

1 ENGROSSED SENATE
2 BILL NO. 1168

By: Laughlin and Gumm of the
Senate

3 and

4 Hickman of the House

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7 [counties and county officers - liability for
8 medical costs -
9 emergency]

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

12 SECTION 1. AMENDATORY 19 O.S. 2001, Section 746, is
13 amended to read as follows:

14 Section 746. When a defendant is in the custody of a county
15 jail, the ~~custodial county shall only be liable for the cost of~~
16 ~~medical care for conditions that are not preexisting prior to arrest~~
17 ~~and that arise due to acts or omissions of the county~~ defendant
18 shall be primarily responsible for the payment of the cost of
19 medical care provided to the person for a self-inflicted injury or a
20 condition that was preexisting prior to the defendant's arrest and
21 shall be charged for the medical care by the provider of care.

22 Preexisting conditions are defined as those illnesses beginning or
23 injuries sustained before a person is in the peaceable custody of
24 the county's officers.

1 ~~An inmate receiving medical care for a preexisting condition or~~
2 ~~a condition not caused by the acts or omissions of the county shall~~
3 ~~be liable for payment of the cost of care, including but not limited~~
4 ~~to, medication, medical treatment, and transportation costs, for or~~
5 ~~relating to the condition requiring treatment. The court shall~~
6 ~~order the offender to reimburse the sheriff for all medical care and~~
7 ~~treatment for preexisting conditions and injuries except for amounts~~
8 ~~collected pursuant to Section 531 of this title~~ A county may seek
9 payment or reimbursement for any medical treatment costs from a
10 person being held in custody and receiving such services.

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

15 Passed the Senate the 26th day of February, 2008.

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Presiding Officer of the Senate

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19 Passed the House of Representatives the ____ day of _____,
20 2008.

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Presiding Officer of the House
of Representatives

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