

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1440

By: Shurden

AS INTRODUCED

An Act relating to Mental Health; amending 43A O.S. 2001, Section 1-110, as last amended by Section 4, Chapter 195, O.S.L. 2005 (43A O.S. Supp. 2005, Section 1-110), which relates to transporting persons for mental health services; requiring the Department of Mental Health and Substance Abuse Services to be responsible for certain medication costs; and providing an effective date.

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

SECTION 1. AMENDATORY 43A O.S. 2001, Section 1-110, as last amended by Section 4, Chapter 195, O.S.L. 2005 (43A O.S. Supp. 2005, Section 1-110), is amended to read as follows:

Section 1-110. A. Sheriffs and peace officers shall be responsible for transporting individuals to and from designated sites or facilities for the purpose of examination, emergency detention, protective custody and inpatient services.

B. A municipal law enforcement agency shall be responsible for any individual found within such municipality's jurisdiction. The county sheriff shall be responsible for any individual found outside of a municipality's jurisdiction, but within the county.

C. The law enforcement agency transporting an individual to and from designated sites or facilities pursuant to the provisions of this section shall maintain responsibility for the transportation of such individual pending completion of the examination, emergency detention, protective custody and inpatient services.

D. Sheriffs and peace officers shall be entitled to reimbursement from the Department of Mental Health and Substance Abuse Services for transportation services associated with minors or adults requiring examination, emergency detention, protective custody and inpatient services.

E. Any transportation provided by a sheriff or deputy sheriff or a peace officer on behalf of any county, city, town or municipality of this state, to or from any facility for the purpose of examination, admission, interfacility transfer, medical treatment or court appearance shall be reimbursed in accordance with the provisions of the State Travel Reimbursement Act.

F. Nothing in this section shall prohibit a law enforcement agency from entering into a lawful agreement with any other law enforcement agency to fulfill the requirements established by this section.

G. The Department of Mental Health and Substance Abuse Services shall continue to be responsible for the medication or medication costs of persons requiring treatment while the individual is incarcerated. Such medication or medication cost shall be furnished by the Department of Mental Health and Substance Abuse Services within seventy-two (72) hours.

SECTION 2. This act shall become effective November 1, 2006.

50-2-2688

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