

1 ENGROSSED SENATE  
2 BILL NO. 1220

By: Jolley of the Senate

3 and

4 Casey of the House

5  
6 [ prisons and reformatories - jail reimbursement rate  
7 - effective date ]  
8

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

10 SECTION 1. AMENDATORY 57 O.S. 2011, Section 38, as  
11 amended by Section 2, Chapter 307, O.S.L. 2015 (57 O.S. Supp. 2015,  
12 Section 38), is amended to read as follows:

13 Section 38. The Department of Corrections shall reimburse any  
14 county which is required to retain an inmate pursuant to subsection  
15 D of Section 37 of this title in an amount not to exceed Twenty-  
16 seven Dollars (\$27.00) per day for each inmate during such period of  
17 retention. If a county does not have an existing contract to retain  
18 inmates sentenced to the Department, and if the amount to retain  
19 each inmate exceeds the current reimbursement rate of Twenty-seven  
20 Dollars (\$27.00) per day, the Department shall pay to the county a  
21 negotiated daily rate for each inmate. If the Department and the  
22 county are unable to agree upon a negotiated daily rate within the  
23 first forty-five (45) days of the fiscal year, the presiding  
24 district judge in the county shall determine and establish by court

1 order a daily rate of reimbursement for each inmate. The court-  
2 ordered daily rate of reimbursement shall thereafter be reviewed on  
3 an annual basis by the presiding district judge. The ~~proceeds of~~  
4 this Department shall distribute the reimbursement shall be used on  
5 a monthly basis upon receipt and approval of a billing statement  
6 from the county. The county shall use the reimbursement to defray  
7 expenses provide for the expense of equipping and maintaining the  
8 jail and payment of personnel. The Department of Corrections shall  
9 reimburse the county for the emergency medical care for physical  
10 injury or illness of the inmate retained under this act if the  
11 injury or illness is directly related to the incarceration and the  
12 county is required by law to provide such care for inmates in the  
13 jail. The Department shall not pay fees for medical care in excess  
14 of the rates established for Medicaid providers. The state shall  
15 not be liable for medical charges in excess of the Medicaid  
16 scheduled rate. The Director may accept any inmate required to have  
17 extended medical care upon application of the county.

18 SECTION 2. This act shall become effective November 1, 2016.  
19  
20  
21  
22  
23  
24

