
Judiciary Committee

HB 1777

Title: An act relating to accelerating expansion of mental health involuntary commitment laws.

Brief Description: Accelerating changes to mental health involuntary commitment laws.

Sponsors: Representatives Green, Reykdal, Ryu, Morrell, Roberts, Fey, Pollet and McCoy.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Accelerates implementation of provisions of 2010 legislation that expanded the factors that may be considered for detaining and committing persons under the Involuntary Treatment Act, from July 1, 2015, to January 1, 2014.
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Hearing Date: 2/19/13

Staff: Edie Adams (786-7180).

Background:

Under the Involuntary Treatment Act (ITA), a person can be detained and ordered to undergo treatment at an inpatient psychiatric facility when the person, as a result of a mental disorder, presents a likelihood of serious harm or is gravely disabled. Designated mental health professionals (DMHPs) are responsible for investigating and determining whether to detain an individual who may be in need of involuntary treatment. An initial detention may last for up to 72 hours, but individuals may be committed by a court for additional periods of 14, 90, or 180 days if necessary for further treatment.

Legislation enacted in 2010 (Second Substitute House Bill 3076) expanded the factors that DMHPs and courts may consider when making determinations for detention and commitment under the ITA. Under these expanded factors, DMHPs and courts may consider symptoms and behavior that standing alone would not justify commitment, but that show a marked deterioration in the person's condition and are closely associated with symptoms and behavior that led to past incidents of involuntary hospitalization or violent acts.

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.

These changes were originally to take effect on January 1, 2012. In 2011 a Washington State Institute for Public Policy study of the impacts of the expanded criteria estimated that there will be a need for additional evaluation and treatment and inpatient psychiatric beds to accommodate an expected increase in the number of detentions and commitments resulting from these changes.

Legislation enacted in 2011 (Substitute House Bill 2131) delayed, until July 1, 2015, the effective date of the provisions that expanded the factors that DMHPs and courts may consider when making detention and commitment decisions.

Summary of Bill:

The July 1, 2015, effective date for implementation of the expanded factors that designated mental health professionals and the courts may consider in determining whether to detain or commit a person for involuntary treatment is moved up to January 1, 2014.

The Department of Social and Health Services (Department) must consult with stakeholders and legislative staff to ensure that moneys appropriated for implementation of the act are used in a way that increases involuntary commitment capacity consistent with the findings published in the Washington Institute for Public Policy in its two-part report "Inpatient Psychiatric Capacity in Washington State: Assessing Future Needs and Impacts."

Appropriation: None.

Fiscal Note: Requested on February 13, 2013.

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