

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1180

By: Paddack

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5  
6 AS INTRODUCED

7 An Act relating to mental health; amending 43A O.S.  
8 2001, Section 1-110, as last amended by Section 4,  
9 Chapter 195, O.S.L. 2005 (43A O.S. Supp. 2007,  
10 Section 1-110), which relates to the transport of  
individuals for mental health services; modifying  
certain reimbursement for travel; and providing an  
effective date.

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

14 SECTION 1. AMENDATORY 43A O.S. 2001, Section 1-110, as  
15 last amended by Section 4, Chapter 195, O.S.L. 2005 (43A O.S. Supp.  
16 2007, Section 1-110), is amended to read as follows:

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

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

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

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

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

17 1. For counties and municipalities in which the travel required  
18 is less than twenty-five (25) miles, reimbursement shall be given in  
19 accordance with the provisions of the State Travel Reimbursement  
20 Act; and

21 2. For counties and municipalities in which the travel required  
22 is twenty-five (25) miles or greater, reimbursement shall include  
23 the approved mileage reimbursement for state travel, including  
24 necessary lodging, meals or toll fees and an hourly rate of wage

1 reimbursement not to exceed Fifteen Dollars (\$15.00) per hour for  
2 every hour in transport.

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

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

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