

1 ENGROSSED HOUSE
2 BILL NO. 3017

By: Crosswhite Hader of the
House

3 and

4 Haste of the Senate

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7 An Act relating to prisons and reformatories;
8 amending 57 O.S. 2011, Section 400, as amended by
9 Section 2, Chapter 41, O.S.L. 2019 (57 O.S. Supp.
10 2019, Section 400), which relates to inmates in need
11 of psychiatric care; deleting requirement for certain
12 entity to provide a psychiatrist to the Department of
13 Corrections; and providing an effective date.

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

15 SECTION 1. AMENDATORY 57 O.S. 2011, Section 400, as
16 amended by Section 2, Chapter 41, O.S.L. 2019 (57 O.S. Supp. 2019,
17 Section 400), is amended to read as follows:

18 Section 400. ~~A.~~ The Department of Corrections is hereby
19 authorized to establish units at one or more institutions for the
20 care and treatment of inmates who are or become in need of acute
21 psychiatric care. The Department shall have the following powers
22 and duties in the operation thereof:

23 1. The Department shall establish procedures to outline means
24 of identification of inmates who are or become in need of acute
psychiatric care and for assignment of such inmates to the units

1 described in this subsection. Prior to assignment there shall be a
2 due process hearing conducted by the Department of Corrections to
3 determine whether the inmate is in need of acute psychiatric care.
4 The inmate shall be entitled to have a staff representative
5 appointed to represent ~~him or her~~ the inmate, if he or she so
6 requests, but shall not have an attorney appointed or paid by the
7 Department to represent ~~him or her~~ the inmate at the administrative
8 hearing; and

9 2. Once an inmate has been assigned to a unit described in this
10 subsection, treatment and medication may be administered to the
11 inmate as provided in Section 5-204 of Title 43A of the Oklahoma
12 Statutes.

13 ~~B. The Carl Albert Mental Health and Substance Abuse Services~~
14 ~~Center shall provide to the Department of Corrections a psychiatrist~~
15 ~~as needed to assist in a unit described in subsection A of this~~
16 ~~section.~~

17 SECTION 2. This act shall become effective November 1, 2020.
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1 Passed the House of Representatives the 3rd day of March, 2020.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2020.

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8 Presiding Officer of the Senate