

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1726

By: Anderson

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5
6 AS INTRODUCED

7 An Act relating to children; amending 10 O.S. 2011,
8 Sections 1406 and 1416, which relate to state
9 institutions for children; requiring Department of
10 Human Services to enter into certain contracts;
11 providing exception for certain liability; making
12 language gender neutral; updating statutory language;
13 and providing an effective date.

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

15 SECTION 1. AMENDATORY 10 O.S. 2011, Section 1406, is
16 amended to read as follows:

17 Section 1406. A. The Northern Oklahoma Resource Center of
18 Enid, located at Enid, Oklahoma, the Southern Oklahoma Resource
19 Center of Pauls Valley, located at Pauls Valley, Oklahoma, and the
20 Hisson Memorial Center, located at Sand Springs, Oklahoma, are
21 hereby transferred from the Board of Mental Health and Substance
22 Abuse Services and the Department of Mental Health and Substance
23 Abuse Services to the Oklahoma Public Welfare Commission. The
24 Department of Mental Health and Mental Retardation shall hereafter

1 be known as the Department of Mental Health and Substance Abuse
2 Services.

3 B. Whenever the term "Enid State School" appears in the
4 Constitution of Oklahoma or the Oklahoma Statutes, it shall mean the
5 Northern Oklahoma Resource Center of Enid.

6 C. Whenever the term "Pauls Valley State School" appears in the
7 Constitution of Oklahoma or the Oklahoma Statutes, it shall mean the
8 Southern Oklahoma Resource Center of Pauls Valley.

9 D. Notwithstanding any other provision of law and upon the
10 effective date of this act, the Department of Human Services shall,
11 in the manner provided by law, enter into a contract for services
12 with a private vendor for the Northern Oklahoma Resource Center of
13 Enid and the Southern Oklahoma Resource Center of Pauls Valley.
14 Such contract will be for all services currently provided by the
15 Department of Human Services.

16 SECTION 2. AMENDATORY 10 O.S. 2011, Section 1416, is
17 amended to read as follows:

18 Section 1416. A Except as provided in subsection D of Section
19 1406 of this title, a resident at an institution named in Section
20 1406 of this title is liable for his or her care and treatment.
21 This claim of the state for such care and treatment shall constitute
22 a valid indebtedness against ~~said~~ the resident and his or her estate
23 and shall not be barred by any statute of limitations. At the death
24 of ~~said~~ the resident this claim shall be allowed and paid as other

1 lawful claims against the estate. Persons making application for
2 admission of a mentally retarded person to ~~said~~ an institution are
3 also liable for the care and treatment of ~~said~~ the resident,
4 provided that such persons are legally obligated to support ~~said~~ the
5 resident. No person shall be liable for said care and treatment
6 solely on the grounds that ~~said~~ the person has been appointed
7 guardian of ~~said~~ a resident. Provided, further, that no admission
8 or detention of a mentally retarded person in ~~said~~ an institution
9 shall be limited or conditioned in any manner by the financial
10 status or ability to pay of a mentally retarded person, his or her
11 estate, or any relative.

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

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