

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2967

By: Hoskin

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5
6 AS INTRODUCED

7 An Act relating to mental health; amending 43A O.S.
8 2001, Section 7-107, as amended by Section 61,
9 Chapter 150 O.S.L. 2005 (43A O.S. Supp. 2007, Section
10 7-107), which relates to escape or leave without
11 permission; providing for notice of law enforcement
12 in county of facility location; and providing an
13 effective date.

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

15 SECTION 1. AMENDATORY 43A O.S. 2001, Section 7-107, as
16 amended by Section 61, Chapter 150, O.S.L. 2005 (43A O.S. Supp.
17 2007, Section 7-107), is amended to read as follows:

18 Section 7-107. A. When a facility within the Department of
19 Mental Health and Substance Abuse Services has a consumer leave
20 without permission, or escape, the executive director of the
21 facility shall notify law enforcement of the county in which the
22 facility is located, and a relative of the consumer, or, in the
23 event the consumer has been admitted in accordance with a court
24 order, the judge of the court ordering the consumer to the hospital.

1 B. Should a consumer, other than one admitted in accordance
2 with a court order, absent from the hospital without permission, not
3 cause trouble in the community to which he goes, the consumer may be
4 discharged or given convalescent leave at the discretion of the
5 executive director of the hospital.

6 C. Any other consumer, escaped or absent without permission,
7 who has to be returned to the hospital shall be returned by the
8 relatives or friends or, in the event of their failure to return the
9 escaped individual, it shall be the responsibility and duty of
10 officers of the county wherein the individual is present to
11 apprehend the individual and return the consumer to the appropriate
12 facility. It shall be the duty of any municipal law enforcement
13 officer to directly return such consumer if the facility is located
14 within the boundaries of the governmental entity employing the
15 officer.

16 D. The governmental entity employing the law enforcement
17 officers shall reimburse the officers for necessary travel expense
18 as provided by law.

19 SECTION 2. This act shall become effective November 1, 2008.

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