
Human Services Committee

ESSB 6733

Brief Description: Creating a work group to review allocation of court-related involuntary commitment costs.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senator King).

Brief Summary of Engrossed Substitute Bill

- Establishes a work group to be convened by the Legislature to review the appropriate allocation of responsibility for court-related costs and fees associated with commitment hearings under the Involuntary Treatment Act.
- Requires that the work group report its findings by December 1, 2010.

Hearing Date: 2/18/10

Staff: Linda Merelle (786-7092).

Background:

The Involuntary Treatment Act allows a designated mental health professional (DMHP) to detain a person for up to 72 hours if the DMHP finds that the person has a mental disorder, and as a result of the mental disorder presents a likelihood of serious harm or is gravely disabled. The DMHP must then file a civil commitment petition in superior court, and the court must hold a probable cause hearing to determine whether the person may be held in detention for an additional 14 days of involuntary mental health treatment. Before the conclusion of this 14-day period, a further petition may be filed requesting up to 90 additional days of treatment. The detained person may request a bench trial or jury trial to oppose a 90-day petition.

There are a limited number of evaluation and treatment facilities (E&Ts) in Washington which accept patients for involuntary commitment. Due to the scarcity of E&T beds, it is not unusual for a person who is detained in one county to be placed in an E&T in a different county for

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

treatment. The court hearings would then occur in the county where the person is receiving treatment.

A Regional Support Network (RSN) is a county authority, group of county authorities, or private entity which contracts with the Department of Social and Health Services to provide mental health services to consumers in a given area.

Summary of Bill:

Purpose of Work Group.

A work group must be convened by the Legislature to review the appropriate allocation of responsibility for court-related costs and fees associated with involuntary commitment hearings, including when an involuntary commitment hearing takes place in a different locality than the locality in which the respondent was originally detained.

Members of Work Group.

Invited members to the work group must include:

- a representative of a Regional Support Network east of the Cascade Mountains;
- a representative of a Regional Support Network west of the Cascade Mountains;
- a representative of a predominantly urban county;
- a representative of a predominantly rural county;
- a court administrator;
- a prosecutor or representative of a prosecutor's association;
- a defense attorney or representative of a defense association; and
- a consumer or family representative.

Staff support for the work group must be provided by the Senate Committee Services and the House of Representatives Office of Program Research. The expenses of the work group will be paid jointly by the Senate and the House of Representatives.

The work group must report its findings and recommendations to the Governor and the appropriate legislative committees by December 1, 2010.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.