

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 1753

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 2020, Section 400), which relates to inmates in need  
11 of psychiatric care; deleting directive to certain  
12 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  
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.

18 58-1-6359 GRS 12/23/20