

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1590

By: Wilkerson

AS INTRODUCED

An Act relating to corrections; amending 57 O.S. 2001, Section 561.3, which relates to contracts for medical care; removing certain provision relating to the Department of Corrections providing medical care to private prison contractors; amending 43A O.S. 2001, Section 3-701, which relates to Griffin Memorial Hospital services; deleting reference to O'Donoghue Rehabilitation Institute; amending 63 O.S. 2001, Section 3203, which relates to purpose of University Hospitals Authority Act; deleting reference to O'Donoghue Rehabilitation Institute; repealing Section 8, Chapter 8, 1st Extraordinary Session, O.S.L. 2000 and 57 O.S. 2001, Sections 621, 622, 624, 625 and 626, which relate to the Correctional Health Care Services Oversight Board; and declaring an emergency.

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

SECTION 1. AMENDATORY 57 O.S. 2001, Section 561.3, is amended to read as follows:

Section 561.3 ~~A.~~ Every contract entered into on and after ~~the effective date of this act~~ July 1, 2000, between the Department of Corrections and a private prison operator which provides for the housing of inmates under the custody or supervision of the Department of Corrections, shall require that the private prison operator furnish medical care for such inmates as part of the contract price. Such care shall meet standards prepared and established by the Board of Corrections for inmate medical care.

~~B. A private prison operator which has contracted with the Department of Corrections to house inmates under the custody or control of the Department and which is required by such contract to furnish medical care for such inmates may contract with the~~

~~Department of Corrections for medical care to be provided pursuant to the contract provided for in Section 2 of this act.~~

SECTION 2. AMENDATORY 43A O.S. 2001, Section 3-701, is amended to read as follows:

Section 3-701. A. Until February 1, 2002, it shall be the responsibility of the Department of Mental Health and Substance Abuse Services, within facilities and professional capabilities, to provide at Griffin Memorial Hospital, Norman, Oklahoma, such medical and surgical inpatient and outpatient care as may be required by inmates from the several correctional institutions that are properly referred to the hospital by the Department of Corrections. The Department of Mental Health and Substance Abuse Services may refer to the University Hospitals, and University Hospitals shall accept, those ~~correctional~~ inmate patients who ~~are~~ need services beyond the ~~facilities'~~ and facilities or professional capability capabilities of Griffin Memorial Hospital.

B. On and after February 1, 2002, it shall be the responsibility of the Department of Corrections or a contractor of the Department of Corrections to provide such medical and surgical inpatient and outpatient care as may be required by inmates of the Department of Corrections. The Department or a contractor of the Department may refer to the University Hospitals, and the University Hospitals shall accept, those ~~correctional~~ inmate patients who ~~are~~ need services, as determined by the Department of Corrections ~~to be,~~ beyond the facilities or professional capabilities of the Department of Corrections or a any contractor of the Department.

C. The Department of Corrections shall be responsible for transporting to, from, and between hospitals and for providing such physical security of ~~correctional~~ inmate patients as may be required beyond that security normal to hospital operation. The Department of Corrections shall immediately remove from the hospital those inmate patients as ~~they are~~ each is discharged by the hospital.

D. The hospital services provided by Griffin Memorial Hospital and the University Hospitals shall be without cost to the Department of Corrections.

SECTION 3. AMENDATORY 63 O.S. 2001, Section 3203, is amended to read as follows:

Section 3203. A. The purposes of the University Hospitals Authority Act are to provide for an effective and efficient administration, to ensure a dependable source of funding, and to effectuate the mission and purposes of the University Hospitals Authority. The mission and purposes of the University Hospitals are to serve as general hospitals, to serve as teaching and training facilities for students enrolled at the University of Oklahoma, to serve as a site for conducting medical and biomedical research by faculty members of the University of Oklahoma Health Sciences Center and to provide care for the medically indigent. The University Hospitals shall maintain a close affiliation with the University of Oklahoma Health Sciences Center and shall coordinate their operations and activities in a cooperative manner. In addition, the University Hospitals Authority shall provide indigent and nonindigent patient care, as more fully described herein.

B. The Legislature finds that the needs of the citizens of this state and the needs of the University of Oklahoma Health Sciences Center will be best served if the University Hospitals are operated by a separate Authority charged with the mission of operating or leasing the operations of the teaching hospitals for the benefit of the colleges of the University of Oklahoma Health Sciences Center and providing care for the medically indigent.

C. The University Hospitals Authority, by receiving the assets and operating obligations, shall ensure that the costs of delivering medically indigent care continue to be subsidized in excess of the state reimbursement for the medically indigent, consistent with the teaching hospitals' past policy and performance and that of the

University of Oklahoma Health Sciences Center. The Authority shall make or cause to be made every reasonable effort to continue the hospitals' historic commitment to the provision of uncompensated care and that the allocation and investment of resources shall be made with a view to maximizing the hospitals' long-term ability to provide uncompensated care, except as may be modified by changes in federal or state law. The University Hospitals Authority shall ensure that indigent care provided by the Oklahoma Medical Center during a fiscal year shall be equal to or exceed one hundred twenty percent (120%) of the annual appropriation to the University Hospitals Authority for indigent care. The level of indigent care provided shall be based on Medicare costs as determined by the most recent report filed by any operating entity of the University Hospitals with the federal Health Care Finance Administration.

D. As used in this section, "indigent care" means charity care, Medicaid contractual allowances, all debt arising from accounts for which there is no third-party coverage including services provided to the Department of Corrections, ~~until commencement of the O'Donoghue Rehabilitation Institute services contract,~~ pursuant to Section 3-701 of Title 43A of the Oklahoma Statutes and Department of Mental Health and Substance Abuse Services as otherwise required by law. For purposes of this subsection, third-party coverage shall not include Medicaid coverage.

E. The Board of Regents of the University of Oklahoma shall retain full power to govern the personnel, curriculum and facilities of the University of Oklahoma.

SECTION 4. REPEALER Section 8, Chapter 8, 1st Extraordinary Session, O.S.L. 2000 and 57 O.S. 2001, Sections 621, 622, 624, 625 and 626, are hereby repealed.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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