

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2135

By: Corn

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5  
6 AS INTRODUCED

7 An Act relating to corrections; amending 57 O.S.  
8 2001, Section 38, as amended by Section 8, Chapter  
9 74, 2nd Extraordinary Session, O.S.L. 2006 (57 O.S.  
10 Supp. 2007, Section 38), which relates to jail per  
11 diem rate; deleting obsolete language; providing an  
12 effective date; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 57 O.S. 2001, Section 38, as  
15 amended by Section 8, Chapter 74, 2nd Extraordinary Session, O.S.L.  
16 2006 (57 O.S. Supp. 2007, Section 38), is amended to read as  
17 follows:

18 Section 38. ~~Until January 1, 2007, the Department of~~  
19 ~~Corrections shall reimburse any county, which is required to retain~~  
20 ~~an inmate pursuant to paragraph 2 of Section 37 of this title, in an~~  
21 ~~amount not to exceed Twenty-four Dollars (\$24.00) per day for each~~  
22 ~~inmate during such period of retention. The proceeds of this~~  
23 ~~reimbursement shall be used to defray expenses of equipping and~~  
24 ~~maintaining the jail and payment of personnel. The Department of~~

1 ~~Corrections shall reimburse the county for the emergency medical~~  
2 ~~care for physical injury or illness of the inmate retained under~~  
3 ~~this act if the injury or illness is directly related to the~~  
4 ~~incarceration and the county is required by law to provide such care~~  
5 ~~for inmates in the jail. The Department shall not pay fees for~~  
6 ~~medical care in excess of the rates established for Medicaid~~  
7 ~~providers. The state shall not be liable for medical charges in~~  
8 ~~excess of the Medicaid scheduled rate. The Director may accept any~~  
9 ~~inmate required to have extended medical care upon application of~~  
10 ~~the county.~~ Effective January 1, 2007, the Department of  
11 Corrections shall reimburse any county, which is required to retain  
12 an inmate pursuant to paragraph 2 of Section 37 of this title, in an  
13 amount not to exceed Twenty-seven Dollars (\$27.00) per day for each  
14 inmate during such period of retention. The proceeds of this  
15 reimbursement shall be used to defray expenses of equipping and  
16 maintaining the jail and payment of personnel. The Department of  
17 Corrections shall reimburse the county for the emergency medical  
18 care for physical injury or illness of the inmate retained under  
19 this act if the injury or illness is directly related to the  
20 incarceration and the county is required by law to provide such care  
21 for inmates in the jail. The Department shall not pay fees for  
22 medical care in excess of the rates established for Medicaid  
23 providers. The state shall not be liable for medical charges in  
24 excess of the Medicaid scheduled rate. The Director may accept any

1 inmate required to have extended medical care upon application of  
2 the county.

3 SECTION 2. This act shall become effective July 1, 2008.

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

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