

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

HOUSE BILL 1753

By: Crosswhite Hader

AS INTRODUCED

An Act relating to prisons and reformatories;
amending 57 O.S. 2011, Section 400, as amended by
Section 2, Chapter 41, O.S.L. 2019 (57 O.S. Supp.
2020, Section 400), which relates to inmates in need
of psychiatric care; deleting directive to certain
entity; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 2011, Section 400, as
amended by Section 2, Chapter 41, O.S.L. 2019 (57 O.S. Supp. 2020,
Section 400), is amended to read as follows:

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

1. The Department shall establish procedures to outline means
of identification of inmates who are or become in need of acute
psychiatric care and for assignment of such inmates to the units
described in this subsection. Prior to assignment there shall be a

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

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

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

16 SECTION 2. This act shall become effective November 1, 2021.

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