

1 ENGROSSED SENATE
2 BILL NO. 609

By: Treat of the Senate

and

O'Donnell of the House

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

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

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

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

1 Attorney General from and after July 1, 2005, and any amendment,
2 repeal or addition to the transferred rules shall be under the
3 jurisdiction of the Attorney General.

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

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

22 D. The Attorney General shall adopt and promulgate rules to
23 create a voluntary certification program for victim assistance
24 professionals based on guidelines from the National Advocate

1 Credentialing Program Consortium. The certification guidelines may
2 include annual attendance by victim assistance professionals at
3 victim-centered and trauma-informed training based on guidance from
4 national, state and Tribal victim assistance organizations.

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

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

1 reports required by the Attorney General. Failure to comply with
2 rules and standards of the Attorney General shall be grounds for
3 revocation of certification, after proper notice and hearing.

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

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

8 Passed the Senate the 21st day of March, 2017.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the ____ day of _____,
13 2017.

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Presiding Officer of the House
of Representatives

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