

1 ENGROSSED HOUSE
2 BILL NO. 2937

By: McCullough, O'Donnell,
Cleveland and Russ of the
House

3
4 and

5 David of the Senate
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8 An Act relating to drug courts; authorizing
9 Department of Mental Health and Substance Abuse
10 Services to implement a voluntary pilot program for
11 certain drug court participants; providing for the
12 use of certain approved drugs for medication-assisted
13 treatment; authorizing the Department to select
14 participants; providing that refusal to participate
15 in the pilot program shall not be grounds for
16 termination from the drug court program; providing
17 certain eligibility requirements; allowing for the
18 use of approved treatment providers to administer
19 medication-assisted treatment; stating requirements
20 for treatment providers; defining term; providing for
21 the promulgation of rules and procedures; providing
22 for codification; and providing an effective date.

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

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 471.12 of Title 22, unless there
is created a duplication in numbering, reads as follows:

A. Subject to the availability of funds, the Department of
Mental Health and Substance Abuse Services may implement a pilot
program to provide medication-assisted treatment to persons who are

1 participating in a drug court program and have a dependence on
2 either alcohol or opioids.

3 B. In the case of medication-assisted treatment provided under
4 the pilot program, a drug may be used only if the drug has been
5 approved by the United States Food and Drug Administration for use
6 in the prevention of relapse to alcohol or opioid dependence and in
7 conjunction with support services deemed appropriate to the needs of
8 the person who is participating in the pilot program.

9 C. The Department of Mental Health and Substance Abuse Services
10 may limit the number of participants in the pilot program. The
11 Department shall select persons who are currently participating in a
12 drug court program and who have been clinically assessed and
13 diagnosed with an alcohol or opioid addiction. Provided, however,
14 participation in the pilot program by an eligible drug court
15 participant shall be voluntary. Refusal by the drug court
16 participant to receive medication-assisted treatment pursuant to the
17 pilot program shall not be grounds for termination from the drug
18 court program. Participants in the pilot program must be eligible
19 for Medicaid or eligible for a state, federal or private grant or
20 other funding source that provides for the full payment of the
21 treatment necessary to participate in the pilot program. After
22 being enrolled in the pilot program, participants shall continue to
23 comply with all terms and conditions of the treatment plan
24 previously agreed to by the drug court participant.

1 D. Medication-assisted treatment may be provided by a treatment
2 provider who is approved by the Department of Mental Health and
3 Substance Abuse Services and is consistent with the policies and
4 procedures of the drug court program. A treatment provider shall do
5 all of the following:

6 1. Conduct any necessary professional and comprehensive
7 substance abuse and mental health diagnostic assessments of a person
8 under consideration for selection as a pilot program participant to
9 determine whether the person would benefit from alcohol or opioid
10 substance abuse treatment and monitoring; and

11 2. Provide access to the nonnarcotic, long-acting antagonist
12 therapy or any evidence-based pharmacology treatment that assists in
13 recovery included in the medication-assisted treatment of the pilot
14 program.

15 E. As used in this section, "medication-assisted treatment"
16 means the use of medications, in combination with counseling and
17 behavioral therapies, to provide a whole-patient approach to the
18 treatment of an alcohol or opioid substance abuse disorder.

19 F. The Department of Mental Health and Substance Abuse Services
20 shall promulgate rules and procedures as necessary to implement the
21 provisions of this section.

22 SECTION 2. This act shall become effective November 1, 2016.
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1 Passed the House of Representatives the 2nd day of March, 2016.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2016.

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9 Presiding Officer of the Senate