An Act

ENROLLED SENATE
BILL NO. 180

By: Paddack of the Senate

and

Cox and Walker of the House

An Act relating to health care services for inmates; amending Section 21, Chapter 3, O.S.L. 2002, as last amended by Section 1, Chapter 337, O.S.L. 2007, and as renumbered by Section 2, Chapter 337, O.S.L. 2007 (57 O.S. Supp. 2010, Section 627), which relates to inpatient and outpatient care of inmates; permitting the Department of Corrections to contract with certain providers in specified circumstances; clarifying language; modifying certain network; modifying reimbursement for certain services; and providing an effective date.

SUBJECT: Inmate Health Care Services

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

SECTION 1. AMENDATORY Section 21, Chapter 3, O.S.L. 2002, as last amended by Section 1, Chapter 337, O.S.L. 2007, and as renumbered by Section 2, Chapter 337, O.S.L. 2007 (57 O.S. Supp. 2010, Section 627), is amended to read as follows:

Section 627. A. It shall be the responsibility of the Department of Corrections to provide such medical and surgical inpatient and outpatient care as may be required by inmates of the Department of Corrections. The Department may refer to the Oklahoma University Medical Center, and the Oklahoma University Medical Center shall accept, those inmates who need services, as determined by the Department of Corrections to be beyond the professional capabilities of the Department of Corrections.

B. The Department of Corrections may also contract with providers of general inpatient hospital services. Any such provider shall be a hospital as defined in Section 1-701 of Title 63 of the Oklahoma Statutes. The Department of Corrections may also contract with physicians and other providers of inpatient and outpatient health care services, equipment and health care related products as may be necessary for the delivery of health care which is beyond the professional capabilities of the Department of Corrections.

C. When the Department of Corrections determines the medical necessity for urgent hospitalization of an inmate, an appropriate inpatient hospital in close proximity to the correctional facility shall be used for emergency care and stabilization. The Department of Corrections is authorized to develop a network of inpatient hospitals, physicians and other inpatient and outpatient medical providers that are capable of providing necessary health care services, equipment and other health care related products. Those hospitals, physicians and other inpatient and outpatient providers of health care services and products that are in the network established by the Department of Corrections in conjunction with the Oklahoma State and Education Employees Group Insurance Board shall be reimbursed according to the current fee schedule established for that network~~; provided however, reimbursement shall be no less than the fee structure in effect on January 1, 2007, or the current fee schedule, whichever is greater~~. Hospitals and inpatient and outpatient providers that are out-of-network shall be reimbursed according to the current Oklahoma Medicaid fee schedule~~; provided however, reimbursement shall be no less than the fee structure in effect on January 1, 2007, or the current fee schedule, whichever is greater~~.

D. The Department of Corrections shall be responsible for transporting to, from, and between hospitals and for providing such physical security of inmate consumers as may be required beyond that security normal to hospital operation. The Department of Corrections shall immediately remove from the hospital those inmate consumers when discharged by the hospital.

E. The hospital services provided by the Oklahoma University Medical Center shall be without cost to the Department of Corrections.

SECTION 2. This act shall become effective November 1, 2011.

Passed the Senate the 2nd day of May, 2011.

Presiding Officer of the Senate

Passed the House of Representatives the 19th day of April, 2011.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 3rd **day of** May, **20** 11, **at** 12:32 **o'clock** P **M.**

By: Jessica R. Rogers

Approved by the Governor of the State of Oklahoma the 9th **day of** May, **20** 11, **at** 10:30 **o'clock** A **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 9th **day of** May, **20**11, **at** 1:20 **o'clock** PM **M.**

By: Michelle R Day