

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

Post Office Box 53277
Oklahoma City, OK 73152
(405) 522-3908

TITLE 450

CHAPTER 50

**STANDARDS AND CRITERIA FOR
CERTIFIED BEHAVIORAL HEALTH
CASE MANAGERS**

Effective July 1, 2007

Authority: Oklahoma Board of Mental Health and Substance Abuse Services; 43A O.S. §§ 2-101, 3-306 and 3-318

History: Emergency Rules, effective 02/27/2003 at 20 OK Reg 653; Permanent at 21 OK Reg 1088 effective 07/01/04; Amended at 22 OK Reg 973, effective 07/01/05; Amended at 23 OK Reg 1441, effective 07/01/06.

Unofficial Copy

Official copies of administrative rules can be obtained only from the Office of Administrative Rules, Secretary of State. The official rules are the text accepted by the Oklahoma Secretary of State for publication in the Oklahoma Register and the Oklahoma Administrative Code as required by 75 O.S. § 250 et seq. ODMHSAS has attempted to insure the text within this publication is the same as that on file with the Secretary of State. Any differences will be decided in favor of the text on file with the Secretary of State. This publication includes permanent rules in effect July 1, 2007.

TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS..... Page 3

- 450:50-1-1. Purpose
- 450:50-1-2. Definitions
- 450:50-1-3. Authority of the Commissioner and Department

SUBCHAPTER 3. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION APPLICATION Page 5

- 450:50-3-1. Qualifications for certification
- 450:50-3-2. Applications for certification
- 450:50-3-3. Duration of certification
- 450:50-3-4. Fees
- 450:50-3-5. Fitness of applicants

SUBCHAPTER 5. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION TRAINING Page 8

- 450:50-5-1. Case management certification training
- 450:50-5-4. Continuing education requirements

SUBCHAPTER 7. RULES OF PROFESSIONAL CONDUCT..... Page 10

- 450:50-7-1. Responsibility and scope of practice
- 450:50-7-2. Consumer welfare
- 450:50-7-3. Reimbursement for services rendered
- 450:50-7-4. Professional standards
- 450:50-7-5. Failure to comply

SUBCHAPTER 9. ENFORCEMENT Page 12

- 450:50-9-1. Enforcement

SUBCHAPTER 1. GENERAL PROVISIONS

450:50-1-1. Purpose

This Chapter implements 43A O.S. § 3-318, which authorizes the Board of Mental Health and Substance Abuse Services, or the Commissioner upon delegation by the Board, to certify behavioral health case managers. Section 3-318 requires the Board to promulgate rules and standards for certification of behavioral health case managers addressing criteria for certification and renewal, including minimum education requirements, examination and supervision requirement, continuing education requirements and rules of professional conduct.

450:50-1-2. Definitions

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

"Board" means the State Board of Mental Health and Substance Abuse Services.

"Case management" means the application of principles and practices of linking, advocacy and referral in partnership with a consumer to support the consumer in self-sufficiency and community tenure.

"Certified behavioral health case manager" means any person who is certified by the Department of Mental Health and Substance Abuse Services to offer behavioral health case management services as one of the three (3) classifications of case manager within the confines of a mental health facility or drug or alcohol treatment facility that is operated by the Department or contracts with the State to provide behavioral health services.

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

"Consumer" means an individual who is receiving or has received services (evaluation or treatment) from a facility operated or certified by ODMHSAS or with which ODMHSAS contracts and includes all persons referred to in Title 450, Chapters 16, 17, 18, 19 and 23 of the Oklahoma Administrative Code as client(s) or patient(s) or resident(s) or a combination thereof.

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

"Provisionally Certified Behavioral Health Case Manager" means a person who has met the requirements of the Department's web-based competency exam in behavioral health case management.

"Web-Based Competency Exam" as prescribed by the department, is a competency exam individuals must pass to become certified.

450:50-1-3. Authority of the Commissioner and Department

(a) The Commissioner shall have the authority and duty to issue, renew, revoke, deny, suspend and place on probation certifications to offer behavioral health case management and shall have authority to reprimand certified behavioral health case managers.

(b) The Department shall have authority to:

- (1) Receive and deposit fees as required by 43A O.S. § 3-318(C);

- (2) Examine all qualified applicants for certified behavioral health case management;
and
- (3) Investigate complaints and possible violation of the rules and standards of behavioral health case managers.

SUBCHAPTER 3. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION APPLICATION

450:50-3-1. Qualifications for certification

- (a) Each applicant for certification as a behavioral health case manager shall:
- (1) Be employed at a mental health facility, or a drug or alcohol treatment facility that is operated by the Department or contracts with the State to provide behavioral health services;
 - (2) Attend the requisite case management certification training offered by the Department
 - (3) Possess good moral character;
 - (4) Be at least 21 years of age; and
 - (5) Otherwise comply with rules promulgated by the Board implementing 43A O. S. § 3-318.
- (b) In addition to the qualifications specified by subsection (a) of this rule, an applicant for a certification as a behavioral health case manager shall:
- (1) Possess one of the following:
 - (A) Certified Behavioral Health Case Manager III: Licensed Mental Health Professional or Licensed Alcohol and Drug Counselor;
 - (B) Certified Behavioral Health Case Manager II: bachelor's or master's degree in a behavioral health related field which includes but is not limited to psychology, social work, occupational therapy, family studies, human resources/services counseling, human developmental psychology, gerontology, early childhood development, chemical dependency studies, school guidance and counseling, rehabilitative services, sociology, or criminal justice, earned from a regionally accredited college or university recognized by the United States Department of Education, a current license as a registered nurse in Oklahoma, or a current certification as an alcohol and drug counselor in Oklahoma; or
 - (C) Certified Behavioral Health Case Manager I- have completed 60 college credit hours; or High school diploma with 36 total months of experience working with persons who have a mental illness. Applicants must verify experience by submitting a letter from employer(s) verifying length of employment and documenting job responsibilities during employment.

450:50-3-2. Applications for certification

- (a) Applications for certification as a behavioral health case manager shall be made in writing to the Department on a form and in a manner prescribed by the Commissioner. The application shall be accompanied by the application fee and official education transcripts.
- (b) An application shall include the following documents:
- (1) Application form completed in full according to its instructions;
 - (2) Official university transcript(s) or documentation of current status as a licensed mental health professional in the state of Oklahoma in lieu of official university transcript(s) to evidence completion of a completed bachelor's degree, or documentation of current certification as an alcohol and drug counselor in the state

of Oklahoma, or current licensure as a registered nurse in the state of Oklahoma;
and

(3) Fees.

(c) A complete application must be submitted at least fourteen (14) days prior to attending case management certification training.

(d) An applicant, who meets the requirements for certification and otherwise complied with this Chapter shall be eligible for certification.

450:50-3-3. Duration of certification

(a) Certification issued pursuant to this Chapter shall require renewal every two (2) years from the year of issuance unless revoked. Certified behavioral health case managers must renew their certification prior to December 31 of the renewal year and every two (2) years thereafter.

(b) A certification may be renewed by ODMHSAS upon application and payment of fees. Renewal shall be accomplished by submitting the renewal application, annual report of continuing education with accompanying documentation, and the renewal fee.

(c) A certification not renewed by the December 31 deadline will be suspended. A suspended certification may be renewed by submitting required fees and documentation of continuing education within 12 months of the expiration date. Certificates not renewed within the 12 months will not be reinstated.

450:50-3-4. Fees

(a) **Application Fee.** Twenty-five dollars (\$25.00) shall be submitted with the application form.

(b) **Renewal Fee.** Fifteen dollars (\$15.00) shall be submitted with the renewal application and required continuing education documentation.

(c) **Late Renewal Fee.** An additional twenty-five dollars (\$25.00) shall be submitted with the Renewal Fee (\$15.00), renewal application, and required continuing education documentation if the certification is renewed after the December 31 deadline.

(d) **Replacement Fee.** Ten dollars (\$10.00) shall be submitted to replace a certificate that has been lost, damaged or in need of revision.

450:50-3-5. 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 Behavioral Health Case Manager and to set forth the criteria by which the Commissioner will determine the fitness of the applicants.

(b) The substantiation of any of the following items related to the applicant may be, as the Commissioner determines, the basis for the denial of or delay of certification of the applicant:

(1) Lack of necessary skill and abilities to provide adequate services;

(2) Misrepresentation on the application or other materials submitted to the committee; or

(3) A violation of the rules of professional conduct set forth in this Chapter.

(c) The following materials may be used to determine fitness of the applicant:

(1) Evaluations of supervisors or instructors;

- (2) Allegations of consumers; and
- (3) Transcripts or other findings from official court, hearing or investigative procedures.
- (d) The Department may require explanation of negative references prior to issuance of certification.

SUBCHAPTER 5. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION TRAINING

450:50-5-1. Case management certification training

(a) The purpose of this section is to delineate the training requirements for each of the three classifications of Certified Behavioral Health Case Manager (CBHCM).

(b) The Department shall have the authority and responsibility for providing case management training classes on a regular basis but no less than six times during the year.

(c) The case management certification training consists of a web-based competency exam and a class that focuses on case management issues of persons receiving services in mental health facilities, or drug or alcohol treatment facilities operated by the Department or contracted with the State to provide behavioral health services. Applicants passing the web-based competency exam will be provisionally certified for six months. CBHCM III applicants passing the web-based competency exam will become fully certified.

(d) Certified Behavioral Health Case Manager I Training requirements- Meet the requirements for the web-based competency exam and complete 14 hours of case management training as specified by the department.

(e) Certified Behavioral Health Case Manager II Training requirements- Meet the requirements for the web-based competency exam and complete seven (7) hours of case management training as specified by the department.

(f) Certified Behavioral Health Case Manager III Training Requirements- Meet the requirements for the web-based competency exam.

450:50-5-4. Continuing education requirements

(a) Certified behavioral health case managers must complete twelve (12) hours continuing education per year and submit documentation of the continuing education to ODMHSAS every two (2) years.

(b) Continuing education is acceptable when it:

- (1) Provides information to enhance delivery of case management services; or
- (2) Meets the requirements for LPC, LMFT, LBP, LCSW, CADC, LADC, or CME continuing education; or
- (3) Is a required undergraduate or graduate course in a behavioral health related field and pertains to direct interaction with consumers (three hours of course work is equal to twelve hours in-service).

(c) Certified behavioral health case managers must complete, as part of their required twelve (12) hours annually, (3) hours of ethics training every year. Ethics training must meet the requirements for LPC, LMFT, LBP, LCSW, CADC, LADC or CME ethics training; and annually, three (3) hours of training related to Strengths-Based/Recovery Principles.

(d) Certified behavioral health case managers shall retain documents verifying attendance for all continuing education hours claimed for the reporting period. Acceptable verification documents include:

- (1) An official continuing education validation form furnished by the presenter; or

(2) A letter or certificate from the sponsoring agency verifying name of program, presenter, and number of hours attended and participant's name; or

(3) An official grade transcript verifying completion of the undergraduate or graduate course.

(e) Failure to complete the continuing education requirements and submit the required documentation by the renewal date renders the certification in suspension, and results in the loss of all rights and privileges of a certified behavioral health case manager. The Certified Behavioral Health Case Manager certification may be reinstated during a period of no longer than 12 months following the suspension date. If not reinstated the certification shall become null and void. The Certified Behavioral Health Case Manager has the right to renew the certificate by payment of renewal fees (\$15.00) and late renewal fees (\$25.00) and documentation of obtaining 12 hours of continuing education for each of the two prior years.

SUBCHAPTER 7. RULES OF PROFESSIONAL CONDUCT

450:50-7-1. Responsibility and scope of practice

- (a) Certified behavioral health case managers shall be dedicated to advancing the welfare of individuals, and children and their families. Certified behavioral health case managers shall not participate in, condone, or be associated with dishonesty, fraud, deceit or misrepresentation, and shall not exploit their relationships with the consumers for personal advantage, profit, satisfaction, or interest.
- (b) Certified behavioral health case managers shall practice only within the boundaries of their competence based on their education, training, supervised experience, state and national accreditations and licenses.
- (c) Certified behavioral health case managers shall only use the title if employed by the state or a private or nonprofit behavioral health services provider contracting with the state to provide behavioral health services.
- (d) Certified behavioral health case managers may not practice any of the following professions or use the following titles unless also licensed or accredited by the appropriate authority: physician, psychologist, clinical social worker, professional counselor, marital and family therapist, behavioral practitioner or alcohol and drug counselor.

450:50-7-2. Consumer welfare

- (a) Certified behavioral health case managers shall not, in the rendering of their professional services, participate in, condone, promote discrimination on the basis of race, color, age, gender, religion or national origin.
- (b) Certified behavioral health case managers must be aware of their influential positions with respect to consumers and not exploit the trust and dependency of consumers. Certified behavioral health case managers shall refrain from dual relationships with consumers because of the potential to impair professional judgment and to increase the risk of harm to consumers. Examples of such relationships include, but are not limited to familial, social, financial, business, professional or close personal relationships with consumers.
 - (1) Certified behavioral health case managers shall not have any type of sexual contact with consumers and shall not provide case management services to persons with whom they have had a sexual relationship.
 - (2) Certified behavioral health case managers shall not engage in sexual contact with former consumers for at least two (2) years after terminating the professional relationship.
- (c) If certified behavioral health case managers determine that they are unable to be of professional assistance to a consumer, the Certified Behavioral Health Case Manager shall refer the consumer to appropriate sources when indicated. If the consumer declines the referral the Certified Behavioral Health Case Manager shall terminate the relationship.

450:50-7-3. Reimbursement for services rendered

Certified behavioral health case managers shall practice case management services only if employed by the State or a private or nonprofit behavioral health

services provider contracting with the state to provide behavioral health services. As an employee of a state or a private or nonprofit behavioral health provider reimbursement for services rendered will not be collected outside of the agency's system of service reimbursement.

450:50-7-4. Professional standards

(a) It shall be unprofessional conduct for a Certified Behavioral Health Case Manager to violate a state or federal statute if the violation is directly related to the duties and responsibilities of the counselor or if the violation involves moral turpitude.

(b) Certified behavioral health case managers shall not render professional services while under the influence of alcohol or other mind or mood altering drugs.

(c) Certified behavioral health case managers shall notify the Department of any change in name, address, telephone number and employment if the case manager will continue to provide case management services as defined by 450:50-1-2 in the new employment setting.

450:50-7-5. Failure to comply

A Certified Behavioral Health Case Manager who does not comply with the Rules of Professional Conduct shall be guilty of unprofessional conduct and subject to disciplinary action.

SUBCHAPTER 9. ENFORCEMENT

450:50-9-1. Enforcement

(a) ODMHSAS may impose administrative sanctions, including revocation, suspension, non-renewal of certification and reprimand, against certified behavioral health case managers.

(b) All proceedings, hearing and appeals shall be conducted in accordance with Chapter 1 of the Rules of ODMHSAS, Title 450 Oklahoma Administrative Code and the Administrative Procedures Act.