

SB 1168

THE STATE SENATE  
Monday, February 18, 2008

Senate Bill No. 1168  
As Amended

SENATE BILL NO. 1168 - By: LAUGHLIN and GUMM of the Senate and  
HICKMAN of the House.

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

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

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

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

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

~~An inmate receiving medical care for a preexisting condition or~~  
~~a condition not caused by the acts or omissions of the county shall~~

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

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

13 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 2-11-08  
14 - DO PASS, As Amended and Coauthored.