

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 3294

By: Humphrey

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6 AS INTRODUCED

7 An Act relating to prisons and reformatories;
8 amending 57 O.S. 2021, Section 38, which relates to
9 county jail reimbursement rates; deleting daily
10 reimbursement rate and related guidelines; directing
11 the Department of Corrections to reimburse counties
12 in accordance with certain matrix; directing counties
13 to submit additional costs to the Department;
14 authorizing the Department and counties to enter into
15 per diem reimbursement agreements; deleting certain
16 implementation provision; and providing an effective
17 date.

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

19 SECTION 1. AMENDATORY 57 O.S. 2021, Section 38, is
20 amended to read as follows:

21 Section 38. A. The Department of Corrections shall reimburse
22 any county which is required to retain an inmate pursuant to
23 subsection E of Section 37 of this title in ~~an amount not to exceed~~
24 ~~Twenty-seven Dollars (\$27.00) per day for each inmate during such~~
~~period of retention, unless the actual daily cost as determined by~~
~~the Department of Corrections Daily Rate as defined in this section,~~
~~exceeds Twenty-seven Dollars (\$27.00). If the actual daily cost as~~

1 ~~determined by the Department of Corrections Daily Rate exceeds~~
2 ~~Twenty-seven Dollars (\$27.00), the county shall notify the~~
3 ~~Department of Corrections of the actual daily cost no later than~~
4 ~~September 30. If the county's actual daily cost is accepted by the~~
5 ~~Department that shall be the reimbursement rate for the county~~
6 ~~beginning the next fiscal year. If the Department rejects the~~
7 ~~county's actual daily cost application, then the actual daily cost~~
8 ~~reimbursement shall be determined by the State Auditor and shall be~~
9 ~~imposed beginning the next fiscal year accordance with the minimum~~
10 ~~reimbursement matrix. If the county incurs additional costs by~~
11 ~~providing required services, as determined by the Department, the~~
12 ~~county shall submit the additional costs to the Department for~~
13 ~~consideration and reimbursement, if approved. The Department and~~
14 ~~any county may enter into a per diem rate reimbursement agreement if~~
15 ~~the Department and county determine that the minimum reimbursement~~
16 ~~matrix does not properly apply.~~

17 B. The Department shall distribute the reimbursement on a
18 monthly basis upon receipt and approval of a billing statement from
19 the county. The county shall use the reimbursement to defray
20 expenses of equipping and maintaining the jail and payment of
21 personnel. ~~The provisions in this act shall be implemented by the~~
22 ~~Department to allow sufficient time for application to FY-2019. The~~
23 Department of Corrections shall reimburse the county for the
24 emergency medical care for physical injury or illness of the inmate

1 retained under this act if the injury or illness is directly related
2 to the incarceration and the county is required by law to provide
3 such care for inmates in the jail. The Department shall not pay
4 fees for medical care in excess of the rates established for
5 Medicaid providers. The state shall not be liable for medical
6 charges in excess of the Medicaid scheduled rate. The Director may
7 accept any inmate required to have extended medical care upon
8 application of the county.

9 SECTION 2. This act shall become effective November 1, 2022.

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11 58-2-9458 GRS 01/06/22

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