
SUBSTITUTE HOUSE BILL 1536

State of Washington

64th Legislature

2015 Regular Session

By House Judiciary (originally sponsored by Representatives Klippert, Cody, Goodman, Muri, Stokesbary, Haler, Hayes, Tharinger, and Wylie)

READ FIRST TIME 02/16/15.

1 AN ACT Relating to the timing of emergency detentions and
2 assessments under the involuntary treatment act; and reenacting and
3 amending RCW 71.05.153.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 71.05.153 and 2011 c 305 s 8 and 2011 c 148 s 2 are
6 each reenacted and amended to read as follows:

7 (1) When a designated mental health professional receives
8 information alleging that a person, as the result of a mental
9 disorder, presents an imminent likelihood of serious harm, or is in
10 imminent danger because of being gravely disabled, after
11 investigation and evaluation of the specific facts alleged and of the
12 reliability and credibility of the person or persons providing the
13 information if any, the designated mental health professional may
14 take such person, or cause by oral or written order such person to be
15 taken into emergency custody in an evaluation and treatment facility
16 for not more than seventy-two hours as described in RCW 71.05.180.

17 (2) A peace officer may take or cause such person to be taken
18 into custody and immediately delivered to a triage facility, crisis
19 stabilization unit, evaluation and treatment facility, or the
20 emergency department of a local hospital under the following
21 circumstances:

1 (a) Pursuant to subsection (1) of this section; or

2 (b) When he or she has reasonable cause to believe that such
3 person is suffering from a mental disorder and presents an imminent
4 likelihood of serious harm or is in imminent danger because of being
5 gravely disabled.

6 (3) Persons delivered to a crisis stabilization unit, evaluation
7 and treatment facility, emergency department of a local hospital, or
8 triage facility that has elected to operate as an involuntary
9 facility by peace officers pursuant to subsection (2) of this section
10 may be held by the facility for a period of up to twelve hours from
11 the time of arrival, not including time prior to medical clearance.

12 (4) Within three hours of arrival, not including time prior to
13 medical clearance, the person must be examined by a mental health
14 professional. Within twelve hours of arrival, not including time
15 prior to medical clearance, the designated mental health professional
16 must determine whether the individual meets detention criteria. If
17 the individual is detained, the designated mental health professional
18 shall file a petition for detention or a supplemental petition as
19 appropriate and commence service on the designated attorney for the
20 detained person. If the individual is released to the community, the
21 mental health provider shall inform the peace officer of the release
22 within a reasonable period of time after the release if the peace
23 officer has specifically requested notification and provided contact
24 information to the provider.

25 (5) For purposes of this section, "medical clearance" means a
26 physician or other health care provider has determined the person is
27 medically stable and is ready for referral to a designated mental
28 health professional.

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