

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3017

By: Crosswhite Hader

4
5
6 AS INTRODUCED

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; updating reference to certain
12 agency; clarifying purpose of psychiatrist; and
13 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~~ Department of Mental Health and Substance
14 Abuse Services ~~Center~~ shall provide to the Department of Corrections
15 a psychiatrist as needed to assist ~~in a unit~~ with special care units
16 described in subsection A of this section.

17 SECTION 2. This act shall become effective November 1, 2020.

18

19 57-2-9073 GRS 11/08/19

20

21

22

23

24