

OKLAHOMA DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

It is very important that you provide your comments regarding the proposed rule change by the comment due date. Comments are directed to the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) administrative rules liaison, Gretchen Geis, at GGeis@odmhsas.org.

ODMHSAS COMMENT DUE DATE: 5 p.m. on March 4, 2016

The proposed policy is a PERMANENT Rule. This proposal is scheduled to be presented for public comment during a public hearing on March 10, 2016 and to the ODMHSAS Board of Directors for adoption on March 25, 2016.

Reference #: 21-2016P

SUMMARY:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 21 are part of the Department's review of Title 450. The proposed rules revise reporting requirements for individuals certified under this Chapter as well as revises timelines for steps within the application process in order to assist applicants with timely completion.

LEGAL AUTHORITY

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-451 through 3-453.1; 47 O.S. §§ 6-212.2, 11-902 and 761(D); 22 O.S. §§ 991a and 991c.

RULE IMPACT STATEMENT

**STATE OF OKLAHOMA
OKLAHOMA DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES**

PROPOSED RULES:

Chapter 21. Certification of Alcohol and Drug Substance Abuse Courses (ADSAC) Organizations and Facilitators [AMENDED]

1. BRIEFLY DESCRIBE THE PURPOSE OF THE PROPOSED RULES.

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 21 are part of the Department's review of Title 450. The proposed rules revise reporting requirements for individuals certified under this Chapter as well as revises timelines for steps within the application process in order to assist applicants with timely completion.

- 2. DESCRIBE THE CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULES, INCLUDING CLASSES THAT WILL BEAR THE COSTS OF THE PROPOSED RULE, AND ANY INFORMATION ON COST IMPACTS RECEIVED FROM PRIVATE OR PUBLIC ENTITIES.**

Organizations or individuals certified by ODMHSAS to facilitate ADSAC courses, and the individual required to participate in ADSAC for reinstatement of his or her driver's license. However, the Department has determined these rules to be revenue and cost neutral.

- 3. DESCRIBE THE CLASSES OF PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULES.**

Individuals attending an ADSAC course required as part of the process for drivers license reinstatement provided by schools and facilitators certified by ODMHSAS, the courts and the general public.

- 4. DESCRIBE THE PROBABLE ECONOMIC IMPACT OF THE PROPOSED RULES UPON THE AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS, INCLUDE A LISTING OF ALL FEE CHANGES AND WHENEVER POSSIBLE, JUSTIFICATION FOR EACH.**

ODMHSAS does not anticipate these rules will have an economic impact upon any political subdivision, or require their cooperation to implement or enforce the proposed revisions to the rules.

- 5. SPECIFY THE PROBABLE COSTS AND BENEFITS TO ODMHSAS AND TO ANY OTHER AGENCY FOR IMPLEMENTING AND ENFORCING THE PROPOSED RULES AS WELL AS, ANY ANTICIPATED EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES, IF SUCH CAN BE PROJECTED.**

ODMHSAS has determined all other proposed rules to be revenue neutral.

- 6. DETERMINE WHETHER IMPLEMENTATION OF THE PROPOSED RULES WILL HAVE AN ECONOMIC IMPACT UPON ANY POLITICAL SUBDIVISIONS OR REQUIRE THEIR COOPERATION IN IMPLEMENTING AND ENFORCING THE PROPOSED RULES**

ODMHSAS does not anticipate an economic impact on any affected classes of persons.

- 7. DETERMINE IF IMPLEMENTATION OF THE PROPOSED RULES MAY HAVE AN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES.**

ODMHSAS does not anticipate an adverse economic impact on any affected classes of persons.

8. EXPLAIN THE MEASURES ODMHSAS HAS TAKEN TO MINIMIZE COMPLIANCE COSTS AND A DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY METHODS OR LESS INTRUSIVE METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES.

Throughout the year ODMHSAS staff meet with stakeholders to provide information related to these rules and collect stakeholder input into programmatic and rule adjustments. ODMHSAS considers these revisions the least burdensome and intrusive method to accomplish existing legislative mandates.

9. DETERMINE THE EFFECT OF THE PROPOSED RULES ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND, IF THE PROPOSED RULES ARE DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, EXPLAIN THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULES WILL REDUCE THE RISK.

ODMHSAS anticipates these rules to enhance the delivery of ADSAC services by more clearly defining service expectations of the certified facilitator and ADSAC course facility.

10. DETERMINE IF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULES ARE NOT IMPLEMENTED.

Certified ADSAC courses positively impact the health and wellness of persons served and the general public.

DATE PREPARED:

January 7, 2016

TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

CHAPTER 21. CERTIFICATION OF ALCOHOL AND DRUG SUBSTANCE ABUSE COURSES (ADSAC), ORGANIZATIONS AND FACILITATORS

SUBCHAPTER 1. CERTIFICATION OF ALCOHOL AND DRUG SUBSTANCE ABUSE COURSES (ADSAC), ORGANIZATIONS AND INSTRUCTORS

450:21-1-3. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise.

"**Abuse**" means the causing or permitting of harm or threatened harm to the

health, safety, or welfare of a participant by staff responsible for the participant's health, safety, or welfare, including, but not limited to:

- (A) non-accidental physical injury or mental anguish;
- (B) sexual abuse;
- (C) sexual exploitation;
- (D) use of mechanical restraints without proper authority;
- (E) the intentional use of excessive or unauthorized force aimed at hurting or injuring the participant; or
- (F) deprivation of food, clothing, shelter, or healthcare by staff responsible for providing these services to a participant.

"ADSAC" means Alcohol and Drug Substance Abuse Course.

"ADSAC Facilitator" means an individual certified to teach both the ten (10) or the twenty-four (24) hour ADSAC courses.

"Administrator" means the person responsible for administering ADSAC courses within a certified institution or organization.

"Action Code" means a numerical designation applied to ADSAC by the Oklahoma Department of Public Safety, and which will be provided by ODMHSAS to organizations and institutions conducting ADSAC, for use in completing the written verification of an individual's completion of an ADSAC.

"Audit" means a systematic inspection of accounting records involving analyses, tests, and confirmations or the hearing or investigation by an auditor.

"Certification" means an institution, organization, or individual approved by ODMHSAS to conduct ADSAC courses.

"Commissioner" means the Commissioner of the Oklahoma Department of Mental Health and Substance Abuse Services.

"Conflict of interest" means a conflict between the private interests and public obligations of a certified organization, institution, or certified ADSAC Facilitator.

"Consumer" means an individual, adult or child, who is receiving services, evaluation or treatment, from an entity operated or certified by ODMHSAS or with which ODMHSAS contracts and includes all persons referred to in OAC Title 450 Chapters 16, 17, 18, 19 and 23 as client(s) or patient(s) or resident(s) or a combination thereof.

"Course" means multiple classes offering an approved ADSAC curriculum.

"Critical incident" means an occurrence or set of events inconsistent with the routine operation of an approved institution or organization approved to do ADSAC, or the routine work with a participant in an ADSAC course. Critical incidents specifically include, but are not limited to: self-destructive behavior; deaths and injuries to the participant, participant's family, staff or visitors; abuse of a participant, fire, unauthorized disclosure of information; damage to or theft of property belonging to a participant or an approved institution or organization; other unexpected occurrences; or events subject to litigation. A critical incident may involve multiple individuals or results.

"Curricula" (plural of Curriculum) See Curriculum.

"Curriculum" means a specific course of study in alcohol and drug substance abuse designed for ADSAC.

"Denial" means a refusal to certify to conduct ADSAC courses.

"Documentation" means the provision of written, dated and authenticated evidence to substantiate compliance with standards.

"DPS" means Department of Public Safety.

"Equipment" means hardware, such as audio visual equipment, used as a tool to present material in an ADSAC course.

"Evidence based practice" means programs or practices that are proven to be successful through research methodology and have produced consistently positive patterns of results.

"Facilitator candidate" means an individual who has applied for and is in the process of being certified to conduct an ADSAC course as an ADSAC facilitator.

"Facility" means any ODMHSAS approved building in which ADSAC is conducted.

"Guest instructor" means non-certified individual invited to discuss a specific portion of ADSAC curriculum under the direct supervision of a certified ADSAC facilitator.

"Instructional material" means written or printed data distributed to the participant during an ADSAC course for informational or educational purposes.

"Intern facilitator" means a facilitator who has initial approval to conduct ADSAC courses under supervision, both ten (10) and twenty-four (24) hour, but who has not completed internship or training requirements, and is not certified.

"Lapse" means the expiration of an otherwise valid ADSAC certification due to the failure to timely complete and submit the required application for recertification.

"Notes" means a complete, chronological written description of any intervention(s) provided to a participant requiring documentation. Notes may include the participant's response and are written by the ADSAC staff delivering the service.

"ODMHSAS" means the Oklahoma Department of Mental Health and Substance Abuse Services.

"Oklahoma Administrative Code" or **"OAC"** means the publication authorized by 75 O.S. § 256 known as The Oklahoma Administrative Code, or, prior to its publication, the compilation of codified rules authorized by 75 O.S. § 256(A)(1)(a) and maintained in the Office of Administrative Rules.

"OSBI" means the Oklahoma State Bureau of Investigation.

"Participant" means a person convicted of driving under the influence of alcohol or other intoxicating substances or who has received an alcohol or drug-related revocation or suspension of driving privileges in Oklahoma and who is involved in the ADSAC process.

"Professional setting" means a facility that is adequate and suitable for the purpose of providing adult education or assessment services, meeting all confidentiality requirements of 42 CFR, Part 2 and HIPAA, and without distraction or interruption from adjacent business or activities.

"Recertification" means the renewal of certification for an institution, or organization, or instructor to provide ADSAC courses.

"Revocation" means cancellation of an existing certification to conduct or instruct ADSAC courses.

"Sentinel event" is a type of critical incident that is an unexpected occurrence involving the death or serious physical or psychological injury to a participant, or risk thereof. Serious injury specifically includes loss of limb or limb function. The phrase "or risk thereof" includes a variation in approved processes which could carry a significant chance of a serious adverse outcome to a participant. These events signal the need for

immediate investigation and response. Sentinel events include, but are not limited to: suicide, homicide, criminal activity, assault and other forms of violence, including domestic violence or sexual assault, and adverse drug events resulting in serious injury or death.

"Suspend" means to temporarily cancel certified ADSAC services or certification for a designated period of time.

"Transtheoretical Model of Change" or **"TMC"** means a model which identifies distinct stages of change existing for each individual involved in any educational or therapeutic process and enhances the ability to accurately assess the individual's readiness for clinical or educational engagement at the time of an assessment. This is also referred to as the "Stages of Change" model.

~~**"Unique identifier"** means a code developed by the institution or organization or individual providing ADSAC services that allow each participant to be identified. The same unique identifier should not be used for more than one participant.~~

450:21-1-5. Compliance with laws, rules

(a) All institutions, organizations and facilitators certified by ODMHSAS to conduct ADSAC courses shall do so in accordance with all applicable laws of the State of Oklahoma and all applicable rules of Title 450 OAC.

(b) Each applicant for ADSAC facilitator shall declare in writing, in a format and manner prescribed by the Commissioner of ODMHSAS, or designee, that he or she has read and understands §§ 3-451 through 3-461 of Title 43A of the Oklahoma Statutes and this Chapter and agrees to abide by the terms thereof, along with future amendments thereto, as a condition for obtaining and retaining such approval or certification.

(c) ODMHSAS shall process all applications for certification and recertification and enforce these standards and criteria (rules) in this Chapter, and related laws.

(d) Approved institutions, organizations and facilitators shall not make reference to ODMHSAS or DPS in any advertisement regarding ADSAC. Advertising shall be truthful in all communication with prospective participants. Implication of exclusive services by any one organization is prohibited.

(e) All institutions, organizations and facilitators certified to conduct ADSAC courses must promptly notify ODMHSAS of a change of mailing or physical address within fourteen (14) days of said change.

(f) The fees for those attending a ten (10) hour ADSAC course shall be one hundred and fifty dollars (\$150.00) per participant; and for persons attending the twenty-four (24) hour courses the fee shall be three hundred and sixty dollars (\$360.00).

(g) The ADSAC institution or organization shall pay ODMHSAS ten percent (10%) of each ADSAC fee collected, which ODMHSAS shall remit to the Oklahoma State Treasurer to be credited to the ODMHSAS Revolving Fund.

(h) The payment from the fee collected for each ADSAC course participant shall be made to ODMHSAS within thirty (30) days of course completion.

(i) A check for the appropriate fee shall accompany the completion roster, unless otherwise stipulated in writing by ODMHSAS.

~~(j) Each institution, organization and facilitator shall annually submit to ODMHSAS a written and signed statement documenting the records of the number of courses~~

~~conducted, number of participants, and fees paid for the ADSAC courses submitted within the previous twelve (12) months are accurate.~~

(k) Compliance with this Chapter may be determined by a review of all ADSAC-related records; documents and reports; facilitator, staff and participant interviews; and any other relevant documentation of the institution, organization or facilitator.

450:21-1-6. Applications

(a) Applications for certification of institutions, organizations or facilitators to conduct ADSAC courses shall be made to ODMHSAS in writing on a form and in a manner prescribed by the Commissioner of ODMHSAS or designee.

(b) ODMHSAS shall give each institution, organization and facilitator candidate requesting certification to conduct ADSAC courses the following:

- (1) A copy of §§ 3-451 through 3-453 of Title 43A of the Oklahoma Statutes;
- (2) A copy of these standards and criteria; and
- (3) The appropriate application(s).

(c) An institution or organization applying for certification to conduct ADSAC shall provide to ODMHSAS for consideration:

- (1) Completed application;
- (2) Film approval form(s) for the ten (10) and twenty-four (24) hour ADSAC;
- (3) Instructional materials for the ten (10) and twenty-four (24) hour ADSAC;
- (4) Written verification the applicant is a nonprofit educational institution of higher learning appropriately accredited pursuant to state law, a governmental entity or a nonprofit corporation. If a non-profit corporation, verification shall be a copy of the U.S. Internal Revenue Service Documents granting the corporation 501(c)(3) status;
- (5) Completed certification applications and resumes of proposed facilitators;
- (6) The physical address (street, building name and suite [if applicable], city and zip code) and description of all sites at which the ADSAC course(s) will be conducted; and
- (7) Letters of support from at least two (2) of the following individuals who serve in the community in which each proposed site, including satellites, is located:
 - (A) District or Associate District Judge;
 - (B) County Sheriff;
 - (C) Municipal Judge;
 - (D) District or Assistant District Attorney; or
 - (E) Chief of Police.

(d) If the applicant is a non-profit corporation, the applicant shall submit evidence it was constituted, and is operated, to provide substance abuse, mental health or educational services as its primary services and that the corporation is operated from a professional administrative office, which is open and operated during normal business hours.

(e) Requests from a certified ADSAC provider for additional or replacement course sites shall be submitted to the ODMHSAS and shall meet all requirements for initial applications, except the institution or organization need not submit items previously submitted that are currently applicable to the new site(s) and expressly stated as such in the application for new course site(s).

(f) Renewal of certification of ADSAC institutions or organizations shall be contingent upon submission of renewal application and programmatic history of compliance with Oklahoma Administrative Code, Title 450. The application for renewal shall include all items required for initial certification.

(g) An applicant for initial certification as a facilitator to conduct ADSAC_courses shall provide to ODMHSAS for consideration:

(1) A letter of recommendation from an administrator of a certified institution or organization;

(2) A current resume, which shall include:

(A) Educational background including an official college transcript from an accredited college or university; and

(B) Employment history covering the previous ten (10) years to include name, complete address and telephone number of employer(s).

(3) A completed application.

(4) A one hundred dollar (\$100.00) application fee for initial certification; and

(5) Upon initial application, a completed Oklahoma State Bureau of Investigation background check or a similar background check from any other state(s) of residence for the past five (5) years;

(6) Provide a current, recognizable, color, photographic image, in good condition, no smaller than two (2) inch by two (2) inches of the applicant every six (6) years, upon the anniversary of every second recertification beginning with any qualifying recertifications occurring on or after July 1, 2008; and

(7) A new OSBI background check must be submitted every six (6) years, upon the anniversary of every second recertification beginning with any qualifying recertifications occurring on or after July 1, 2008. The results of the OSBI background check must be submitted with the recertification application and any conviction may result in denial of certification. This will be required of all individuals who have been certified as ADSAC facilitators for six (6) years or more, recertifying after July, 1, 2008.

(h) ODMHSAS shall consider each applicant for certification in accordance with these rules. The Commissioner of ODMHSAS or designee shall notify each applicant in writing of an approval or denial of certification. Certification shall be effective for three (3) years commencing with the date of issue.

(i) Faxes will not be accepted as permanent copies for an applicant's record.

(j) Applications are good for one (1) year from acceptance. Training requirements must be completed within nine (9) months of application. All other requirements must be completed within the initial twelve (12) month period or a new application must be submitted.

(k) Completed applications must be received by ODMHSAS twenty (20) days prior to the new facilitator training event.

(l) A facilitator whose certification has been expired for less than twelve (12) months must make application for an initial certification as set forth in 450:21-1-10, with the exception of attending the initial ADSAC facilitator training, and successful completion of the training exam.

(m) A facilitator whose certification has been expired for more than twelve (12) months must make application for an initial certification as set forth in 450:21-1-10,

including attending the initial ADSAC facilitator training, and successful completion of the training exam.

(n) Each facilitator shall notify ODMHSAS of any change of application information related to his or her email address, phone number, work or home address at least fifteen (15) days in advance of the change. In case of an emergency, the facilitator may notify ODMHSAS of any change up to thirty (30) days after a change has occurred.

450:21-1-7.6. Participant records, basic requirements

(a) Participant records shall be developed and maintained to ensure that all appropriate individuals have access to relevant course and other information regarding the participant. The record shall communicate information in a manner that is organized, clear, complete, current and legible.

(b) Entries in participant records shall be legible, signed with first name or initial, last name, and dated by the person making the entry.

(c) The participant shall be identified by name ~~and an organization or institution generated unique identifier~~ on each sheet in the participant record, ~~on both sides of each page if both sides are used.~~

(d) A signed consent in a form designated by the Commissioner or designee shall be part of the case record for any person admitted to an ADSAC course.

450:21-1-9. Facilities, equipment and instructional material

(a) Each site where an ADSAC course is held must meet local and state fire, health and safety standards. ODMHSAS may request state or local fire inspectors or other state health or safety officials to conduct an inspection of any facility suspected of being hazardous.

(b) Each institution or organization must provide a safe, confidential, professional and comfortable environment for participants and facilitators, appropriate for conducting an ADSAC course with minimum distractions.

(c) All equipment must be in good working condition.

(d) Instructional material issued to participants such as handouts, pamphlets, workbooks, etc., must have been submitted to ODMHSAS upon application by the organization or institution for certification or recertification. Each participant shall be given a new, unused journal of the Level I or Level II ADSAC journal as his or her property.

~~(e) Each ODMHSAS approved site shall be a professional setting as appropriate for the purposes of conducting an ADSAC course.~~

~~(f)~~(e) Sites shall not be designed or used for the primary purpose of eating or sleeping (hotel/motel sleeping rooms, restaurant dining rooms, etc.).

~~(g) No new ADSAC course shall be located within one thousand (1000) feet of an establishment with the primary purpose of serving alcoholic beverages.~~

450:21-1-10. ADSAC facilitator certification, qualification and disqualification

(a) Minimum qualifications for certification of ADSAC facilitators are as follows:

(1) Possess a bachelor's degree in behavioral or healthcare sciences education, psychology, social work or chemical dependency with at least two (2) years verifiable full-time equivalent experience in the substance abuse treatment field.

This work experience can be in the areas of clinical, prevention or direct care. Proof of current licensure as LADC or certification as CADC will fulfill the experience requirement;

(2) A valid driver's license or state identification card;

(3) Completion of the following in the order listed below:

(A) Observe one (1) complete twenty-four (24) hour ADSAC course conducted by a certified facilitator. This observation must be completed and verified to ODMHSAS prior to attending facilitator training;

(B) Attend the new facilitator training and pass the ODMHSAS Certification Examination for ADSAC Facilitator; and

(i) a minimal score to pass the exam shall be eighty (80) percent;

(ii) the exam shall require the participant to correctly identify the major components of the transtheoretical model of change;

(iii) the exam shall require the participant to correctly identify the major components of the interactive journaling process; and

(iv) the exam shall require the participant to correctly identify rules from this chapter.

(C) Conduct one complete twenty-four (24) hour ADSAC under the supervision of a certified ADSAC facilitator or an ODMHSAS representative.

(4) The facilitator candidate shall be allowed ~~one (1) year~~ nine (9) months to complete ~~all training requirements~~ and one (1) year from application to complete all other requirements. Failure to meet all requirements within ~~one (1) year~~ the specified timeframes will result in denial of certification. To be reconsidered, the candidate will be required to re-apply to ODMHSAS.

(5) Renewal of certification as an ADSAC facilitator shall be dependent upon acceptance of a completed renewal application submitted to ODMHSAS, remission of a fifty dollar (\$50.00) application fee for renewal of certification, and the accomplishment of minimum standards. These standards are:

(A) Each facilitator shall conduct at least ~~two (2)~~ six (6) complete ten (10) or twenty-four (24) hour courses during each ~~twelve (12) month~~ certification period beginning with the date of initial certification:

(i) To be eligible for recertification as an ADSAC facilitator capable of conducting both ten (10) and twenty-four (24) hour ADSAC courses, verification of having conducted at least two (2) twenty-four hour (24) ADSAC courses in the last three years prior to the request for recertification; and

(ii) Submission of proof of having conducted less than two (2) twenty-four (24) hour ADSAC courses in the three (3) years prior to the request for recertification, shall result in the facilitator being required to attend a one (1) day training event addressing skills consistent with twenty-four (24) hour course facilitation.

(B) Documentation of receiving twelve (12) continuing education hours each twelve (12) month period beginning with the date of initial certification. These hours shall be from each of the following areas with four (4) hours coming from area (i), four (4) hours coming from area (ii) and four (4) hours coming from area (iii):

(i) adult education,

- (ii) facilitation skills,
- (iii) general substance abuse training, and
- (iv) Hours for any mandatory trainings required by ODMHSAS may come from area (iii) above.

(6) All renewals of certification are due on the third anniversary of certification. After July 1, 2008 all certification renewals may come due on January 1 of the renewal year. If a universal certification date is adopted, then, requirements for certification renewals will be accepted on a prorated basis during the transition period.

(b) An applicant may not be certified nor certification as an ADSAC facilitator renewed under any of the following conditions:

- (1) A non-pardoned felony conviction within the last five (5) years;
- (2) Conviction of driving under the influence of alcohol or other intoxicating substances or receiving an alcohol or drug related revocation or suspension of driving privileges for five (5) years prior to the application for certification; or,
- (3) Having involvement in any business or endeavor which is a conflict of interest. ODMHSAS may on its own initiative, or upon complaint, investigate potential or alleged conflict of interest, or any other alleged, or suspected violation of these standards.

450:21-1-10.1. Inactive status/closure

(a) An active ADSAC course, institution or organization certification may be placed on inactive status by written request:

- (1) An inactive certification forfeits all rights and privileges granted by the certification;
- (2) When certification is placed on inactive status, the certificate shall be returned to ODMHSAS;
- (3) When certification is placed on inactive status, it remains inactive for at least one (1) year from the date of inactivation;
- (4) Active status may be re-established upon ~~payment of a prorated renewal fee and submission of prorated continuing education hours required during the renewal year if there are no other impediments to certification~~ written request;
- (5) When an ADSAC institution or organization satellite must cease operation for less than twelve (12) months, all participant records shall be transported to the main site unless they can be secured on site under rules defined in 450:21-1-7.5;
- (6) During such a temporary closure due to being placed on inactive status of the main ADSAC site or location, effort should be made to ensure participant records remain accessible as defined in 450:21-1-7.5;
- (7) Participants attending an ADSAC course shall be given written notification of a temporary closure with contact information in the event all course sessions have not been completed;
- (8) ODMHSAS shall be notified in writing of the temporary closure of any ADSAC site (DUI school). The written notification shall contain:
 - (A) The reason for closing;
 - (B) Contact information for participant course records; and
 - (C) A projected date for resumption of business.

(9) Upon receipt of written notification of closure, ODMHSAS shall remove the institution or organization(s) telephone number from the monthly State Certified DUI Schools referral list; and

(10) Upon written notification of intent to resume business, ODMHSAS shall add the institution or organization(s) telephone number to the monthly State Certified DUI Schools referral list.

(b) Institutions and organizations operating for the purpose of conducting ADSAC having to close permanently shall comply with the following:

(1) When a satellite closes permanently, all participant records shall be transported to the main location under rules defined in 450:21-1-7.5;

(2) When the main location of an institution or organization closes permanently, all participant records shall be secured as defined in 450:21-1-7.5;

(3) Participant records shall remain accessible as defined in 450:21-1-7.5;

(4) Participants shall be given written notification of the closure with contact information, including ODMHSAS, in the event all coursework is not completed;

(5) ODMHSAS shall be notified in writing of any closure of an institution or organization operating for the purpose of conducting ADSAC courses. The written notification shall contain:

(A) the reason for closing; and

(B) contact information for participant records.

(6) Upon receipt of written notification of closure, ODMHSAS shall remove the site(s) telephone number from the monthly State Certified DUI Schools referral list.

(c) An active ADSAC facilitator certification may be placed on inactive status by written request:

(1) An inactive certification forfeits all rights and privileges granted by the certification;

(2) When certification is placed on inactive status, the certificate shall be returned to ODMHSAS;

(3) When certification is placed on inactive status, the certification remains inactive for at least twelve (12) months from the date of inactivation or until the end of the certification period, whichever is first;

(4) Inactive status shall not be allowed to continue ~~for more than thirty-six (36) months~~ longer than the certification period; and

(5) Active status may be re-established upon ~~payment of a prorated renewal fee and submission of prorated continuing education hours required during the renewal year~~ if there are no impediments to certification written request.