

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1220

By: Jolley

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5  
6 AS INTRODUCED

7 An Act relating to prisons and reformatories;  
8 amending 57 O.S. 2011, Section 38, as amended by  
9 Section 2, Chapter 307, O.S.L. 2015 (57 O.S. Supp.  
10 2015, Section 38), which relates to jail  
11 reimbursement rate; modifying jail reimbursement  
12 procedures; and providing an effective date.

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

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

17 Section 38. The Department of Corrections shall reimburse any  
18 county which is required to retain an inmate pursuant to subsection  
19 D of Section 37 of this title in an amount not to exceed Twenty-  
20 seven Dollars (\$27.00) per day for each inmate during such period of  
21 retention. If a county does not have an existing contract to retain  
22 inmates sentenced to the Department, and if the amount to retain  
23 each inmate exceeds the current reimbursement rate of Twenty-seven  
24 Dollars (\$27.00) per day, the Department shall pay to the county a  
negotiated daily rate for each inmate. If the Department and the

1 county are unable to agree upon a negotiated daily rate within the  
2 first forty-five (45) days of the fiscal year, the presiding  
3 district judge in the county shall determine and establish by court  
4 order a daily rate of reimbursement for each inmate. The court-  
5 ordered daily rate of reimbursement shall thereafter by reviewed on  
6 an annual basis by the presiding district judge. The proceeds of  
7 this Department shall distribute the reimbursement shall be used on  
8 a monthly basis upon receipt and approval of a billing statement  
9 from the county. The county shall use the reimbursement to defray  
10 expenses provide for the expense of equipping and maintaining the  
11 jail and payment of personnel. The Department of Corrections shall  
12 reimburse the county for the emergency medical care for physical  
13 injury or illness of the inmate retained under this act if the  
14 injury or illness is directly related to the incarceration and the  
15 county is required by law to provide such care for inmates in the  
16 jail. The Department shall not pay fees for medical care in excess  
17 of the rates established for Medicaid providers. The state shall  
18 not be liable for medical charges in excess of the Medicaid  
19 scheduled rate. The Director may accept any inmate required to have  
20 extended medical care upon application of the county.

21 SECTION 2. This act shall become effective November 1, 2016.  
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23 55-2-2602

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