

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 523

By: Paddock of the Senate

and

(Cox) of the House

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9 COMMITTEE SUBSTITUTE

10 [corrections - medical and surgical care for inmates
11 - network and out-of-network hospitals -
recodification -

emergency]

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

15 SECTION 1. AMENDATORY Section 21, Chapter 3, O.S.L.

16 2002, as last amended by Section 23, Chapter 150, O.S.L. 2005 (43A
17 O.S. Supp. 2006, Section 3-701a), is amended to read as follows:

18 Section 3-701a. A. ~~1. On and after February 1, 2002, it~~ It
19 shall be the responsibility of the Department of Corrections ~~or the~~
20 ~~primary medical contract provider of the Department of Corrections~~
21 to provide such medical and surgical inpatient and outpatient care
22 as may be required by inmates of the Department of Corrections. The
23 Department ~~or the primary medical contract provider of the~~
24 ~~Department~~ may refer to the Oklahoma University Hospitals Medical

1 Center, and the Oklahoma University Hospitals Medical Center shall
2 accept, those ~~inmate consumers~~ inmates who need services, as
3 determined by the Department of Corrections, to be beyond the
4 professional capabilities of the Department of Corrections ~~or the~~
5 ~~primary medical contract provider of the Department of Corrections.~~

6 ~~2. The primary medical contract provider shall be a hospital as~~
7 ~~defined in Section 1-701 of Title 63 of the Oklahoma Statutes, and~~
8 ~~shall be the source of initial referrals, and diagnosis and~~
9 ~~treatment where appropriate for inmate care from the Department of~~
10 ~~Corrections. The Director of the Department of Corrections shall~~
11 ~~designate the primary medical contract provider for the Department~~
12 ~~of Corrections.~~

13 B. The Department of Corrections may also contract with
14 providers of general inpatient hospital services. Any such provider
15 shall be a hospital as defined in Section 1-701 of Title 63 of the
16 Oklahoma Statutes.

17 C. When the Department of Corrections determines the medical
18 necessity for urgent hospitalization of an inmate, an inpatient
19 hospital in close proximity to the correctional facility will be
20 used for emergency care and stabilization. The Department of
21 Corrections is authorized to develop a network of inpatient
22 hospitals that are capable of providing necessary care. Those
23 hospitals that are in the network established by the Department of
24 Corrections in conjunction with the Oklahoma State and Education

1 Employees Group Insurance Board will be reimbursed according to the
2 fee schedule established for that network, provided that
3 reimbursement will be no less than the fee structure that was in
4 effect January 1, 2007, or the current fee schedule, whichever is
5 greater. Hospitals that are out-of-network will be reimbursed
6 according to the Oklahoma Medicaid fee schedule, provided that
7 reimbursement will be no less than the fee structure that was in
8 place on January 1, 2007.

9 D. The Department of Corrections shall be responsible for
10 transporting to, from, and between hospitals and for providing such
11 physical security of inmate consumers as may be required beyond that
12 security normal to hospital operation. The Department of
13 Corrections shall immediately remove from the hospital those inmate
14 consumers when discharged by the hospital.

15 ~~C.~~ E. The hospital services provided by ~~Griffin Memorial~~
16 ~~Hospital and the University Hospitals~~ the Oklahoma University
17 Medical Center shall be without cost to the Department of
18 Corrections.

19 SECTION 2. RECODIFICATION Section 21, Chapter 3, O.S.L.
20 2002 (43A O.S. Supp. 2006, Section 3-701a), as last amended by
21 Section 1 of this act, shall be recodified as Section 627 of Title
22 57 of the Oklahoma Statutes, unless there is created a duplication
23 in numbering.

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1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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