

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 2842

By: McCall

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8 COMMITTEE SUBSTITUTE

9 An Act relating to mental health; amending 43A O.S.
10 2011, Section 1-110, which relates to the
responsibility of law enforcement to transport
11 persons for mental health services; providing for
reimbursement based upon salary of sheriff or peace
12 officer; permitting Department of Mental Health and
Substance Abuse Services to contract with third party
13 to provide transportation services; and providing an
effective date.

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

17 SECTION 1. AMENDATORY 43A O.S. 2011, Section 1-110, is
18 amended to read as follows:

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

23 B. A municipal law enforcement agency shall be responsible for
24 any individual found within such municipality's jurisdiction. The

1 county sheriff shall be responsible for any individual found outside
2 of a municipality's jurisdiction, but within the county.

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

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

13 E. Any transportation provided by a sheriff or deputy sheriff
14 or a peace officer on behalf of any county, city, town or
15 municipality of this state, to or from any facility for the purpose
16 of examination, admission, interfacility transfer, medical treatment
17 or court appearance shall be reimbursed in accordance with the
18 provisions of the State Travel Reimbursement Act. Additionally,
19 reimbursement from the Department shall be available based upon the
20 salary of the sheriff or peace officer, calculated by the number of
21 hours in which transportation services are provided by such sheriff
22 or peace officer.

23 F. Nothing in this section shall prohibit a law enforcement
24 agency from entering into a lawful agreement with any other law

1 enforcement agency to ~~fulfill~~ provide the ~~requirements~~ services
2 established by this section. Nothing in this section shall prohibit
3 the Department from contracting with a third party to provide the
4 services established by this section.

5 SECTION 2. This act shall become effective November 1, 2014.

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