

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 4078

By: McCall

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to mental health; amending 43A O.S.
10 2011, Section 2-103, as last amended by Section 2,
11 Chapter 4, O.S.L. 2019 (43A O.S. Supp. 2019, Section
12 2-103), which relates to the Board of Mental Health
13 and Substance Abuse Services; modifying status of the
14 Commissioner of Mental Health and Substance Abuse
15 Services; modifying members constituting a quorum;
16 repealing 43A O.S. 2011, Section 2-201, which relates
17 to the Commissioner of Mental Health and Substance
18 Abuse; and providing an effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 43A O.S. 2011, Section 2-103, as
21 last amended by Section 2, Chapter 4, O.S.L. 2019 (43A O.S. Supp.
22 2019, Section 2-103), is amended to read as follows:

23 Section 2-103. A. The Board of Mental Health and Substance
24 Abuse Services shall be composed of the following nine (9) members:

- 25 1. Five members appointed by the Governor;
- 26 2. Two members appointed by the Speaker of the House of
27 Representatives; and

1 3. Two members appointed by the President Pro Tempore of the
2 Senate.

3 B. 1. Each member shall serve at the pleasure of his or her
4 appointing authority and may be removed or replaced without cause.

5 2. Any member of the Board shall be prohibited from voting on
6 any issue in which the member has a direct financial interest.

7 ~~3. The Commissioner of Mental Health and Substance Abuse~~
8 ~~Services shall be an ex officio member of the Board, but shall be~~
9 ~~entitled to vote only in case of a tie vote.~~

10 C. The Board shall elect from among its members a chair and a
11 vice-chair. The chair may call meetings at any time.

12 D. All regularly scheduled meetings of the Board shall be held
13 at the Central Office of the Department of Mental Health and
14 Substance Abuse Services, Oklahoma City, Oklahoma, unless otherwise
15 scheduled. ~~Six~~ Five members shall constitute a quorum at any
16 meeting, and all action may be taken by an affirmative vote of the
17 majority of the members present at any such meeting.

18 E. The action taken by the Board on any matter, or any document
19 passed by the Board, shall be considered official when such action
20 is placed in writing and signed by the chair or vice-chair.

21 F. The duties of the Board shall pertain to the care,
22 treatment, and hospitalization of persons with mental illness, or
23 alcohol- or drug-dependent persons.

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1 G. Members of the Board of Mental Health and Substance Abuse
2 Services shall be allowed their necessary travel expenses pursuant
3 to the provisions of the State Travel Reimbursement Act.

4 H. Members of the Board of Mental Health and Substance Abuse
5 Services shall be allowed to serve on the State Board of Medical
6 Licensure and Supervision and the State Board of Osteopathic
7 Examiners during members' terms on the Board of Mental Health and
8 Substance Abuse Services.

9 SECTION 2. REPEALER 43A O.S. 2011, Section 2-201, is
10 hereby repealed.

11 SECTION 3. This act shall become effective November 1, 2020.

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13 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/02/2020 - DO PASS,
14 As Amended.

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