

TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

RULE IMPACT STATEMENT

CHAPTER: 23 STANDARDS AND CRITERIA FOR COMMUNITY-BASED STRUCTURED CRISIS CENTERS

PROPOSED RULES:

Subchapter 1. General Provisions

450:23-1-2 Definitions [AMENDED]

Subchapter 3. CBSCC Services

450:23-3-2 Crisis stabilization [AMENDED]

450:23-3-3 Crisis stabilization, triage response [AMENDED]

450:23-3-4 Crisis stabilization services, psychiatric services [REVOKED]

450:23-3-5 Crisis stabilization, drug and alcohol psychiatric, substance abuse, and co-occurring services [AMENDED]

450:23-3-6 Mechanical restraints for adult consumers only [AMENDED]

450:23-3-6.1 Mechanical restraints will not be used for minors in treatment
[ADDED]

450:23-3-7 Referrals to inpatient psychiatric hospitals Linkage Services to higher or lower levels of care, or longer term placement
[AMENDED]

450:23-3-8 Services to homeless individuals [AMENDED]

Subchapter 5. CBSCC Clinical Records

450:23-5-4 Clinical record content, intake and assessment [AMENDED]

450:23-5-5 Health, mental health, substance abuse, and drug history
[AMENDED]

450:23-5-8 Aftercare and discharge summary [AMENDED]

Subchapter 7 Confidentiality

450:23-7-1.1 Confidentiality of mental health and drug or alcohol abuse treatment information [AMENDED]

Subchapter 19. Staff Development and Training

450:23-19-3 Inservice [AMENDED]

1. BRIEFLY DESCRIBE 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. § 3-317, which authorizes the Board of Mental Health and Substance Abuse Services, or the Commissioner upon delegation by the Board, to certify community-based structured crisis centers.

2. DESCRIBE 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 family members who access emergency mental health and substance abuse services through local community-based crisis centers, employees of these centers, and law enforcement personnel who transport citizens to these centers for evaluation and/or emergency detention.

3. DESCRIBE THE CLASSES OF PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULES.

Individuals who utilize community-based structured crisis centers to mental health and/or emergency evaluations, crisis intervention, crisis stabilization, and/or emergency detention, employees of the centers, and the general public who depend on the centers to provide immediate access for emergency crisis triage and stabilization.

4. DESCRIBE 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. SPECIFY 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.

ODMHSAS does not anticipate that the proposed revision to these rules will increase costs to this Department or other affected parties.

6. DETERMINE 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. DETERMINE IF IMPLEMENTATION OF THE PROPOSED RULES MAY HAVE AN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES.

ODMHSAS has determined these rule revisions will not have an adverse effect on small businesses.

8. EXPLAIN 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. DETERMINE 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, incorporating life safety mandates and by addressing continuous quality improvement in treatment settings which must operate under the provisions of the proposed rules.

10. DETERMINE IF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULES ARE NOT IMPLEMENTED.

Community-based structured crisis centers are essential components of local emergency mental health and substance abuse response systems. The centers provide a public health service by assuring quality care for persons who may at risk of harming themselves or others as a result of severe symptoms related to mental illnesses and/or addictive disorders.

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