

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1931

By: Brecheen

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6 AS INTRODUCED

7 An Act relating to jails; amending 57 O.S. 2011,
8 Section 38, which relates to jail reimbursement rate;
9 modifying jail reimbursement amount paid to certain
counties after certain time period; and providing an
effective date.

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

13 SECTION 1. AMENDATORY 57 O.S. 2011, Section 38, is
14 amended to read as follows:

15 Section 38. Until January 1, 2007, the Department of
16 Corrections shall reimburse any county, which is required to retain
17 an inmate pursuant to ~~paragraph 2~~ subsection B of Section 37 of this
18 title, in an amount not to exceed Twenty-four Dollars (\$24.00) per
19 day for each inmate during such period of retention. The proceeds
20 of this reimbursement shall be used to defray expenses of equipping
21 and maintaining the jail and payment of personnel. The Department
22 of Corrections shall reimburse the county for the emergency medical
23 care for physical injury or illness of the inmate retained under
24 ~~this act~~ Section 37 et seq. of this title if the injury or illness

1 is directly related to the incarceration and the county is required
2 by law to provide such care for inmates in the jail. The Department
3 shall not pay fees for medical care in excess of the rates
4 established for Medicaid providers. The state shall not be liable
5 for medical charges in excess of the Medicaid scheduled rate. The
6 Director may accept any inmate required to have extended medical
7 care upon application of the county. Effective January 1, 2007, the
8 Department of Corrections shall reimburse any county, which is
9 required to retain an inmate pursuant to ~~paragraph 2~~ subsection B of
10 Section 37 of this title, ~~in~~ an amount not to exceed Twenty-seven
11 Dollars (\$27.00) per day except as otherwise provided in this
12 section, for each inmate during such period of retention. However,
13 in counties with a population of forty thousand (40,000) or more
14 according to the latest federal decennial census, housing of an
15 inmate retained by a county for more than forty-five (45) days from
16 the date the judgment and sentence was transmitted to the Department
17 of Corrections shall be reimbursed by the Department at a rate
18 established by the county as provided in this section for each day
19 beyond forty-five (45) days. The daily rate for a county shall be
20 established by court order by July 1st annually by the district
21 judge in the county basing the per-day rate on the submission of the
22 jail operating costs for the year and excluding ad valorem revenues
23 from any calculation of the amount to defray operation costs. Upon
24 issuing the order for each year, the county shall submit a copy to

1 the Department. The proceeds of this reimbursement shall be used to
2 defray expenses of equipping and maintaining the jail and payment of
3 personnel. The Department of Corrections shall reimburse the county
4 for the emergency medical care for physical injury or illness of the
5 inmate retained under ~~this act~~ Section 37 et seq. of this title if
6 the injury or illness is directly related to the incarceration and
7 the county is required by law to provide such care for inmates in
8 the jail. The Department shall not pay fees for medical care in
9 excess of the rates established for Medicaid providers. The state
10 shall not be liable for medical charges in excess of the Medicaid
11 scheduled rate. The Director may accept any inmate required to have
12 extended medical care upon application of the county.

13 SECTION 2. This act shall become effective November 1, 2012.

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