

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 #: 53-2014

SUMMARY:

Proposed revisions to Chapter 53 include incorporating language that was added to legislation added during the 2013 legislative session that allows an individual to become certified as a Peer Recovery Support Specialist (PRSS) if they are employed by a provider certified by ODMHSAS. Previous rules only allowed for certification of individuals employed by the State or for providers contracting with the State.

LEGAL AUTHORITY

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 3-326.

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 53 include incorporating language that was added to legislation added during the 2013 legislative session that allows an individual to become certified as a Peer Recovery Support Specialist (PRSS) if they are employed by a provider certified by ODMHSAS. Previous rules only allowed for certification of individuals employed by the State or for providers contracting with the State.

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 53. STANDARDS AND CRITERIA FOR CERTIFIED PEER RECOVERY SUPPORT SPECIALISTS**

SUBCHAPTER 3. PEER RECOVERY SUPPORT SPECIALISTS CERTIFICATION APPLICATION

450:53-3-1. Qualifications for certification

Each applicant for certification as a Peer Recovery Support Specialists shall:

- (1) Possess a High School Diploma or General Equivalency Diploma (GED);
- (2) Have demonstrated recovery from a mental illness, substance abuse disorder or both;
- (3) Be at least 18 years of age;
- (4) Be willing to self disclose about their own recovery;
- (5) Be employed by or volunteer with the state, a behavioral service provider or an advocacy agency contracting with the state to provide behavioral health services, or a behavioral health services provider certified by ODMHSAS.
- (6) Possess good moral character;
- (7) Pass an examination based on standards promulgated by ODMHSAS pursuant to 43A O.S. § 3-326;
- (8) Not be engaged in any practice or conduct which would be grounds for denying, revoking or suspending a certification pursuant to this title; and
- (9) Otherwise comply with rules promulgated by the Board implementing 43A O. S. § 3-326.

450:53-3-2. Applications for certification

(a) Applications for certification as a Peer Recovery Support Specialist shall be submitted to the Department on a form and in a manner prescribed by the Commissioner or designee.

(b) An application shall include the following items:

- (1) Application form completed in full according to its instructions;
- (2) Application fee shall be submitted in an amount up to \$50.00;
- (3) Documentation of current status as being employed by the state of Oklahoma, by a behavioral service provider, or advocacy agency contracting with the state to provide behavioral health services, or by a behavioral health services provider certified by ODMHSAS;
- (4) The employment status verification form(s) from the employer must be sent to ODMHSAS by the employer;
- (5) Official high school transcript or General Equivalency Diploma (GED);
- (6) Documentation of age; and
- (7) Detailed information, as requested on the application, demonstrating recovery from a mental illness, substance abuse disorder or both.

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

- (d) A complete application must be submitted at least fourteen (14) days prior to attending Peer Recovery Support Specialists training.
- (e) Applications shall be submitted and approved by the Department prior to eligibility of taking the C-PRSS training.
- (f) Applications shall only be valid for a period up to six (6) months.

SUBCHAPTER 5. PEER RECOVERY SUPPORT SPECIALISTS CERTIFICATION, TRAINING, EXAM AND CEU'S

450:53-5-2. Peer Recovery Support Specialists certification examination

Examinations shall be held at such times, at such places and in such manner as the Commissioner or designee directs. The examination shall cover such technical, professional and practical subjects as relate to the practice of a Certified Peer Recovery Support Specialist.

~~(1) Certification exams are scheduled approximately one (1) week following the forty (40) hour training block.~~

~~(2)~~(1) Certification exams consist of a written exam covering all aspects of the training block.

~~(3)~~(2) An applicant must score at least a seventy-five percent (75%) to pass the exam and be certified. A score of seventy-four percent (74%) or less will result in an applicant being required to test again at the next scheduled test date.

~~(4)~~(3) Applicants who fail to complete and pass the certification exam within six (6) months of application must reapply.

SUBCHAPTER 7. RULES OF PROFESSIONAL CONDUCT

450:53-7-2. Competence and scope of practice (a) Peer Recovery Support services are an EBP model of care which consists of a qualified peer recovery support provider (PRSS) who assists individuals with their recovery from behavioral health disorders.

(b) A C-PRSS must possess knowledge about various mental health settings and ancillary services (i.e., Social Security, housing services, and advocacy organizations). Certified Peer Recovery Support Specialist (C-PRSS) provides peer support services; serves as an advocate; provides information and peer support. The C-PRSS performs a wide range of tasks to assist consumers in regaining control of their lives and recovery processes. The C-PRSS will possess the skills to maintain a high level of professionalism and ethics in all professional interactions. Examples of a PRSS' scope of practice would including the following:

- (1) Utilizing their knowledge, skills and abilities the PRSS will:
 - (A) Teach and mentor the value of every individual's recovery experience;
 - (B) Model effective coping techniques and self-help strategies;
 - (C) Assist service recipients in articulating personal goals for recovery;
 - (D) Assist service recipients in determining the objectives needed to reach his/her recovery goals;
- (2) Utilizing ongoing training the PRSS may:
 - (A) Proactively engage consumers and possess communication skills / ability to transfer new concepts, ideas, and insight to others;
 - (B) Facilitate peer support groups;
 - (C) Assist in setting up and sustaining self-help (mutual support) groups;
 - (D) Support consumers in using a ~~WRAP - Wellness Recovery Action Plan~~ wellness plan;
 - (E) Assist in creating a crisis plan/ Psychiatric Advanced Directive as instructed in the PRSS Training;
 - (F) Utilize and teach problem solving techniques with consumers.

- (G) Teach consumers how to identify and combat negative self-talk and fears;
 - (H) Support the vocational choices of consumers and assist him/her in overcoming job-related anxiety;
 - (I) Assist in building social skills in the community that will enhance quality of life. Support the development of natural support systems;
 - (J) Assist other staff in identifying program and service environments that are conducive to recovery;
 - (K) Attend treatment team and program development meetings to ensure the presence of the consumer voice and to promote the use of self-directed recovery tools.
- (3) Possess knowledge about various behavioral health settings and ancillary services (i.e. Social Security, housing services, advocacy organizations);
- (4) Maintain a working knowledge of current trends and developments in the behavioral health field;
- (A) Attend continuing education assemblies when offered by/approved by the Office of Wellness and Advocacy;
 - (B) Develop and share recovery-oriented material with other PRSS's at consumer-specific continuing education trainings.
- (5) Serve as a PRSS by:
- (A) Providing and advocating for effective recovery oriented services;
 - (B) Assist consumers in obtaining services that suit that individual's recovery needs;
 - (C) Inform consumers about community and natural supports and how to utilize these in the recovery process; and
- (D) Assist consumers in developing empowerment skills through self-advocacy.

450:53-7-6. Reimbursement for services rendered

Certified Peer Recovery Support Specialists shall ~~practice~~ be reimbursed for Recovery Support Services only if employed by the State, by behavioral health services providers or an advocacy agency contracting with the state to provide behavioral health services. Reimbursement for services rendered will not be collected outside of the agency's system of service reimbursement.