

1 ENGROSSED HOUSE  
2 BILL NO. 3978

By: Echols of the House

and

Weaver of the Senate

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7 An Act relating to county jails; amending 57 O.S.  
8 2021, Section 38, which relates to county jail  
9 reimbursement rates; increasing amount of  
10 reimbursement rate; deleting obsolete implementation  
11 requirement; and providing an effective date.

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

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

15 Section 38. The Department of Corrections shall reimburse any  
16 county which is required to retain an inmate pursuant to subsection  
17 E of Section 37 of this title in an amount not to exceed ~~Twenty-~~  
18 ~~seven Dollars (\$27.00)~~ Thirty-two Dollars (\$32.00) per day for each  
19 inmate during such period of retention, unless the actual daily cost  
20 as determined by the Department of Corrections Daily Rate as defined  
21 in this section, exceeds ~~Twenty-seven Dollars (\$27.00)~~ Thirty-two  
22 Dollars (\$32.00). If the actual daily cost as determined by the  
23 Department of Corrections Daily Rate exceeds ~~Twenty-seven Dollars~~  
24 ~~(\$27.00)~~ Thirty-two Dollars (\$32.00), the county shall notify the

1 Department of Corrections of the actual daily cost no later than  
2 September 30. If the county's actual daily cost is accepted by the  
3 Department that shall be the reimbursement rate for the county  
4 beginning the next fiscal year. If the Department rejects the  
5 county's actual daily cost application, then the actual daily cost  
6 reimbursement shall be determined by the State Auditor and shall be  
7 imposed beginning the next fiscal year. Provided, however, the  
8 amounts described in this section shall be subject to an annual  
9 three percent (3%) increase to adjust for inflation. The Department  
10 shall distribute the reimbursement on a monthly basis upon receipt  
11 and approval of a billing statement from the county. The county  
12 shall use the reimbursement to defray expenses of equipping and  
13 maintaining the jail and payment of personnel. ~~The provisions in~~  
14 ~~this act shall be implemented by the Department to allow sufficient~~  
15 ~~time for application to FY-2019.~~ The Department of Corrections  
16 shall reimburse the county for the emergency medical care for  
17 physical injury or illness of the inmate retained under this act if  
18 the injury or illness is directly related to the incarceration and  
19 the county is required by law to provide such care for inmates in  
20 the jail. The Department shall not pay fees for medical care in  
21 excess of the rates established for Medicaid providers. The state  
22 shall not be liable for medical charges in excess of the Medicaid  
23 scheduled rate. The Director may accept any inmate required to have  
24 extended medical care upon application of the county.

