

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE  
SERVICES  
CHAPTER 15. CONSUMER RIGHTS**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

SUBCHAPTER 1. GENERAL PROVISIONS

450:15-1-1 Purpose [AMENDED]

450:15-1-2 Definitions [AMENDED]

SUBCHAPTER 3. CONSUMER RIGHTS

Part 1. Mental Health and Drug or Alcohol Abuse Services Consumer Bill of Rights

450:15-3-8 Right to freedom from mistreatment, abuse and neglect [AMENDED]

Part 3. Consumer Grievance Procedure

450:15-3-45 Consumer grievance policy and procedures [AMENDED]

Part 11. Resident Rights, Mental Health Residential Care Facilities

450:15-3-81 Resident rights [AMENDED]

SUBCHAPTER 7. OFFICE OF CONSUMER ADVOCACY [AMENDED]

Part 1. Duties [AMENDED]

450:15-7-2 Office of Consumer Advocacy purpose and authority [AMENDED]

450:15-7-3 Advocate General [AMENDED]

450:15-7-4 ODMHSAS facility advocacy [AMENDED]

Part 2. Investigations

450:15-7-6 Reporting suspected maltreatment [AMENDED]

450:15-7-7 Administrator's responsibilities regarding allegations reportable to the Office of Consumer Advocacy [AMENDED]

450:15-7-8 Processing reports of maltreatment received by the Office of Consumer Advocacy [AMENDED]

450:15-7-9 Investigation procedures [AMENDED]

450:15-7-10 Rights and responsibilities of accused individuals [AMENDED]

450:15-7-11 Responsibilities [AMENDED]

450:15-7-12 Educational employees [AMENDED]

450:15-7-14 Investigative interviews [AMENDED]

450:15-7-15 Investigative report and findings [AMENDED]

**SUMMARY:**

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 15 are part of the Department's review of Title 450. The proposed rules clarify existing rules and are intended to comply with statutory changes.

**AUTHORITY:**

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 2-108 and 2-109.

**COMMENT PERIOD:**

Persons wishing to submit written comments may do so until 5:00 p.m., November 2, 2009, to the attention of Stephanie Kennedy, Administrative Rules Liaison. Written comments may be mailed to the Department of Mental Health and Substance Abuse Services, P.O. Box 53277, Oklahoma City, OK 73152-3277, hand-delivered to the Department at 1200 N.E. 13<sup>th</sup> Street, Oklahoma City, OK or by facsimile, at (405) 522-0401.

**PUBLIC HEARING:**

The Department will conduct a public hearing on November 3, 2009 at 10:00 a.m. in Conference Room A of the Department at the address given above.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

ODMHSAS asks business entities affected by the proposed rules to provide written information to the Department, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Stephanie Kennedy, at the above address, before the close of the comment period on November 2, 2009.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from Stephanie Kennedy, Administrative Rules Liaison, at the above address.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D) ODMHSAS will prepare a rule impact statement which will be available beginning October 16, 2009. Copies may be obtained from Stephanie Kennedy, Administrative Rules Liaison, at the above address.

**CONTACT PERSON:**

Stephanie Kennedy, Administrative Rules Liaison, (405) 522-3871.