

TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES
SUBCHAPTER 65. STANDARDS AND CRITERIA FOR CERTIFIED GAMBLING TREATMENT PROGRAMS

RULE IMPACT STATEMENT

PROPOSED RULES:

SUBCHAPTER 1. GENERAL PROVISIONS

- 450:65-1-2 Definitions [AMENDED]
- 450:65-1-4 Applicability [AMENDED]
- 450:65-1-5 Annual review of standards and criteria [REVOKED]

SUBCHAPTER 3 GAMBLING TREATMENT SERVICES AND DOCUMENTATION

- 450:65-3-1 Gambling treatment professional requirements and privileging [AMENDED]
- 450:65-3-2 Treatment Services [AMENDED]
- 450:65-3-3 Assessment and diagnostic services [AMENDED]
- 450:65-3-5 Individual, group and family counseling services [AMENDED]
- 450:65-3-9 Unplanned discharges [AMENDED]
- 450:65-3-10 Consumer records, basic requirement [AMENDED]
- 450:65-3-11 Consumer record system [AMENDED]
- 450:65-3-12 Confidentiality of gambling addiction treatment information [AMENDED]

SUBCHAPTER 5. CERTIFIED GAMBLING ADDICTION TREATMENT PROGRAMS

- 450:65-5-1 Level of Care [AMENDED]
- 450:65-5-2 Gambling addiction treatment services [AMENDED]
- 450:65-5-3 Admission criteria [AMENDED]
- 450:65-5-4 Discharge criteria [AMENDED]
- 450:65-5-5 Consumer rights [AMENDED]

SUBCHAPTER 7. ORGANIZATIONAL AND FACILITY MANAGEMENT

- 450:65-7-2 Hygiene and sanitation [AMENDED]
- 450:65-7-3 Standards for food service [AMENDED]
- 450:65-7-5 Critical incidents [AMENDED]
- 450:65-7-6 Organizational and facility description [AMENDED]
- 450:65-7-8 Performance improvement program [AMENDED]
- 450:65-7-9 Community information, consultation, outreach and street outreach [AMENDED]

THE PURPOSE OF THE PROPOSED RULES. The proposed gambling treatment rules were developed in accordance with 43A O.S. § 3-322, which authorizes the Board of Mental Health and Substance Abuse Services, or the Commissioner upon delegation by the Board, to certify programs for gambling addiction treatment. This statute requires the Board to promulgate rules and standards for certification of facilities or organizations that desire to be certified. The proposed rules clarify existing rules and are intended to comply with statutory changes. Gambling treatment professional qualifications are expanded, strengthened and clarified.

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. Employees and consumers of gambling treatment services either operated by, certified by, or under contract with ODMHSAS.

THE CLASSES OF PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULES. Individuals that have problem gambling related issues, organizations who are certified by, or under contract with, ODMHSAS to provide such treatment services.

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.

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 has determined these proposed rules to be revenue 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. ODMHSAS has determined these rules will not have an economic impact on any policy subdivisions.

DETERMINATION IF IMPLEMENTATION OF THE PROPOSED RULES MAY HAVE AN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES. ODMHSAS has determined these rules will not have an adverse affect on small businesses.

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. ODMHSAS considers these rules the least burdensome and intrusive method to accomplish the 2005 legislative mandates.

DETERMINATION OF 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 gambling treatment services by clearly defining service expectations, incorporating gambling specific counselor training and clinical supervision mandates, and addressing counselor educational qualifications that are vital in effectively addressing problems with gambling.

DETERMINATION IF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULES ARE NOT IMPLEMENTED. Problem gambling will go untreated in the state of Oklahoma and will increase the social costs to the citizens of the State.

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January 22, 2008

PREPARED BY:

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