

1 STATE OF OKLAHOMA

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

3 SENATE BILL 609

By: Treat

4
5
6 AS INTRODUCED

7 An Act relating to victim assistance professionals;
8 amending 74 O.S. 2011, Section 18p-6, which relates
9 to promulgation of rules; directing the Attorney
10 General to adopt and promulgate rules and standards
for certification of victim assistance professionals;
directing certification guidelines; and providing an
effective date.

11
12
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, requiring victim assistance professionals to attend
4 annual victim-centered, trauma-informed training based on guidance
5 from national victim assistance organizations for individual victim
6 assistance professionals in community, system, tribal and military-
7 based programs.

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

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

1 intervention, domestic violence or sexual assault programs certified
2 pursuant to the provisions of this section shall cooperate with
3 inspection personnel of this state and shall promptly file all
4 reports required by the Attorney General. Failure to comply with
5 rules and standards of the Attorney General shall be grounds for
6 revocation of certification, after proper notice and hearing.

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

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

11

12 56-1-878 BH 1/19/2017 7:36:29 PM

13

14

15

16

17

18

19

20

21

22

23

24