

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 751

By: David and Pittman of the
Senate

3

and

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McCall of the House

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An Act relating to transportation of persons for
mental health services; amending 43A O.S. 2011,
9 Section 1-110, which relates to reimbursement of
certain expenses; providing certain construction; and
10 providing an effective date.

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13 AUTHORS: Add the following House Coauthors: Cockroft, Wood and
Sherrer

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15 AUTHOR: Add the following Senate Coauthor: Sharp

16 AMENDMENT NO. 1. Page 2, Section 1, line 20, after the word

17 "Department" and before the period, insert the
following language

18 ". Standards determined by the Department shall not exceed the

19 standards required by law enforcement"

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and amend title to conform

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8 mental health services; amending 43A O.S. 2011,
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certain expenses; providing certain construction; and
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 43A O.S. 2011, Section 1-110, is
14 amended to read as follows:

15 Section 1-110. A. Sheriffs and peace officers shall be
16 responsible for transporting individuals to and from designated
17 sites or facilities for the purpose of examination, emergency
18 detention, protective custody and inpatient services.

19 B. A municipal law enforcement agency shall be responsible for
20 any individual found within such municipality's jurisdiction. The
21 county sheriff shall be responsible for any individual found outside
22 of a municipality's jurisdiction, but within the county.

23 C. The law enforcement agency transporting an individual to and
24 from designated sites or facilities pursuant to the provisions of

1 this section shall maintain responsibility for the transportation of
2 such individual pending completion of the examination, emergency
3 detention, protective custody and inpatient services.

4 D. Sheriffs and peace officers shall be entitled to
5 reimbursement from the Department of Mental Health and Substance
6 Abuse Services for transportation services associated with minors or
7 adults requiring examination, emergency detention, protective
8 custody and inpatient services.

9 E. Any transportation provided by a sheriff or deputy sheriff
10 or a peace officer on behalf of any county, city, town or
11 municipality of this state, to or from any facility for the purpose
12 of examination, admission, interfacility transfer, medical treatment
13 or court appearance shall be reimbursed in accordance with the
14 provisions of the State Travel Reimbursement Act.

15 F. Nothing in this section shall prohibit a law enforcement
16 agency from entering into a lawful agreement with any other law
17 enforcement agency to fulfill the requirements established by this
18 section or from contracting with a third party to provide the
19 services established by this section; provided, the third party
20 meets minimum standards as determined by the Department.

21 SECTION 2. This act shall become effective November 1, 2015.
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