. Pursuant to 47 O. S. § 6-212.2, persons convicted of driving under the influence of alcohol or other intoxicating substances or receiving an alcohol or other drug related revocation or suspension of driving privileges must complete an Alcohol and Drug Substance Abuse Course as a requirement for reinstatement of Oklahoma driving privileges.

(b) Pursuant to 43A O. S. §§ 3-453, ODMHSAS is authorized to adopt rules governing:

- (1) Applications and certification of organizations and institutions to conduct ADSAC;
- (2) Denial, suspension or revocation of certification;
- (3) Minimum requirements for all ADSAC content and curricula;
- (4) Minimum qualifications for all ADSAC facilitators;
- (5) Enrollment fees for those attending ADSAC;
- (6) Facilities, equipment and instructional materials for ADSAC;
- (7) Minimum qualifications for facilitators of ADSAC facilitator training;
- (8) ADSAC student attendance requirements; and
- (9) Requirements for certifying to ODMHSAS and DPS successful course completion of ADSAC by a person.

450:21-1-3. Definitions

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

"ADSAC" means Alcohol and Drug Substance Abuse Course.

"10 Hour ADSAC Facilitator" means an individual certified to teach the ten (10) hour ADSAC.

"24 Hour ADSAC Facilitator" means an individual certified to teach the twenty-four (24) hour ADSAC.

"Administrator" means the person responsible for administering ADSAC within a certified organization or institution.

"Action Code" means a numerical designation applied to ADSAC by the Oklahoma Department of Public Safety, and which will be provided by ODMHSAS to organizations and institutions conducting ADSAC, for use in completing the written verification of an individual's completion of an ADSAC.

"Certification" means organization, institution or individual approved by ODMHSAS to conduct ADSAC.

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

"Conflict of interest" means a conflict between the private interests and public obligations of a certified organization, institution, or certified ADSAC Facilitator.

"Consumer" means an individual, adult or child, who is receiving services, evaluation or treatment, from an entity operated or certified by ODMHSAS or with which ODMHSAS contracts and includes all persons referred to in OAC Title 450 Chapters 16, 17, 18, 19 and 23 as client(s) or patient(s) or resident(s) or a combination thereof.

"Course" means multiple classes offering an approved ADSAC curriculum.

"Curricula" (plural of Curriculum) See Curriculum.

"Curriculum" means a course of study in alcohol and drug substance abuse.

"Denial" means a refusal to certify to conduct ADSAC.

"DPS" means Department of Public Safety.

"Equipment" means hardware, such as audio visual equipment, used as a tool to present material in an ADSAC.

"Facilitator candidate" means an individual who has applied to be certified to conduct ADSAC, as either a 10 hour or 24 hour ADSAC Facilitator.

"Facility" means building in which ADSAC is conducted.

"Guest instructor" means non-certified individual invited to discuss a specific portion of ADSAC curriculum.

"Instructional material" means written or printed data distributed to the student during the normal course of an ADSAC schedule, for informational or educational purposes.

"Intern facilitator" means a facilitator who has initial approval to conduct ADSAC, either 10 Hour or 24 Hour, but who has not completed internship or training requirements, and is not certified.

"Lapse" means the expiration of an otherwise valid ADSAC certification due to the failure to timely complete and submit the required application for recertification.

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

"Offender" means a person convicted of driving under the influence of alcohol or other intoxicating substances or receiving an alcohol or drug related revocation or suspension of driving privileges.

"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.

"Professional setting" means a facility that is adequate and suitable for the purpose of providing adult education or assessment services, meeting all confidentiality requirements of 42 CFR, Part 2 and HIPAA, and without distraction or interruption from adjacent business or activities.

"Recertification" means the renewal of certification for an institution, or organization, or instructor to provide ADSAC.

"Revocation" means cancellation of an existing certification to conduct or instruct ADSAC.

"Student" means an individual who pays an enrollment fee to attend ADSAC.

"Suspend" means to temporarily cancel certified ADSAC services for a designated period.

"Transtheoretical Model of Change" or **"TMC"** means a model which identifies distinct stages of change existing for each individual involved in any educational or therapeutic process and enhances the ability to accurately assess the individual's readiness for clinical or educational engagement at the time of an assessment. This is also referred to as the "Stages of Change" model.

450:21-1-5. Compliance with laws, rules

- (a) All organizations or institutions and facilitators certified by ODMHSAS to conduct ADSAC shall do so in accordance with all applicable laws of the State of Oklahoma and all applicable rules (OAC Title 450) of ODMHSAS.
- (b) Each applicant shall declare in writing, in a format and manner prescribed by the Commissioner of ODMHSAS, that he or she has read and understands §§ 3-451 through 3-460 of Title 43A of the Oklahoma Statutes and this chapter and agrees to abide by the terms thereof, along with future amendments thereto, as a condition for obtaining and retaining such approval or certification.
- (c) ODMHSAS shall process all applications, and enforce these standards and criteria (rules) in this chapter, and related laws.
- (d) Approved organizations, institutions and facilitators shall not make reference to ODMHSAS or DPS in any advertisement. Advertising shall be truthful in all communication with prospective students. Implication of exclusive services by any one organization is prohibited.
- (e) All organizations, institutions and facilitators certified to conduct ADSAC must promptly notify ODMHSAS of a change of mailing or physical address within fourteen (14) days of said change.
- (f) The fees for those attending ten (10) hour ADSAC shall be one hundred and fifty dollars (\$150.00) per student; and for persons attending the twenty-four (24) hour courses the fee shall be three hundred and sixty dollars (\$360.00).
- (g) The ADSAC organization or institution shall pay ODMHSAS ten percent (10%) of each ADSAC fee collected, which ODMHSAS shall remit to the Oklahoma State Treasurer to be credited to the ODMHSAS Revolving Fund.
- (h) The payment from the ADSAC fee collected for each participant shall be made to ODMHSAS within thirty (30) days of completion of the course.
- (i) A check for the appropriate fee shall accompany the completion roster, unless otherwise stipulated in writing by ODMHSAS.
- (j) Each facilitator and school shall annually submit to ODMHSAS a notarized affidavit documenting the number of courses conducted, number of participants, and fees paid for the ADSACs within the previous twelve (12) months.

450:21-1-4. 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.

450:21-1-5. Compliance with laws, rules

(a) All organizations or institutions and facilitators certified by ODMHSAS to conduct ADSAC shall do so in accordance with all applicable laws of the State of Oklahoma and all applicable rules (OAC Title 450) of ODMHSAS.

(b) Each applicant shall declare in writing, in a format and manner prescribed by the Commissioner of ODMHSAS, that he or she has read and understands §§ 3-451 through 3-460 of Title 43A of the Oklahoma Statutes and this chapter and agrees to abide by the terms thereof, along with future amendments thereto, as a condition for obtaining and retaining such approval or certification.

(c) ODMHSAS shall process all applications, and enforce these standards and criteria (rules) in this chapter, and related laws.

(d) Approved organizations, institutions and facilitators shall not make reference to ODMHSAS or DPS in any advertisement. Advertising shall be truthful in all communication with prospective students. Implication of exclusive services by any one organization is prohibited.

(e) All organizations, institutions and facilitators certified to conduct ADSAC must promptly notify ODMHSAS of a change of mailing or physical address within fourteen (14) days of said change.

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(g) The ADSAC organization or institution shall pay ODMHSAS ten percent (10%) of each ADSAC fee collected, which ODMHSAS shall remit to the Oklahoma State Treasurer to be credited to the ODMHSAS Revolving Fund.

(h) The payment from the ADSAC fee collected for each participant shall be made to ODMHSAS within thirty (30) days of completion of the course.

(i) A check for the appropriate fee shall accompany the completion roster, unless otherwise stipulated in writing by ODMHSAS.

450:21-1-6. Applications

(a) Applications for certification of organizations or institutions and facilitators to conduct 10 hour or 24 hour ADSAC shall be made to ODMHSAS in writing on a form and in a manner prescribed by the Commissioner of ODMHSAS.

(b) ODMHSAS shall give each organization, institution and facilitator candidate requesting certification to conduct 10 hour or 24 hour ADSAC the following:

- (1) A copy of §§ 3-451 through 3-453 of Title 43A of the Oklahoma Statutes;
- (2) A copy of these standards and criteria; and
- (3) The appropriate application(s).

(c) An organization or institution applying for certification to conduct ADSAC shall provide to ODMHSAS for consideration:

- (1) Completed application;
- (2) Film approval form(s) for the 10 or 24 Hour ADSAC;

- (3) Instructional materials for the 10 or 24 Hour ADSAC;
 - (4) Written verification the applicant is a nonprofit educational institution of higher learning, a governmental entity or a nonprofit corporation. If a non-profit corporation, verification shall be a copy of the U.S. Internal Revenue Service Documents granting the corporation 501(c)(3) status;
 - (5) Completed certification applications and resumes of proposed facilitators;
 - (6) The physical address (street, building name and suite [if applicable], city and zip code) and description of all sites at which the ADSAC will be conducted;
 - (7) Letters of support from at least two (2) of the following (and who serve the location in which each proposed site is located):
 - (A) District or Associate District Judge;
 - (B) County Sheriff;
 - (C) Municipal Judge;
 - (D) District or Assistant District Attorney; or
 - (E) Chief of Police.
- (d) If the applicant is a non-profit corporation, the applicant shall submit evidence it was constituted, and is operated, to provide substance abuse, mental health or educational services as its primary services and that the corporation is operated from a professional administrative office, which is open and operated during normal business hours.
- (e) Requests from a certified ADSAC provider for additional or replacement course sites shall be submitted to the ODMHSAS and shall meet all requirements for initial applications except it need not submit items previously submitted and are currently applicable to the new site(s) and expressly stated as such in the application for new course site(s).
- (f) Renewal of certification of ADSAC organizations or institutions shall be contingent upon submission of renewal application and programmatic history of compliance. The application for renewal shall include all items required for initial certification.
- (g) An applicant for initial certification as a facilitator to conduct ADSAC shall provide to ODMHSAS for consideration:
- (1) A letter of recommendation from an administrator of a certified organization or institution;
 - (2) A current resume, which shall include:
 - (A) Education background including an official college transcript from an accredited college or university, and
 - (B) Employment history covering the previous ten (10) years to include name, complete address and telephone number of employer(s).
 - (3) A completed application; and
 - (4) Upon initial application and every six (6) years thereafter, a completed Oklahoma State Bureau of Investigation background check and a similar background check from any other state(s) of residence for the past five (5) years.
 - (5) Remission of a one hundred dollar (\$100.00) application fee for initial certification.
- (h) ODMHSAS shall consider each applicant for certification in accordance with these rules. The Commissioner of ODMHSAS or designee shall notify each applicant in writing of an approval or denial of certification. Certification shall be effective for three (3) years (36 months) commencing with the date of issue.
- (i) Faxes will not be accepted as permanent copies for an applicant's file.

(j) Applications are good for one (1) year from acceptance. All requirements must be completed within the initial twelve (12) month period or a new application must be submitted.

(k) Completed applications must be received by ODMHSAS thirty (30) days prior to the publicly announced training event.

(l) A facilitator whose certification has been expired for more than twelve (12) months must make application for an initial certification as set forth in 21-1-10, including attending the initial ADSAC facilitator training, and successful completion of the training exam.

(m) Each facilitator shall notify ODMHSAS of any change of application information related to his or her email address, phone number, work or home address at least 15 days in advance of the change. In case of an emergency, the facilitator may notify ODMHSAS of any change up to 30 days after a change has occurred.

450:21-1-7. Minimum curriculum requirements, ten (10) hour courses

(a) The standardized ADSAC curriculum approved by ODMHSAS shall be utilized by all ADSAC organizations, institutions and facilitators for the ten (10) hour ADSAC. Any additional materials must be consistent with the format of the main curricula and follow the transtheoretical model of change.

(b) The ten (10) hour Alcohol and Drug Substance Abuse Course shall at a minimum include instruction on:

- (1) Legal aspects of drinking or using other drugs and driving;
- (2) Physiological aspects of using alcohol and other drugs;
- (3) Sociological aspects of using alcohol and other drugs;
- (4) Effects and possible outcomes of drinking or using other drugs and driving,
- (5) Scope of the problem of drinking or using other drugs and driving,
- (6) The history/origins of alcohol and other drugs;
- (7) The effects on family and friends in the abuse of alcohol and other drugs
- (8) Alternative plans/strategies to using alcohol or other drugs and driving, and

(c) Each curriculum shall provide for a full ten (10) hours of block-teaching classroom instruction, and shall be conducted in no fewer than three (3) sessions with each session no more than three and one half (3.5) hours in duration, and conducted on no fewer than three (3) separate days. These hours shall not be inclusive of:

- (1) Meal or break times; or
- (2) ADSAC administrative functions except for enrollment form completion and fee payment.

(d) Students may be admitted for fifteen (15) minutes after the official starting time of the class without having to make up this time.

(e) Each curriculum shall provide for a discussion period following each audio-visual presentation. Audio-visual materials shall not comprise more than ten (10) percent of the class and must have been submitted and approved at the time of application for certification.

(f) Each ten (10) hour curriculum shall provide for a pre- and post-test. The Pre-test shall be given during the first two (2) hours of the beginning of each course, and the Post-test at the end of each course. The purpose is to determine student gain in knowledge of the material.

- (g) The ADSAC organization, institution or facilitator shall provide each student a list of community referrals and resources provided by ODMHSAS.
- (h) Class size shall not exceed twenty-four (24) students.

450:21-1-7.1. Minimum curriculum requirements, ten (10) hour courses, persons under twenty-one (21) years of age [REVOKED]

450:21-1-7.2. Minimum curriculum requirements, twenty-four (24) hour courses

- (a) The standardized ADSAC curriculum approved by ODMHSAS shall be utilized by all ADSAC organizations, institutions and facilitators for the twenty-four (24) hour ADSAC. Any additional materials must be consistent with the format of the main curricula and follow the transtheoretical model of change.
- (b) The minimum curriculum requirements for the twenty-four (24) hour ADSAC for second and subsequent offenders includes but is not limited to appropriate instruction on:
 - (1) Legal aspects of drinking or using other drugs and driving;
 - (2) Physiological aspects of using alcohol and other drugs;
 - (3) Sociological aspects of using alcohol and other drugs;
 - (4) Effects and possible outcomes of drinking or using other drugs and driving;
 - (5) Scope of the problem of drinking or using other drugs and driving;
 - (6) The history/origins of alcohol and other drug abuse;
 - (7) Alternatives to using alcohol or other drugs and driving; and
 - (8) The effects on family and friends in the abuse of alcohol and other drugs.
- (c) The curriculum shall be covered within the following time-frames:
 - (1) Not more than two (2) hours of education on a single day.
 - (2) Not more than four (4) hours of education in a single week.
 - (3) The time-frames shall not be inclusive of:
 - (A) Meal or break times; or
 - (B) ADSAC administrative functions except for enrollment form completion and fee payment.
 - (4) Students may be admitted up to fifteen (15) minutes after the official time of the class without having to make up the time.
- (d) The curriculum shall provide for a discussion period following each audiovisual presentation. Audiovisual presentation shall not be used for more than ten (10) percent of the total class time.
- (e) The curriculum shall provide for a Pre- and Post-test, as prescribed by ODMHSAS. The Pre-test shall be given in the first two (2) hour block of classroom facilitation, and the Post-test shall be given at the end of the final block of classroom facilitation. These tests are to determine the student knowledge gain of the material.
- (f) Each student shall be given community referrals and resources as appropriate.
- (g) Class size shall not exceed twenty-four (24) students.

450:21-1-7.3. Minimum curriculum requirements, twenty-four (24) hour courses, persons under twenty-one (21) years of age [REVOKED]

450:21-1-8. Administrative responsibilities, institutions or organizations conducting ADSAC

(a) Each organization or institution certified to conduct ADSAC shall provide ODMHSAS, in a manner prescribed by the Commissioner of ODMHSAS, a monthly schedule of courses to be conducted. The scheduled courses shall be provided per the submitted course schedule and the course may only be canceled if zero (0) students show up for the course within fifteen (15) minutes after the scheduled course starting time. The course schedule shall be submitted no later than thirty (30) days in advance of any course start and shall include;

- (1) The complete address, street, building name and suite where applicable, city and zip code, where each course will be conducted;
- (2) The course facilitator;
- (3) The beginning and ending times of each session of the course; and
- (4) Enrollment in ten or twenty-four hour classes shall be limited to twenty-four (24) students.

(b) Each organization or institution certified to conduct ADSAC shall advise ODMHSAS seven (7) days in advance of:

- (1) A 10 Hour or 24 Hour Course cancellation; or
- (2) A scheduled facilitator change (unless change is due to illness or other instructor emergency); or
- (3) Any change of the date or hour of the scheduled 10 Hour or 24 Hour Course.

(c) Failure to offer either a 10 Hour or 24 Hour Course at an approved site for three (3) consecutive months shall constitute a withdrawal from that site and require another application for certification.

(d) If no students attend the first session of a ten (10) or twenty-four (24) hour course, a second or subsequent session is not required.

(e) Failure to either provide a scheduled course to one (1) or more attending students, or staff a scheduled course site for up to fifteen (15) minutes after the scheduled course beginning time may result in administrative reprimand, suspension or revocation. Class may be cancelled when zero (0) students show up after fifteen (15) minutes of the scheduled course beginning time.

(f) ODMHSAS personnel shall be admitted to any course without charge, upon request and display of proper credentials for the purpose of audit and review.

(g) Certified organizations and facilitators must provide, for each phone number published specific to ADSAC, continuous availability, either in person, by phone, answering machine, electronic voice mail, or engage a professional answering service. Numbers published for the purpose of ADSAC advertisement must not be answered by individuals other than those certified to provide ADSAC services.

(h) Organizations certified to conduct ADSAC courses shall be responsible for the conduct of the facilitators they employ, and shall have written policies outlining the organization's oversight procedures.

450:21-1-9. Facilities, equipment and instructional material

- (a) Each facility where an ADSAC course is held must meet local and state fire and safety standards. ODMHSAS may request state or local fire inspectors or other state safety officials to conduct an inspection of any facility suspected of being hazardous.
- (b) Each facility must provide a safe, confidential and comfortable environment for students and instructors, with minimum distractions.
- (c) All equipment must be in good working condition.
- (d) Instructional material issued to students such as handouts, pamphlets, workbooks, etc., must have been submitted to ODMHSAS upon application by the organization or institution for certification.
- (e) Each facility shall be a professional setting as appropriate for the purposes of conducting an ADSAC course.
- (f) Facilities shall not be designed or used for the primary purpose of eating or sleeping (hotel/motel sleeping rooms, restaurant dining rooms, etc.).

450:21-1-10. Ten or 24 hour facilitator certification, qualification and disqualification

- (a) Minimum qualifications for certification of 10 Hour ADSAC facilitators are as follows:
 - (1) Possess a bachelor's degree in behavioral or healthcare sciences education, psychology, social work or chemical dependency with at least two (2) years verifiable full-time equivalent experience in the addiction treatment field.
 - (2) A valid driver's license.
 - (3) Completion of the following in the order listed below:
 - (A) Observe one (1) complete ADSAC conducted by a certified facilitator. This observation must be completed and verified to ODMHSAS prior to attending facilitator training;
 - (B) Attend the instructor training and pass the ODMHSAS Certification Examination for 10 Hour ADSAC Facilitator; and
 - (i) a minimal score to pass the exam shall be eighty (80) percent;
 - (ii) the exam shall require the participant to correctly identify the major components of the transtheoretical model of change;
 - (iii) the exam shall require the participant to correctly identify the major components of the interactive journaling process; and
 - (iv) the exam shall require the participant to correctly identify rules from this chapter;
 - (C) Conduct a complete ADSAC under the supervision of a certified ADSAC facilitator or an ODMHSAS representative.
 - (4) The facilitator candidate shall be allowed one (1) year to complete all training requirements. Failure to meet all requirements within one (1) year will result in denial of certification. To be reconsidered, the candidate will be required to re-apply to ODMHSAS.

(5) Renewal of certification as a 10 Hour ADSAC Facilitator shall be dependent upon renewal application, remission of a twenty-five dollar (\$25.00) application fee for renewal of certification, and the accomplishment of minimum standards. These standards are:

(A) Each facilitator shall conduct at least two (2) complete courses during each twelve (12) month period beginning with the date of initial certification.

(B) Documentation of receiving twelve (12) continuing education hours each twelve (12) month period beginning with the date of initial certification. These hours shall be from each of the following areas with six (6) hours coming from areas (i) and/or (ii) and six (6) hours coming from area (iii):

- (i) adult education,
- (ii) facilitation skills, and
- (iii) alcohol and other drug training.

(b) An applicant for Certified Facilitator for the twenty-four (24) hour ADSAC shall meet the following qualifications:

(1) Be certified as a 10 Hour ADSAC Instructor (in good standing) for at least one (1) year;

(2) Observe at least six (6) hours of a 24 Hour ADSAC Course;

(3) Present at least six (6) hours of a 24 Hour ADSAC under the observation of a certified 24 Hour ADSAC Facilitator, and receive written recommendation for certification from said observer; and

(4) Attend six hours of ODMHSAS 24 Hour ADSAC Facilitator training and pass the ODMHSAS Certification Examination for twenty four (24) Hour ADSAC Facilitator;

(A) a minimal score to pass the exam shall be eighty (80) percent;

(B) the exam shall require the participant to correctly identify the major components of the transtheoretical model of change;

(C) the exam shall require the participant to correctly identify the major concepts of adult learning and basic facilitation skills; and

(D) the exam shall require the participant to correctly identify rules from this chapter;

(c) Renewal for certification as a 24 hour ADSAC Facilitator shall be dependent upon application for recertification, remission of a twenty-five dollar (\$25.00) application fee for renewal of certification, and the accomplishment of the following:

(1) Each facilitator shall conduct at least two (2) complete courses during each twelve (12) month period beginning with the initial certification.

(2) Documentation of receiving twelve (12) continuing education hours each twelve (12) month period beginning with the date of initial certification. These hours shall be from each of the following areas with six (6) hours coming from areas (A) or (B) and six (6) hours coming from area (C):

- (A) adult education,
- (B) facilitation skills, and
- (C) alcohol/drug training.

(d) An applicant may not be certified nor certification as an ADSAC facilitator renewed under any of the following conditions:

- (1) A non-pardoned felony conviction within the last five (5) years;
- (2) Conviction of driving under the influence of alcohol or other intoxicating substances or receiving an alcohol or drug related revocation or suspension of driving privileges for five (5) years prior to the application for certification; or,
- (3) Having involvement in any business or endeavor which is a conflict of interest. ODMHSAS may on its own initiative, or upon complaint, investigate potential or alleged conflict of interest, or any other alleged, or suspected violation of these standards.

450:21-1-11. Facilitator training

(a) Minimum qualifications for organizations or institutions conducting ADSAC Facilitator training, and the minimum qualifications for individuals conducting instructor training are as follows:

- (1) All ADSAC Facilitator training shall only be conducted by non-profit organizations, educational institutions or governmental agencies.
- (2) The Curricula for the training shall be as follows:
 - (A) A minimum of twenty-four (24) hours of instruction.
 - (B) These hours shall be offered in no less than four (4) days and for no more than eight (8) hours per day.
- (3) Teachers for facilitator training must have:
 - (A) A minimum of two (2) years experience as an ADSAC facilitator; or
 - (B) A masters degree from an accredited college or university; or
 - (C) Four (4) years related experience in the subject matter to be taught.
- (4) Each facility where facilitator training courses are conducted shall:
 - (A) Meet local and state fire and safety standards; and
 - (B) Provide a safe and comfortable environment for facilitators and facilitator candidates.
- (5) Instructional equipment must be in good working order.
- (6) Facilitator Training organizations or institutions shall notify potential students, in writing, that facilitator training received prior to written application to ODMHSAS shall not be accepted for Facilitator Certification requirements.
- (7) Each organization or institution shall advise ODMHSAS in writing the names of candidates who did not complete training and the names of persons have successfully completed the facilitator training.

450:21-1-12. Revocation of certification [REVOKED]

450:21-1-13. Consumers with disabilities

Each organization providing ADSAC shall have a written policy addressing its awareness of, and intent to comply with, the (U.S.) Americans with Disabilities Act of 1990.

450:21-1-14. State and federal statutes and regulations

All organizations and facilitators shall comply with all applicable federal and state statutes and regulations.

SUBCHAPTER 3. CERTIFICATION DENIAL OR SANCTIONS

450:21-3-1. Administrative denial, suspension, or revocation of certification

- (a) ODMHSAS may deny the certification of any organization, institution, or facilitator (10 Hour or 24 Hour) to conduct ADSAC who fails to qualify for, or comply with, the provisions of this chapter.
- (b) ODMHSAS may reprimand, suspend, revoke or deny renewal of the certification of any organization, institution, or facilitator (10 Hour or 24 Hour) who fails to qualify for or comply with the provisions of this chapter.
- (c) In the event ODMHSAS determines action should be taken against any person certified under this Chapter, the proceeding shall be initiated pursuant to the rules of ODMHSAS as set forth in Oklahoma Administrative Code, Title 450, Chapter 1, Subchapter 5 and the Administrative Procedures Act.
- (d) Organizations or institutions or facilitators, 10 Hour or 24 Hour, who have had certification renewal denied or revoked, shall be ineligible for reapplication for a period of five (5) years.
- (e) Organizations, institutions or individuals whose certification has expired may apply for initial certification.

450:21-3-1.1. Fitness of applicants

- (a) The purpose of this section is to establish the fitness of the applicant as one of the criteria for approval of certification as a certified ADSAC facilitator and to set forth the criteria by which the Commissioner or designee may determine the fitness of applicants.
- (b) The substantiation of the items below related to the applicant may result in the initiation of suspension or revocation of certification, or denial of, or delay of certification of the applicant. These items include, but are not limited to:
 - (1) Lack of necessary skill and abilities to provide adequate services;
 - (2) Misrepresentation on the application or other materials submitted to the ODMHSAS;
 - (3) A violation of the rules of professional conduct set forth in this Chapter.
 - (4) Evaluations of supervisors or instructors;
 - (5) Evaluation of competency-based project supervisor;
 - (6) Allegations of consumers;
 - (7) Transcripts or other findings from official court, hearing or investigative procedures;
 - (8) Any felony conviction for an offense of violence;
 - (9) Any unpardoned felony convictions within five (5) years;
 - (10) Any felony conviction for a sexual offense; or
 - (11) Any felony conviction for moral turpitude.
- (c) ODMHSAS may require explanation of negative references prior to issuance of certification.

450:21-3-2. Grounds for reprimand, suspension or revocation of certification, organizations and institutions and facilitators

(a) Administrative sanctions may be taken against an organization or institution certified to conduct ADSAC for any of the following reasons:

- (1) Erroneous or false information supplied in any part of the application for certification;
- (2) Allowing more than twenty-four (24) students in any one 10 Hour or 24 Hour course;
- (3) Tardiness or failure to make reports, or to transmit funds required by this chapter;
- (4) Erroneous or falsified information relating to any documents submitted to ODMHSAS;
- (5) Conflict of interest by the organization or institution or its personnel;
- (6) Allowing a non-certified, non-approved, or intern facilitator to conduct an ADSAC without a certified ADSAC facilitator (10 Hour or 24 Hour, as required by the ADSAC being given) present;
- (7) Failure to maintain all records required by ODMHSAS;
- (8) Using facilities not approved by ODMHSAS;
- (9) Knowingly permitting any 10 Hour or 24 Hour ADSAC facilitator to violate any rule of this Chapter, or any other relevant Chapter of these Administrative Rules;
- (10) Use of unapproved curriculum or instructional material not pre-approved by ODMHSAS;
- (11) Use of inappropriate materials/equipment or materials/equipment in poor repair;
- (12) Failure to provide at least two (2) complete 10 Hour courses within twelve (12) months;
- (13) Failure to provide certified facilitators for courses;
- (14) Beginning a course prior to the scheduled time;
- (15) Failure to wait at least a full fifteen (15) minutes when zero (0) students are present at the scheduled beginning time for a course;
- (16) Failure to provide the complete course for any students arriving within fifteen (15) minutes;
- (17) Failure to provide ODMHSAS with a class schedule at least thirty (30) days in advance of presentation;
- (18) Failure to provide ODMHSAS class schedule changes at least seven (7) days in advance of presentation except when facilitator changes are due to illness or other emergency;
- (19) Failure to complete ODMHSAS requirements for adding class sites;
- (20) Failure to notify ODMHSAS of any facilitator violations of this chapter, or of facilitator terminations due to violations of this chapter;
- (21) Establishing the legal business residence of the institution or organization outside the State of Oklahoma;
- (22) Issuance of completion certificates to students who fail to complete the full ten (10) hours of instruction for first offenders or the full twenty-four hours of instruction for second and subsequent offenders or who fail to meet any other course requirement;

- (23) Violation of, or failure to meet, any other applicable standard contained in this chapter;
 - (24) Knowingly allowing an ADSAC Facilitator to collect fees for or issue receipts for or issuing completion certificates for or conducting an assessment during or solicit students for assessments, at a later date during the course of an ADSAC.
 - (25) Refusal to allow a facilitator candidate to observe an ADSAC.
 - (26) Any other just and verifiable cause including but not limited to unethical or illegal activities.
- (b) Administrative sanctions may be taken against a facilitator certified to conduct 10 Hour or 24 Hour ADSAC for any of the following reasons:
- (1) Erroneous or false information contained in the individual's application for certification;
 - (2) A conviction of driving under the influence of alcohol or other intoxicating substances or receiving an alcohol or drug related revocation or suspension of driving privileges;
 - (3) Conviction of any alcohol or other drug related misdemeanor or any felony conviction;
 - (4) Unlawful conduct on duty or in the presence of students;
 - (5) Any activity which is a conflict of interest;
 - (6) Use or abuse of intoxicating beverages or other drugs while teaching an ADSAC;
 - (7) Permitting a student to attend a course while using or under the influence of any mood-altering substances, including alcohol;
 - (8) Dismissal by a certified organization or institution for violation of state statutes, or of the standards and criteria in this chapter;
 - (9) Use of curriculum or instructional material not approved by ODMHSAS;
 - (10) Willful failure, or refusal, to cooperate with an investigation by ODMHSAS, or employing ADSAC agency, into a potential or alleged violation of applicable rules in this chapter;
 - (11) Refusal to allow a facilitator candidate to observe an ADSAC,;
 - (12) Issuance of completion certificate(s) to student(s) who have not completed a full ten (10) hours of instruction, or who fail to complete the full twenty-four (24) hours of instruction, or failure to meet any other ADSAC requirement;
 - (13) Violation of any applicable rule in this chapter, or any other applicable chapter;
 - (14) Falsification of any report, or document submitted, or prepared for submission, to ODMHSAS.
 - (15) Collecting fees for; or issuing receipts for; or issuing completion certificates for; or conducting an assessment during; or soliciting students for assessments at a later date during the course of an ADSAC.
 - (16) Any verbal or physical sexual misconduct with or toward a student enrolled in ADSAC.
 - (17) Failure to provide at least two (2) complete 10 Hour courses within twelve (12) months.
 - (18) Any other just and verifiable cause including but not limited to unethical or illegal activities.

450:21-3-3. Sanctions and hearings

All sanctions regarding ADSAC organizations, institutions and 10 Hour or 24 Hour facilitators and all administrative hearings and appeals related to such sanctions shall be made and carried out in accordance with Oklahoma Administrative Code, Title 450, Chapter 1, Subchapter 5 and the Administrative Procedures Act.

SUBCHAPTER 5. COURSE ATTENDANCE AND COMPLETION

450:21-5-1. Student attendance and completion of ADSAC

- (a) The ADSAC organization or institution shall require students to complete all portions of an approved curriculum schedule.
- (b) The ADSAC shall allow a student unable to attend one (1) or more portions to make up portion or portions missed at another regularly scheduled course at the certified organization or institution at which the course was originally scheduled.
- (c) All 10 Hour course work shall be completed within sixty (60) days of the first course. Failure to complete all course work within the sixty (60) days shall result in the loss of course credit and any funds remitted. Re-enrollment in either the same or a different ADSAC following failure to complete an ADSAC within the stated time limit shall require full course attendance prior to the issuance of a Certificate of Completion. All students enrolling in a 10 hour ADSAC shall be notified of this fact in writing.
- (d) All 24 Hour course work shall be completed and paid within one hundred eighty (180) days of the first course. Failure to complete all course work within the one hundred eighty (180) days shall result in the loss of course credit and any funds remitted. Re-enrollment in either the same, or a different ADSAC following failure to complete and ADSAC within the state time limit shall require full course attendance prior to the issuance of a Certificate of Completion. All students enrolling in a 24 hour ADSAC shall be notified of this fact in writing.
- (e) ADSACs shall make required course work available to enrolled students within the times frames set forth in this standard. ADSACs failing to make required course work available within the stipulated time frames, for any reason, shall refund to student any fees paid for said course.
- (f) Each organization or institution shall issue a receipt from a pre-numbered duplicate receipt set to each student upon receipt of all or part of the required enrollment fee. Each organization or institution shall have receipts to be used specifically for ADSAC.
- (g) Each organization or institution shall maintain the pre-numbered receipts and a file on both course and student for five (5) years after completion of said course. Such files shall also consist of:
 - (1) Course information:
 - (A) Completion roster; and
 - (B) Attendance records; and
 - (2) Student information:
 - (A) Enrollment form;
 - (B) Written referral documenting an assessment pursuant to OAC 450:22-1-11;
 - (C) Pre- and Post-Test;
 - (D) Evaluation Form completed by student; and
 - (E) Copy of the Completion Certificate.

450:21-5-2. ADSAC reporting of completions

(a) Each certified ADSAC organization or institution shall report successful course completions to ODMHSAS within thirty (30) days from the date the course is completed, in a format prescribed by ODMHSAS. Certified organizations or institutions shall not report a completion until all course requirements have been met, to include the student's payment of the full required ADSAC fee.

(b) Each student who successfully completes the course, 10 Hour or 24 Hour, shall be issued an ODMHSAS certificate of completion by the ADSAC that shall include the appropriate Action Code as listed below:

- (1) 224-10 for persons having completed a 10 Hour course.
- (2) 224-24 for persons having completed a 24 Hour course.