

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1776

By: McCall

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5
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; limiting reimbursement to one sheriff or
13 peace officer per transport; permitting Department of
14 Mental Health and Substance Abuse Services to
15 contract with third party to provide transportation
16 services; and providing 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 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 be responsible for
any individual found within such municipality's jurisdiction. The
county sheriff shall 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. Reimbursement from the Department shall only be
21 available for one sheriff or peace officer per transport.

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

1 established by this section. Nothing in this section shall prohibit
2 the Department, county or municipality from contracting with a third
3 party to provide the services established by this section.

4 SECTION 2. This act shall become effective November 1, 2015.

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