

TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES
CHAPTER 22. Certification of Alcohol and Drug Assessment and Evaluations Related to Driver's License Revocation

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- 450:22-1-1 Purpose and applicability [AMENDED]
- 450:22-1-1.1 Certification duration [AMENDED]
- 450:22-1-3 Definitions [AMENDED]
- 450:22-1-5 General statement [AMENDED]
- 450:22-1-5.1 ODMHSAS responsibilities [NEW]
- 450:22-1-6 ADSAC Driver-offender-assessors and assessment agencies [AMENDED]
- 450:22-1-6.1 Institutional and organizational description, assessment agencies [NEW]
- 450:22-1-7 ODMHSAS responsibilities [AMENDED]
- 450:22-1-9 Certified approved sites [AMENDED]
- 450:22-1-10 Offender Participant evaluation [AMENDED]
- 450:22-1-11 Standardized evaluation instruments [AMENDED]
- 450:22-1-11.1 Critical incidents, assessors and assessment agencies [NEW]
- 450:22-1-11.2 Participant record system [NEW]
- 450:22-1-11.3 Participant records, basic requirement assessors, assessment agencies [NEW]
- 450:22-1-11.4 Participant record storage, retention and disposition [NEW]
- 450:22-1-11.5 Confidentiality of drug or alcohol abuse treatment information [NEW]
- 450:22-1-11.6 Note [NEW]
- 450:22-1-11.7 Biopsychsocial assessment [NEW]
- 450:22-1-12 Assessor applicants Assessment personnel [AMENDED]
- 450:22-1-15 Assessor responsibilities [AMENDED]
- 450:22-1-15.1 Fitness of applicants [AMENDED]
- 450:22-1-16 Denial or revocation of assessment certification [AMENDED]
- 450:22-1-17 Physical facility environment and safety, assessors and assessment agencies [NEW]
- 450:22-1-18 Hygiene and sanitation, assessors and assessment agencies [NEW]
- 450:22-1-19 State and federal statutes and regulations [NEW]
- 450:22-1-20 Inactive status and closure [NEW]
- 450:22-1-21 Participant rights and grievance policy [NEW]
- 450:22-1-22 ODMHSAS advocate general [NEW]

SUMMARY:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 22 are part of the Department's review of Title 450. The proposed rules clarify existing rules and further standardize the ADSAC assessment process. Requirements for critical incidents, participant record system, confidentiality, charting, physical plant, record requirements, and participant rights are expanded, strengthened and clarified.

AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-108 and 2-109.

COMMENT PERIOD:

Persons wishing to submit written comments may do so until 5:00 p.m., December 17, 2007, to the attention of Misty Anne Jobe, Administrative Programs Officer IV. Written comments may be mailed to the Department of Mental Health and Substance Abuse Services, P.O. Box 53277, Oklahoma City, OK 73152-3277, hand delivered to the Department at 1200 N.E. 13th Street, Oklahoma City, OK or by facsimile, at (405) 522-0401.

PUBLIC HEARING:

The Department will conduct a public hearing on December 18, 2007 at 2:00 p.m. in Conference Room A of the Department at the address given above.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

ODMHSAS asks business entities affected by the proposed rules to provide written information to the Department, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information until 5:00 p.m., December 17, 2007 to the Department of Mental Health and Substance Abuse Services, P.O. Box 53277, Oklahoma City, OK 73152-3277, Attention: Misty Anne Jobe.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from Misty Anne Jobe, Administrative Programs Officer IV, at the above address.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D) ODMHSAS will prepare a rule impact statement which will be available beginning November 29, 2007. Copies may be obtained from Misty Anne Jobe, Administrative Programs Officer IV, at the above address.

CONTACT PERSON:

Misty Anne Jobe, Administrative Programs Officer IV, (405) 522-6917.