

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 274

By: Thompson (Roger)

AS INTRODUCED

An Act relating to jail reimbursement rate; amending 57 O.S. 2021, Section 38, which relates to reimbursement for medical expenses; modifying certain reimbursement amount; updating statutory reference; and providing an effective date.

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

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

Section 38. The Department of Corrections shall reimburse any county which is required to retain an inmate pursuant to subsection E of Section 37 of this title in an amount not to exceed ~~Twenty-seven Dollars (\$27.00)~~ Thirty-five Dollars (\$35.00) 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)~~ Thirty-five Dollars (\$35.00). If the actual daily cost as determined by the Department of Corrections Daily Rate exceeds ~~Twenty-seven Dollars (\$27.00)~~ Thirty-five Dollars (\$35.00), the county shall notify the Department of Corrections of the actual daily cost no later than September 30. If the county's actual daily cost is accepted by the

1 Department that shall be the reimbursement rate for the county  
2 beginning the next fiscal year. If the Department rejects the  
3 county's actual daily cost application, then the actual daily cost  
4 reimbursement shall be determined by the State Auditor and shall be  
5 imposed beginning the next fiscal year. The Department shall  
6 distribute the reimbursement on a monthly basis upon receipt and  
7 approval of a billing statement from the county. The county shall  
8 use the reimbursement to defray expenses of equipping and  
9 maintaining the jail and payment of personnel. The provisions in  
10 ~~this act~~ Section 37 of this title shall be implemented by the  
11 Department to allow sufficient time for application to FY-2019. The  
12 Department of Corrections shall reimburse the county for the  
13 emergency medical care for physical injury or illness of the inmate  
14 retained under this act if the injury or illness is directly related  
15 to the incarceration and the county is required by law to provide  
16 such care for inmates in the jail. The Department shall not pay  
17 fees for medical care in excess of the rates established for  
18 Medicaid providers. The state shall not be liable for medical  
19 charges in excess of the Medicaid scheduled rate. The Director may  
20 accept any inmate required to have extended medical care upon  
21 application of the county.

22 SECTION 2. This act shall become effective November 1, 2023.  
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