

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 1753

 By: Crosswhite Hader

7 AS INTRODUCED

8 An Act relating to prisons and reformatories;
9 amending 57 O.S. 2011, Section 400, as amended by
10 Section 2, Chapter 41, O.S.L. 2019 (57 O.S. Supp.
11 2020, Section 400), which relates to inmates in need
12 of psychiatric care; deleting directive to certain
13 entity; 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 400, as
15 amended by Section 2, Chapter 41, O.S.L. 2019 (57 O.S. Supp. 2020,
16 Section 400), is amended to read as follows:

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

22 1. The Department shall establish procedures to outline means
23 of identification of inmates who are or become in need of acute
24 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, 2021.

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19 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
20 dated 02/11/2021 - DO PASS.
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