OKLAHOMA DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

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TITLE 450

CHAPTER 50

STANDARDS AND CRITERIA FOR CERTIFIED BEHAVIORAL HEALTH CASE MANAGERS

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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 I (CM I)" means any person who is certified by the Department of Mental Health and Substance Abuse Services (ODMHSAS) to offer behavioral health case management services as an employee 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.

"Certified Behavioral Health Case Manager II (CM II)" means any person who is certified by ODMHSAS to offer behavioral health case management services and behavioral health rehabilitation services (BHR) as an employee 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, 23, and 24 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.

"Licensed mental health professional" or **"LMHP"** as defined in Title 43A §1-103 (11).

"Web-Based Competency Exam" as prescribed by the Department is a competency exam certain individuals must pass to become certified as a Behavioral Health Case Manager.

"36-Months Experience" means twenty (20) or more hours work or volunteer experience per week over the course of time indicated with persons living with mental illness and/or substance abuse.

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;

(3) Investigate complaints and possible violation of the rules and standards of Certified Behavioral Health Case Managers;

(4) Make recommendations regarding the outcome of formal complaints; and

(5) Enforce the recommendations of the formal complaint process.

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

(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 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 clinical licensure 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), (C) and (F) and either (D) or (E) 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) Oklahoma State Bureau of Investigation criminal history report.

(D) Documentation of current licensure as a registered nurse in the State of Oklahoma.

(E) Current certification or Children's Certificate in Psychiatric Rehabilitation from USPRA.

(F) Fees.

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

(A) Application form completed in full according to its instructions.

(B) Oklahoma State Bureau of Investigation criminal history report.

(C) Official College or university transcript(s) or an electronic copy submitted to the Department by the college or university.

(D) 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.

(E) 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.

450:50-3-3. Duration of certification
(a) **Issuance.** ODMHSAS will issue an appropriate certification to all applicants who successfully complete the requirements for certification as specified in this Chapter.
(b) **Renewal.** Unless revoked, certification issued pursuant to this Chapter must be renewed by June 30 of the calendar year following twelve (12) months of continuous certification and annually thereafter. Renewal is accomplished by submitting:
(1) the renewal application;
(2) annual report of continuing education units with accompanying documentation;
(3) proof of certification or licensure as a CPRP or RN as applicable; and
(4) the renewal fee.
(c) **Suspension and Reinstatement.** Certifications not renewed by the renewal deadline will be suspended. A suspended certification may be renewed by submitting required fees and documentation of continuing education within six (6) months of the date of suspension. Certifications not renewed within this six (6) month timeframe will not be reinstated. The individual must then wait a period of sixty (60) days and submit a new application for certification and successfully complete the requirements for initial certification as specified in this Chapter.

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 included with the Renewal Fee ($15.00), renewal application, and required continuing education documentation if the certification is renewed after the June 30 deadline.

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 or designee determines the basis for the denial of or delay of certification of the applicant:
(1) Lack of necessary skills and abilities to provide adequate services;

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

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

(c) The Department shall obtain document(s) necessary to determine the fitness of an applicant.

(d) The Department may require explanation of negative references prior to issuance of certification.

450:50-3-7. Scope of Behavioral Health Case Manager Certifications

a) Certified Behavioral Health Case Manager II are authorized to provide behavioral health case management and behavioral health rehabilitation services.

(b) Certified Behavioral Health Case Manager I are authorized to provide behavioral health case management services.

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) 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.

450:50-5-4. 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 annually for consideration.

(b) Continuing education is acceptable when it provides information to enhance delivery of behavioral health case management and behavioral health rehabilitation services and;

(1) Meets the requirements for LPC, LMFT, LBP, LCSW, CADC, LADC, or CME continuing education; or

(2) Is an 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 (12) hours of CEUs).

(3) The ODMHSAS Director of Community Based Services or designee shall approve all in-house/agency trainings that are provided for the intent of submitting towards case management CEUs (unless they meet the requirement in 450:50-5-4(b)(2). Certified case managers shall not submit more than three (3) hours of these approved CEUs annually towards their required minimum.

(c) Certified Behavioral Health Case Managers must complete, as part of their required twelve (12) hours annually, three (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. Documentation shall be submitted upon the request of the Department. Acceptable verification documents include:

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

(2) A letter or certificate from the organization sponsoring the training verifying name of program, presenter, number of hours attended, participant's name, and approval by licensure board; or

(3) An official grade transcript verifying completion of the undergraduate or graduate course. Ethics or Strengths based curriculum training must be verified with a course syllabus or other information submitted with official transcript.

(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 six (6) months following the suspension date. 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 twelve (12) hours of continuing education.

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. 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.

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.

(e) Certified Behavioral Health Case Managers shall not directly or indirectly suggest that they are allowed to provide "therapy" or "counseling" services unless licensed or accredited by the appropriate authority to provide therapy and/or counseling services.

(f) Certified Behavior Case Managers shall adhere to the following code of ethics that are set within the rules of this chapter and set forth by the Department.

(1) Certified Behavioral Health Case Managers shall be committed to respect the dignity and autonomy of all persons that is to include, but is not limited to professional relationships with clients (or former clients), supervisees, students, employees, or research participants in efforts to maintain the highest standards of their practice.

(2) Certified Behavioral Health Case Managers shall terminate service to clients, and professional relationships with them, when such service and relationships are no longer required or in which a conflict of interest arises.

(3) Certified Behavioral Health Case Managers shall be aware of and respect cultural, individual, and role differences, including those based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, and socioeconomic status and consider these factors when working with members of such groups. They shall also eliminate the effect on their work of biases based on those factors, and they do not knowingly participate in or condone activities of others based upon such prejudices or influence.

(4) Certified Behavioral Health Case Managers shall be obligated to report witnessed, involved, or reported ethical violations without violation of any confidentiality rights that may be involved. Certified Behavioral Health Case Managers shall be obligated to follow steps of reporting professional misconduct as set forth by the Department and in this chapter.

(5) Certified Behavioral Health Case Managers shall give precedence to his or her professional responsibility over personal interests.

(g) Certified Behavioral Health Case Managers shall not exploit their relationships with current or former clients, supervisees, students, employees, or others, sexually or otherwise, for personal advantage, profit, satisfaction, or interest.

(1) Certified Behavioral Health Case Managers shall be committed to each individual's rights of their own life choices and recovery journey by letting them direct their own healing process.

(2) Certified Behavioral Health Case Managers shall keep confidential all information entrusted except when to do so puts the consumer at grave risk. Case Managers will be obligated to explain the limits of confidentiality initially in the professional working relationship.

(3) If the demands of an affiliated organization for whom the Certified Behavioral Health Case Manager is working, is in conflict with these ethics, the issues must be clarified and resolved to allow adherence to the Rules of professional Conduct code set forth in this chapter.

(h) Certified Behavioral Health Case Managers shall provide services with populations and in areas only within the boundaries of their competence, based on education, training, supervised experience, consultation, study or professional experience.

(1) Certified Behavioral Health Case Managers that delegate or assign work to employees, supervisee, or assistants must take reasonable steps to see that such person performs the services competently.

(2) Certified Behavioral Health Case Managers are eligible to provide services within the scope of their certifications that would not lead to conflict of interest, exploitation of relationship, loss of objectivity and based on education, training or experience.

(3) Certified Behavioral Health Case Managers shall provide clients at the beginning of service written, accurate and complete information regarding the

extent and nature of the services available to them, to include fees and manner of payment.

(4) Certified Behavioral Health Case Managers shall not solicit the clients of one's agency for private practice or to change service locations.

(5) Certified Behavioral Health Case Managers shall not commit fraud and shall not represent that she or he performed services which they did not perform.

450:50-7-2. Consumer welfare

(a) Certified Behavioral Health Case Managers shall not, in the rendering of their professional services, participate in, condone, and promote discrimination on the basis of race, color, age, gender, religion, disability and or limitation 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, and 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.

(d) CBHCM shall report any violation of professional conduct by a CBHCM as outlined in this chapter.

(e) The Department shall conduct itself in a manner to intervene in an immediate action to protect a consumer(s) according to the guidelines and rules provided, to prevent further detriment to any consumer.

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

Certified Behavioral Health Case Managers shall practice within the scope of their individual certifications 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 or applicant 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

An approved case management applicant or Certified Behavioral Health Case Manager who does not comply with the Rules of Professional Conduct (450:50-7-1) or consumer welfare (450:50-7-2) 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.

SUBCHAPTER 11. COMPLAINT PROCESS AND INVESTIGATION/RESOLUTION OF COMPLAINTS

450:50-11-1. Complaints of Professional Conduct

If ODMHSAS determines that a possible violation of any rules set forth in this Chapter has occurred, ODMHSAS may commence an investigation of the complaint pursuant to this Chapter and Title 450 OAC Chapter 1.