

# An Act

ENROLLED HOUSE  
BILL NO. 3215

By: Hickman of the House

and

Sykes and Ivester of the  
Senate

An Act relating to medical expenses for persons in the custody of county jails; amending 20 O.S. 2011, Section 1313.7, which relates to the Medical Expense Liability Revolving Fund; modifying minimum expense amount; and providing an effective date.

SUBJECT: Medical Expense Liability Revolving Fund

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

SECTION 1. AMENDATORY 20 O.S. 2011, Section 1313.7, is amended to read as follows:

Section 1313.7 A. In addition to the fees imposed by Sections 1313.2 and 1313.3 of this title, any person convicted of any offense, excluding municipal ordinances, traffic offenses and parking and standing violations, but including violations of Section 11-902 of Title 47 of the Oklahoma Statutes, punishable by a fine of Ten Dollars (\$10.00) or more or by incarceration or any person forfeiting bond when charged with such offense, shall be ordered by the court to pay a medical expense liability fee in the amount of Ten Dollars (\$10.00) for each offense to the Medical Expense Liability Revolving Fund provided for in Section 746.1 of Title 19 of the Oklahoma Statutes. The fee shall be in addition to and not in substitution for any and all fines and penalties otherwise provided for by law for such offense.

B. The county court clerk shall cause to be deposited the amount of Ten Dollars (\$10.00) as collected, for every conviction as

described in this subsection. The county court clerk shall remit the monies in the fund on a monthly basis to the Medical Expense Liability Revolving Fund.

The monies from the Medical Expense Liability Revolving Fund shall be used when all of the following criteria are met:

1. The county has not filed a claim against the fund in the previous twelve (12) months;

2. A county jail in this state is determined to be liable for the medical expense or expenses of a state inmate or person in custody on state charges as provided by law. The minimum expense amount that shall qualify for consideration is ~~Eight Thousand Dollars (\$8,000.00)~~ Six Thousand Dollars (\$6,000.00) per ailment or injury;

3. The county clerk of the county makes a written claim to the State and Education Employees Group Insurance Board regarding a county medical expense. In addition to the written claim, all of the medical records and bills shall be submitted that relate to the medical expense under consideration; and

4. It is determined that the state inmate or person in custody on state charges lacks the ability and resources to cover the medical expense or expenses.

C. The Medical Expense Liability Revolving Fund shall not pay any expenses in excess of One Hundred Thousand Dollars (\$100,000.00) per state inmate or person in custody on state charges. The State and Education Employees Group Insurance Board shall pay valid requests for reimbursements quarterly based upon a pro rata share of available funds being distributed between all valid claims received within the preceding quarter. In the event there are insufficient funds available to pay any outstanding requests, the Board shall pay such requests only after sufficient funds have accumulated. Nothing in this subsection shall be construed to require payment in full of any or all valid claims or the holding of any or all valid claims until sufficient funds have accumulated to pay the claims in full.

D. If the state inmate or person in custody on state charges receives any type of compensation or award from a collateral source as a result of the ailment or injury which is paid by the Medical Expense Liability Revolving Fund, the state shall be subrogated to

the rights of a claimant to receive or recover from a collateral source to the extent that medical expenses were awarded.

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

Passed the House of Representatives the 13th day of March, 2014.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 23rd day of April, 2014.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_