

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 2283

By: O'Donnell

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5  
6 AS INTRODUCED

7 An Act relating to crime victims; amending 74 O.S.  
8 2011, Section 18p-6, which relates to certification  
9 of domestic violence programs and organizations;  
10 providing for certification of victim assistance  
11 professionals; stating certification guideline; and  
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 74 O.S. 2011, Section 18p-6, is  
15 amended to read as follows:

16 Section 18p-6. A. Effective July 1, 2005, all administrative  
17 rules promulgated by the Department of Mental Health and Substance  
18 Abuse Services relating to domestic violence and sexual assault  
19 programs shall be transferred to and become a part of the  
20 administrative rules of the Office of the Attorney General. The  
21 Office of Administrative Rules in the Secretary of State's office  
22 shall provide adequate notice in the Oklahoma Register of the  
23 transfer of such rules, and shall place the transferred rules under  
24 the Administrative Code section of the Attorney General. Such rules

1 shall continue in force and effect as rules of the Office of the  
2 Attorney General from and after July 1, 2005, and any amendment,  
3 repeal or addition to the transferred rules shall be under the  
4 jurisdiction of the Attorney General.

5 B. The Attorney General shall adopt and promulgate rules and  
6 standards for certification of batterers intervention and domestic  
7 violence programs and for private facilities and organizations which  
8 offer domestic and sexual assault services in this state. These  
9 facilities shall be known as "certified domestic violence shelters"  
10 or "certified domestic violence programs" or "certified sexual  
11 assault programs" or "certified treatment programs for batterers",  
12 as applicable.

13 C. Applications for certification as a certified domestic  
14 violence shelter, domestic violence program, sexual assault program  
15 or treatment program for batterers, pursuant to the provisions of  
16 this section, shall be made to the Office of the Attorney General on  
17 prescribed forms. The Attorney General may certify the shelter or  
18 program for a period of three (3) years subject to renewal as  
19 provided in the rules promulgated by the Attorney General. Nothing  
20 in this section shall preclude the Office of the Attorney General  
21 from making inspection visits to a shelter or program to determine  
22 contract or program compliance.

23 D. The Attorney General shall adopt and promulgate rules and  
24 standards for certification of victim assistance professionals based

1 on guidelines from the National Advocate Credentialing Program  
2 Consortium. The certification guidelines shall include, but not be  
3 limited to, required annual attendance by victim assistance  
4 professionals at victim-centered, trauma-informed training based on  
5 guidance from national victim assistance organizations.

6 E. Licensed physicians, licensed psychologists, licensed social  
7 workers, individual members of the clergy, licensed marital and  
8 family therapists, licensed behavioral practitioners, and licensed  
9 professional counselors shall be exempt from certification  
10 requirements; provided, however, these exemptions shall only apply  
11 to individual professional persons in private practice and not to  
12 any domestic violence program or sexual assault program operated by  
13 such person.

14 ~~E.~~ F. Facilities providing services for persons who commit  
15 domestic abuse, victims or survivors of domestic abuse or sexual  
16 assault and any dependent children of such victims or survivors  
17 shall comply with standards promulgated by the Attorney General;  
18 provided, that the certification requirements and standards  
19 promulgated by the Attorney General shall not apply to programs and  
20 services offered by the Department of Health, the Department of  
21 Mental Health and Substance Abuse Services, the Department of  
22 Corrections or the Department of Human Services. The batterers  
23 intervention, domestic violence or sexual assault programs certified  
24 pursuant to the provisions of this section shall cooperate with

1 inspection personnel of this state and shall promptly file all  
2 reports required by the Attorney General. Failure to comply with  
3 rules and standards of the Attorney General shall be grounds for  
4 revocation of certification, after proper notice and hearing.

5 F. G. The Attorney General is hereby authorized to collect from  
6 each applicant the sum of One Hundred Fifty Dollars (\$150.00) to  
7 help defray the costs incurred in the certification process.

8 SECTION 2. This act shall become effective November 1, 2017.

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