

1 condition that was preexisting prior to the arrest of the person.

2 The person shall be charged for the medical care and treatment by

3 the provider of said care. The custodial county shall only be

4 liable for the cost of medical care for conditions that ~~are:~~

5 1. Are not the result of a self-inflicted injury sustained

6 while in the custody of a county jail;

7 2. Are not preexisting prior to arrest ~~and that arise;~~ or

8 3. Arise due to acts or omissions of the county.

9 A preexisting condition is a condition for which the person received
10 medical treatment or advice, or a condition which was diagnosed in
11 the six (6) months preceding the custody of the person by the law
12 enforcement agency. An accidental injury sustained during the six
13 (6) months preceding the custody of that person by the law
14 enforcement agency will also be considered a preexisting condition.

15 B. An inmate in pretrial detention or the custody of a county
16 jail shall be provided with the opportunity to receive necessary
17 medical care for a self-inflicted injury or a preexisting condition
18 ~~and the.~~ The inmate shall be liable for payment of the cost of such
19 medical care including, but not limited to, medication, medical
20 treatment, and transportation costs, for or relating to the
21 condition requiring treatment.

22 C. The medical provider or hospital shall seek payment for all
23 medical care provided for preexisting conditions directly from the
24 offender. ~~In the event there is a dispute between the jail and the~~

1 ~~medical provider or hospital concerning the existence or extent of a~~
2 ~~preexisting condition or the liability to pay medical expenses~~
3 ~~relating to such condition, and the sheriff pays the expense pending~~
4 ~~a final determination of liability for such medical expense, the~~
5 ~~court shall order the offender to reimburse the sheriff for all~~
6 ~~medical care and treatment for preexisting conditions and injuries~~
7 ~~except for amounts collected pursuant to Section 531 of this title~~
8 The custodial county may seek reimbursement from a person being held
9 in custody and receiving medical care and treatment as set forth in
10 Section 979a of Title 22 of the Oklahoma Statutes. Nothing in this
11 section shall require a jail or sheriff to pay disputed medical
12 expenses or expenses for any self-inflicted injury or preexisting
13 condition.

14 D. Unless a contract exists between a hospital and the county
15 for medical care and treatment of inmates in the county jail, a
16 hospital shall accept, as payment in full, reimbursement from the
17 county according to the current fee schedule of the State and
18 Education Employees Group Insurance Board in effect at the time
19 services were rendered⁷, provided that payment of said services is
20 made by the county within forty-five (45) calendar days of
21 submission of a claim by the hospital.

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1 SECTION 2. This act shall become effective November 1, 2021.

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3 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
4 dated 02/25/2021 - DO PASS, As Coauthored.
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