

CS for EHB 2746

1 THE STATE SENATE
2 Monday, April 8, 2002

3 Committee Substitute for
4 ENGROSSED
5 House Bill No. 2746

6 COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 2746 - By: TAYLOR
7 of the House and DUNLAP of the Senate.

8 [counties and county officers - Jim Hallett Act -
9 codification - effective date -
10 emergency]

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

12 SECTION 1. NEW LAW A new section of law not to be
13 codified in the Oklahoma Statutes reads as follows:

14 This act shall be known and may be cited at the "Jim Hallett
15 Act".

16 SECTION 2. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 746.1 of Title 19, unless there
18 is created a duplication in numbering, reads as follows:

19 There is hereby created in the State Treasury a revolving fund
20 for the State and Education Employees Group Insurance Board to be
21 designated the "Medical Expense Liability Revolving Fund". The fund
22 shall be a continuing fund, not subject to fiscal year limitations,
23 and shall consist of all monies received from court penalty cost
24 pursuant to Section 3 of this act. All monies accruing to the
25 credit of the fund shall be appropriated and may be budgeted and

1 expended by the State and Education Employees Group Insurance Board
2 for qualified medical expenses pursuant to the criteria set forth in
3 Section 3 of this act. A portion of the Medical Expense Liability
4 Revolving Fund shall be used for the costs the Board incurred in
5 administering such monies.

6 Expenditures from the fund shall be made upon warrants issued by
7 the State Treasurer against claims filed as prescribed by law with
8 the Director of State Finance for approval and payment.

9 SECTION 3. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 1313.7 of Title 20, unless there
11 is created a duplication in numbering, reads as follows:

12 A. In addition to the penalty assessment imposed by Sections
13 1313.2 and 1313.3 of Title 20 of the Oklahoma Statutes, any person
14 convicted of any offense, excluding traffic offenses, as well as
15 parking and standing violations, punishable by a fine of Ten Dollars
16 (\$10.00) or more or by incarceration or any person forfeiting bond
17 when charged with such offense, shall be ordered by the court to pay
18 a medical expense liability fee in the amount of Ten Dollars
19 (\$10.00) for each offense for the Medical Expense Liability
20 Revolving Fund provided for in Section 2 of this act. The fee shall
21 be in addition to and not in substitution for any and all fines and
22 penalties otherwise provided for by law for such offense.

1 B. The court clerk shall cause to be deposited the amount of
2 Ten Dollars (\$10.00) as collected, for every conviction as described
3 in this subsection. The court clerk shall remit the monies in the
4 fund on a monthly basis to the Medical Expense Liability Revolving
5 Fund.

6 The monies from the Medical Expense Liability Revolving Fund
7 shall be used when the following criteria are met:

8 1. A county or city jail in this state is determined to be
9 liable for the medical expense or expenses of an inmate or person in
10 custody as provided by law. The minimum expense amount that shall
11 qualify for consideration is Fifteen Thousand Dollars (\$15,000.00)
12 per ailment or injury;

13 2. The county clerk of the county makes a written claim to the
14 State and Education Employees Group Insurance Board regarding a
15 county medical expense. In addition to the written claim, all of
16 the medical records and bills shall be submitted that relate to the
17 medical expense under consideration; and

18 3. It is determined that the inmate or person in custody lacks
19 the ability and resources to cover his or her medical expense or
20 expenses.

21 C. The Medical Expense Liability Revolving Fund shall not pay
22 any expenses in excess of One Hundred Thousand Dollars (\$100,000.00)
23 per inmate or person in custody.

1 D. If the inmate or person in custody receives any type of
2 compensation or award from a collateral source as a result of the
3 ailment or injury which is paid by the Medical Expense Liability
4 Revolving Fund, the state shall be subrogated to the rights of a
5 claimant to receive or recover from a collateral source to the
6 extent that medical expenses were awarded.

7 SECTION 4. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 1306.5 of Title 74, unless there
9 is created a duplication in numbering, reads as follows:

10 The State and Education Employees Group Insurance Board, in
11 accordance with administering the Medical Expense Liability
12 Revolving Fund pursuant to Section 2 of this act, shall employ,
13 appoint, or otherwise designate the necessary personnel to carry out
14 the duties of the fund.

15 SECTION 5. This act shall become effective July 1, 2002.

16 SECTION 6. It being immediately necessary for the preservation
17 of the public peace, health and safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-3-02 - DO
21 PASS, As Amended.