

SSB 5531 - H AMD TO WAYS COMM AMD (H2473.1) **621**

By Representative Pedersen

ADOPTED 04/09/2011

1 On page 1, beginning on line 17 of the amendment, strike all of
2 section 2 and insert the following:

3
4 "NEW SECTION. **Sec. 2.** A new section is added to chapter 71.05
5 RCW to read as follows:

6 (1) A county may apply to its regional support network on a
7 quarterly basis for reimbursement of its direct costs in providing
8 judicial services for civil commitment cases under this chapter and
9 chapter 71.34 RCW. The regional support network shall in turn be
10 entitled to reimbursement from the regional support network which
11 serves the county of residence of the individual who is the subject of
12 the civil commitment case. Reimbursements under this section shall be
13 paid out of the regional support network's nonmedicaid appropriation.

14 (2) Reimbursement for judicial services shall be provided per
15 civil commitment case at a rate to be determined based on an
16 independent assessment of the county's actual direct costs. This
17 assessment must be based on an average of the expenditures for
18 judicial services within the county over the past three years. In the
19 event that a baseline cannot be established because there is no
20 significant history of similar cases within the county, the
21 reimbursement rate shall be equal to eighty percent of the median
22 reimbursement rate of counties included in the independent assessment.

23 (3) For the purposes of this section:

24 (a) "Civil commitment case" includes all judicial hearings related
25 to a single episode of hospitalization, or less restrictive
26 alternative detention in lieu of hospitalization, except that the
27 filing of a petition for a one hundred eighty-day commitment under

1 this chapter or a petition for a successive one hundred eighty-day
2 commitment under chapter 71.34 RCW shall be considered to be a new
3 case regardless of whether there has been a break in detention. "Civil
4 commitment case" does not include the filing of a petition for a one
5 hundred eighty-day commitment under this chapter on behalf of a
6 patient at a state psychiatric hospital.

7 (b) "Judicial services" means a county's reasonable direct costs
8 in providing prosecutor services, assigned counsel and defense
9 services, court services, and court clerk services for civil
10 commitment cases under this chapter and chapter 71.34 RCW.

11 (4) To the extent that resources have shared purpose, the regional
12 support network may only reimburse counties to the extent such
13 resources are necessary for and devoted to judicial services as
14 described in this section.

15 (5) No filing fee may be charged or collected for any civil
16 commitment case subject to reimbursement under this section."

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EFFECT: Excludes 180-day re-commitment cases for state
hospital patients from the cases for which the regional support
networks must reimburse the counties for the costs of judicial
services. [Currently, the state provides approximately \$1.5 million
to reimburse Pierce and Spokane counties for the cost of conducting
180-day commitment hearings at the state psychiatric hospitals.]

Changes a reference to "prosecution services" to "prosecutor
services."

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