

SENATE BILL REPORT

SB 5028

As Reported by Senate Committee On:
Human Services & Corrections, February 11, 2011

Title: An act relating to triage facilities.

Brief Description: Concerning triage facilities.

Sponsors: Senators Haugen, Stevens, Harper and Shin.

Brief History:

Committee Activity: Human Services & Corrections: 1/20/11, 2/11/11 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5028 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Carrell and Harper.

Staff: Kevin Black (786-7747)

Background: A crisis triage facility is a facility which accepts the placement of a person exhibiting signs of mental illness by police or medical personnel for a period of short-term stabilization and assessment in lieu of placing the person in an emergency room, evaluation and treatment facility, or jail. After a short period, the person may be either detained in an evaluation and treatment facility or jail, or released with referrals for outpatient treatment services. Crisis triage facilities are currently operating in Pierce and Yakima counties; King County has plans to open a crisis triage facility later in 2011.

In 2007 the Legislature created a facility similar to a crisis triage facility called a crisis stabilization unit (CSU). A CSU is licensed by the Department of Health (DOH) and certified by the Department of Social and Health Services (DSHS). A CSU is permitted to detain a person involuntarily for up to 12 hours. There has been some criticism of the regulations developed for the operation and licensure of CSUs as being too stringent. The crisis triage facility in Pierce County is licensed and certified as a CSU.

Summary of Bill (Recommended Substitute): A triage facility is defined as a short-term facility licensed by DOH and certified by DSHS which is designed to assess and stabilize an

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individual or determine the individual's need for involuntary commitment. It may be structured as a voluntary or involuntary facility. A triage facility must meet DOH operating standards for residential treatment facilities. DSHS must work with the Washington Association of Counties and Washington Association of Sheriffs and Police Chiefs in creating rules which establish standards for triage facilities, which must not require the facilities to provide 24-hour nursing. Facilities which already provide triage services must not be required to relicense or recertify under any new rules related to triage facilities. A peace officer is empowered to detain a person suspected of meeting involuntary commitment criteria, or a person who is reasonably suspected of committing acts constituting a nonfelony crime which is not a serious offense and who is known to suffer from a mental disorder, to a triage facility.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Substitute): The triage facility may be structured as a voluntary or involuntary facility. DSHS must work with the Washington Association of Counties and Washington Association of Sheriffs and Police Chiefs in creating rules which establish standards for triage facilities, which must not require the facilities to provide 24-hour nursing. Facilities which already provide triage services must not be required to relicense or recertify under any new rules related to triage facilities.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony on Original Bill: PRO: This issue was brought forward by Snohomish County, which is studying how it can administer services in a more cost-effective manner. This bill will improve public safety, improve services, and save money. There is only one CSU in the state because CSUs are too expensive. Implementing this bill is a critical issue for law enforcement. Please add an emergency clause so that we can start right away. This bill targets individuals who don't fit in the criminal justice system, and would not expand the 2007 policy. It strikes a good balance between effective treatment and protection of civil liberties.

OTHER: We need more mental health beds in Washington. This bill should be improved by increasing the allowable period for treatment and mandating a more thorough investigation.

Persons Testifying: PRO: Senator Haugen, prime sponsor; Ken Stark, Snohomish County; John Turner, law enforcement; Tom McBride, Washington Association of Prosecuting Attorneys; Seth Dawson, National Alliance on Mental Illness.

OTHER: Evelyn Bowen-Crawford, citizen.