

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2842

By: McCall

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6 AS INTRODUCED

7 An Act relating to mental health; amending 43A O.S.
8 2011, Section 1-110, which relates to the
9 responsibility of law enforcement to transport
10 persons for mental health services; providing for
11 reimbursement based upon salary of sheriff or peace
12 officer; permitting Department of Mental Health and
13 Substance Abuse Services to contract with third party
14 to provide transportation services; making such
15 transport permissive and not mandatory; and providing
16 an effective date.

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

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

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

24 B. A municipal law enforcement agency ~~shall~~ may be responsible
for any individual found within such municipality's jurisdiction.
The county sheriff ~~shall~~ may be responsible for any individual found
outside 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. Additionally,
17 reimbursement from the Department shall be available based upon the
18 salary of the sheriff or peace officer, calculated by the number of
19 hours in which transportation services are provided by such sheriff
20 or peace officer.

21 F. Nothing in this section shall prohibit a law enforcement
22 agency from entering into a lawful agreement with any other law
23 enforcement agency to ~~fulfill~~ provide the ~~requirements~~ services
24 established by this section. Nothing in this section shall prohibit

1 the Department from contracting with a third party to provide the
2 services established by this section.

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

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