

OKLAHOMA DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

It is very important that you provide your comments regarding the proposed rule change by the comment due date. Comments are directed to the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) administrative rules liaison, Gretchen Geis, at GGeis@odmhsas.org.

ODMHSAS COMMENT DUE DATE: February 19, 2014

The proposed policy is a PERMANENT Rule. This proposal is scheduled to be presented for public comment during a public hearing on February 21, 2014 and to the ODMHSAS Board of Directors for adoption on March 28, 2014.

Reference #: 50-2014

SUMMARY:

Proposed revisions to Chapter 50 include changes to case manager (CM) certification requirements which reflect legislative intent expressed during the 2013 legislative session. These changes would allow individuals with degrees in education to be eligible for CM certification through ODMHSAS without an additional nine hours of coursework in a behavioral health related field. Changes would also make eligible for CM certification, individuals who have non-behavioral health related bachelor's or master's degrees, but who have a Children's Certificate in Psychiatric Rehabilitation from the US Psychiatric Rehabilitation Association as well as individuals who are actively progressing toward obtaining a behavioral health related Master's or Doctoral degree.

LEGAL AUTHORITY

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 3-323A.

RULE IMPACT STATEMENT

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

A. Brief description of the purpose of the rule:

Proposed revisions to Chapter 50 include changes to case manager (CM) certification requirements which reflect legislative intent expressed during the 2013 legislative session. These changes would allow individuals with degrees in education to be eligible for CM certification through ODMHSAS without an additional nine hours of coursework in a behavioral health related field. Changes would also make eligible for CM certification, individuals who have non-behavioral health related bachelor's or master's degrees, but who have a Children's Certificate in Psychiatric Rehabilitation from the US Psychiatric Rehabilitation Association as well as individuals who are actively progressing toward obtaining a behavioral health related Master's or Doctoral degree.

B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the cost of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:

Organizations or individuals certified by, under contract with, or subject to certification by ODMHSAS, and the consumers and employees of each.

C. A description of the classes of persons who will benefit from the proposed rule:

Organizations or individuals certified by, under contract with, or subject to certification by ODMHSAS, and the consumers and employees of each.

D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, and a separate justification for each fee change:

ODMHSAS does not anticipate an economic impact on any affected classes of persons or political subdivisions that meet minimum certification standards as currently required by this Chapter.

E. The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenue if it can be projected by the agency:

ODMHSAS has determined implementation of these rules will benefit those affected parties by clarifying and enhancing certification and contracting processes.

F. A determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:

ODMHSAS does not anticipate these rules will have an economic impact upon any political subdivision, or require their cooperation to implement or enforce the proposed rule revision.

G. A determination of whether implementation of the proposed rule will have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

ODMHSAS has determined these rule revisions will not have an adverse economic impact on small businesses that meet the minimum certification standards as currently required by this Chapter.

H. An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rule:

Throughout the year ODMHSAS staff evaluate internal processes and amend those processes and rules according to identified needs. ODMHSAS considers these revisions the least burdensome and intrusive method in streamlining these processes and accomplishing statutory compliance.

I. A determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk.

ODMHSAS anticipates these rule revisions will enhance the ability to provide behavioral health treatment by clarifying certification requirements and contracting expectations and ensuring an efficient response to specific treatment issues.

J. A determination of any detrimental effect on the public health, safety and environment if the proposed rule is not implemented.

The proposed amendments are anticipated to refine the certification and/or contracting processes for behavioral health and to establish a means for the Department to quickly respond to consumer treatment issues via certification and/or contracting processes.

K. The date the rule impact statement was prepared and if modified, the date modified:

January 7, 2014

RULE TEXT

**TITLE 450. OKLAHOMA DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES
CHAPTER 50. STANDARDS AND CRITERIA FOR CERTIFIED 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 currently 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) Possess good moral turpitude;
 - (3) Be at least 21 years of age; and
 - (4) 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 Certified Behavioral Health Case Manager must meet either (1) or (2) below:
- (1) Certified Behavioral Case Manager II (CM II):
 - (A) A Bachelor's or Master's degree in Education or a behavioral health related field earned from a regionally accredited college or university recognized by the United States Department of Education (USDE) ~~or an education degree earned from a regionally accredited college or university recognized by the United States Department of Education with at least nine (9) hours of college credit in a behavioral health related field;~~ or
 - (B) a current license as a registered nurse in the State of Oklahoma with experience in behavioral health care; or
 - (C) a Bachelor's or Master's degree in any field earned from a regionally accredited college or university recognized by the USDE ~~and a current certification as a Certified Psychiatric Rehabilitation Practitioner (CPRP); and a current certification or Children's Certificate in Psychiatric Rehabilitation from the United States Psychiatric Rehabilitation Association (USPRA);~~
or
 - (D) A Bachelor's or Master's degree in any field and proof of active progression toward obtaining a behavioral health related Master's or Doctoral degree from a regionally accredited college or university recognized by the USDE.

(2) Certified Behavioral Health Case Manager I (CM I) must meet the requirements in (A) or (B) below:

- (A) 60 college credit hours; or
- (B) a high school diploma, or equivalent, from a regionally accredited institution recognized by the United States Department of Education with a total of 36 months of direct, documented experience working with persons who live with mental illness and/or substance abuse issues.

450:50-3-2. Applications for certification

(a) Applications for certification as a Certified Behavioral Health Case Manager shall be submitted electronically to the Department on a form and in a manner prescribed by the Commissioner or designee.

(b) Depending on the type of CM certification that the applicant is applying for; the application shall include the following items:

(1) CM II must include (A), (B) and (E) and one of (C) or (D) as applicable:

- (A) Application form completed in full according to its instructions.
- (B) Official college or university transcript(s) or an electronic copy submitted to the Department by the college or university.
- (C) Documentation of current licensure as a registered nurse in the State of Oklahoma.
- (D) Current certification ~~as a CPRP~~ or Children's Certificate in Psychiatric Rehabilitation from USPRA.
- (E) Fees.

(2) CM I must include (A), (D) and either (B) or (C):

- (A) Application form completed in full according to its instructions.
- (B) Official College or university transcript(s) or an electronic copy submitted to the Department by the college or university.
- (C) Official high school transcript(s) or an electronic copy submitted to the Department by the high school and verification of work experience or volunteer experience.
 - (i) Verification shall only be submitted using a Department approved form.
 - (ii) Verification form(s) must be sent to the Department directly from the employer or volunteer agency.
 - (iii) Volunteer work must be time spent directly with persons who have a mental illness, co-occurring or substance abuse disorder.
- (D) Fees.

(c) An application must be submitted and approved by the Department prior to attending any web-based or face-to-face Certified Behavioral Health Case Manager certification training.

(d) Applications shall only be valid for a period up to six (6) months from the date of application.

(e) Applicants shall have no violations of moral turpitude or misconduct as set forth in these rules during time of application process.

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

SUBCHAPTER 5. BEHAVIORAL HEALTH CASE MANAGER CERTIFICATION TRAINING AND WEB-BASED COMPETENCY EXAMS

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

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

- (b) The Department shall have the authority and responsibility for providing case management and behavioral health rehabilitation services training classes on a regular basis but no less than six times during the year.
- (c) Certified Behavioral Health Case Managers I (CM I) must complete two days of case management training as specified by the Department.
- (d) Certified Behavioral Health Case Manager II (CM II) Training requirements:
 - (1) Complete the behavioral health case management web-based training as specified by the Department;
 - (2) Applicants who have not received a certificate in children's psychiatric rehabilitation from the US Psychiatric Rehabilitation Association (USPRA) or a CPRP, must complete the behavioral health rehabilitation web-based training as specified by the Department;
 - (3) Complete one day of face-to-face behavioral health case management training; and
 - (4) ~~Non-CPRP candidates~~Candidates who have not received a certificate in children's psychiatric rehabilitation or certification through USPRA, must complete two days of face-to-face behavioral health rehabilitation training.
- (e) Case management certification training must be completed within six (6) months of the date of application. Once the six (6) month period has ended, an applicant that has not completed the training must wait a period of sixty (60) days before reapplying, and shall submit a new application.
- (f) Approval to take the web-based competency exam is not permitted without completion of all training requirements.

450:50-5-5. Web-based competency exams

- (a) Successful completion of web-based competency exams for behavioral health rehabilitation and behavioral health case management is required prior to certification as CM II. ~~CPRP applicants~~Applicants certified through USPRA and applicants to be a CM I need only successfully complete the web-based competency exam for behavioral health case management.
- (b) The web-based competency exam shall not be administered until all application and training requirements are met and approval from ODMHSAS has been received.
- (c) Applicants shall comply with the rules of the examination process as outlined by the contracted testing site.
- (d) Applicants who fail to complete and pass the web-based competency exam within six (6) months of the date of application must reapply.