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**SENATE BILL 5114**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senators O'Ban, Conway, and Wagoner

AN ACT Relating to creating a guardianship pilot program for persons who are gravely disabled to provide them individualized treatment, supervision, and appropriate placement to support successful transition to the community; amending RCW 11.88.010; adding a new section to chapter 11.88 RCW; adding a new section to chapter 11.92 RCW; adding a new section to chapter 71.05 RCW; adding a new chapter to Title 11 RCW; creating a new section; and providing expiration dates.

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

**I. GUARDIANSHIP PILOT PROGRAM FOR PERSONS WHO ARE GRAVELY DISABLED**

NEW SECTION. **Sec.**  DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Gravely disabled" has the same meaning as defined in RCW 71.05.020, except that a person is not "gravely disabled" if the person for whom guardianship is sought can survive safely without involuntary detention with the help of responsible family, friends, or others who, by indicating in writing, are both willing and able to help provide for the person's basic personal needs for food, clothing, or shelter.

(2) "Incapacitated person" means a person who has been involuntarily civilly committed for treatment under chapter 71.05 RCW at least twice within two years before the petition date for guardianship, is designated as gravely disabled, and is appointed a guardian under this chapter.

(3) "Mental health professional," "mental health service provider," "mental disorder," "professional person," and "secure detoxification facility," all have the same meaning as defined in RCW 71.05.020.

(4) "Preexisting relationship" means the spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling of the incapacitated person.

NEW SECTION. **Sec.**  DETERMINATION OF GRAVE DISABILITY. (1) When a mental health professional or a professional person in charge of a treatment facility determines that a person in his or her care is gravely disabled, he or she may recommend guardianship to a guardian ad litem of the county of residence of the person before his or her admission as a patient in such facility.

(2) The mental health professional or professional person may recommend guardianship for a person without the person being an inpatient in such facility, if both of the following conditions are met: (a) The mental health professional, professional person, or another professional person designated by him or her has examined and evaluated the person and determined that he or she is gravely disabled; and (b) the mental health professional, professional person, or another professional person designated by him or her has determined that future examination on an inpatient basis is not necessary for a determination that the person is gravely disabled.

(3) If the guardian ad litem concurs with the recommendation, he or she must petition the superior court in the county of residence of the patient to establish guardianship unless a petition for guardianship has already been filed under section 103 of this act.

(4) If a thirty-day limited guardianship as authorized under section 104 of this act is indicated, it must be alternatively pleaded in the petition. The guardian ad litem or another county officer or employee designated by the county must act as the limited guardian.

NEW SECTION. **Sec.**  GUARDIANSHIP—REQUIREMENTS. Except as provided in section 102 of this act, any petitioner for a guardianship under this chapter must have a preexisting relationship with the person for whom guardianship is sought. Any guardian or limited guardian appointed under this chapter must reside in the same or adjacent county as the incapacitated person. If none reside in the same or adjacent county, the court must appoint a guardian that resides as close to the incapacitated person as possible. Public guardians and certified professional guardians are not eligible to be appointed as guardians or limited guardians under this chapter.

NEW SECTION. **Sec.**  LIMITED GUARDIANSHIP—APPOINTMENT AND DURATION. (1) The court may establish a limited guardianship for a period not to exceed thirty days and appoint a limited guardian on the basis of the comprehensive report of the guardian ad litem filed pursuant to section 108 of this act, or on the basis of an affidavit of the professional person or mental health professional who recommended guardianship stating the reasons for his or her recommendation, if the court is satisfied that the comprehensive report or affidavit shows the necessity for a limited guardianship.

(2) Except as provided in this section, all limited guardianships expire after thirty days, unless before that date the court conducts a hearing on the issue of whether or not the person for whom guardianship is sought is gravely disabled.

(3) If the person for whom guardianship is sought demands a court or jury trial on the issue of whether he or she is gravely disabled, the court may extend the limited guardianship until the date of the disposition of the issue by the court or jury trial, provided that the extension must not exceed a period of six months.

NEW SECTION. **Sec.**  LIMITED GUARDIANSHIP—REQUIREMENTS. (1) A limited guardian appointed under this chapter must determine what arrangements are necessary to provide the person with food, shelter, and care pending the determination of guardianship. The limited guardian must give preference to arrangements that allow the person to return to the person's home, family, or friends. If necessary, the limited guardian may require the person to be detained in a facility providing intensive treatment pending the determination of guardianship. Any person detained has a right to judicial review.

(2) The powers of the limited guardian are those granted in the letters of guardianship and may not be broader than the powers granted to a guardian.

(3) The court must order the limited guardian to take all reasonable steps to preserve the incapacitated person's previous place of residence. The limited guardian may not sell or relinquish on the incapacitated person's behalf any estate or interest in any real or personal property, including any lease or estate in real or personal property used as or within the incapacitated person's place of residence, without specific approval of the court, which may be granted only upon a finding based on a preponderance of the evidence that such action is necessary to avert irreparable harm to the incapacitated person. A finding of irreparable harm as to real property may be based upon a reasonable showing that such real property is vacant, that it cannot reasonably be rented, and that it is impossible or impractical to obtain fire or liability insurance on such property.

NEW SECTION. **Sec.**  LIMITED GUARDIANSHIP—SEVENTY-TWO HOUR HOLD. If a professional person in charge of a treatment facility providing intensive treatment recommends guardianship pursuant to section 102 of this act, the person for whom guardianship is sought may be held in that facility for a period not to exceed seventy-two hours beyond the designated period for intensive treatment if the additional time period is necessary for a filing of the petition for a limited guardianship and the establishment of the limited guardianship by the court.

NEW SECTION. **Sec.**  NOTICE BEFORE HEARING. Reasonable attempts must be made by the mental health professional to notify family members or any other person designated by the person for whom guardianship is sought of the time and place of the guardianship hearing. The person for whom the guardianship is sought must be advised by the mental health service provider treating the person that he or she may request that information about the time and place of the guardianship hearing not be given to family members only when the proposed guardian is not a family member. The request must be honored by the mental health professional. The person for whom guardianship is sought may not request that any proposed guardian not be advised of the time and place of the guardianship hearing.

NEW SECTION. **Sec.**  GUARDIAN AD LITEM—INVESTIGATION AND REPORT. (1) The guardian ad litem must investigate all available alternatives to guardianship recommended by a mental health professional under section 102 of this act and recommend guardianship to the court only if no suitable alternatives are available. The guardian ad litem must submit to the court a written report of investigation before the guardianship hearing. The report to the court must be comprehensive and contain all relevant aspects of the person's medical, psychological, financial, family, vocational, and social condition, and information obtained from the person's family members, close friends, social worker, or principal therapist. The report must also contain all available information concerning the person's real and personal property. The facilities providing intensive treatment or comprehensive evaluation must disclose any records or information that may facilitate the investigation. If the guardian ad litem recommends against guardianship, the guardian ad litem must set forth all alternatives available.

(2) The report required under this section must contain the guardian ad litem's recommendations concerning the powers to be granted to and the duties to be imposed upon the guardian, the legal disabilities to be imposed upon the incapacitated person, and the proper placement for the incapacitated person pursuant to section 112 of this act.

(3) A copy of the report must be transmitted to the individual who originally recommended guardianship, to the person or agency, if any, recommended to serve as guardian, and to the person recommended for guardianship. The court may receive the report in evidence and read and consider it in rendering its judgment.

NEW SECTION. **Sec.**  GUARDIAN AD LITEM—REQUIREMENTS. Any guardian ad litem involved in the investigation and reporting process under section 108 of this act must meet specific training requirements and have certain knowledge regarding guardianships for persons that are gravely disabled.

NEW SECTION. **Sec.**  ADDITIONAL CLINICAL ASSESSMENT. Before a guardianship can be established under this chapter, an independent clinical assessment must be performed by a mental health professional or other professional person that has not been directly involved with or treated the person for whom guardianship is sought in order to best address the person's behavioral health needs. This assessment must supplement the report of the guardian ad litem required under section 108 of this act.

NEW SECTION. **Sec.**  TREATMENT PLAN. (1) Within ten days after guardianship of the incapacitated person has been established under this chapter, there must be an individualized treatment plan unless treatment is specifically found to be not appropriate by the court. The treatment plan must be developed by the mental health service provider. The person responsible for developing the treatment plan must encourage the participation of the incapacitated person and the incapacitated person's family members, when appropriate, in the development, implementation, revision, and review of the treatment plan. The individualized treatment plan must specify goals for the individual's treatment, the criteria by which accomplishment of the goals can be judged, and a plan for review of the progress of treatment. The goals of the treatment plan must be equivalent to reducing or eliminating the behavioral manifestations of grave disability. If a treatment plan is not developed, the matter must be referred to the court by the mental health service provider or professional person, the guardian, or the attorney of record for the incapacitated person.

(2) When the progress review determines that the goals have been reached and the incapacitated person is no longer gravely disabled, a person designated by the county must report this determination to the court and the guardianship must be terminated by the court.

(3) If the guardian fails to report to the court that the incapacitated person is no longer gravely disabled, the matter must be referred to the court by the mental health service provider, or the attorney of record for the incapacitated person.

NEW SECTION. **Sec.**  PLACEMENTS. (1) When ordered by the court after the hearing required under this section, a guardian appointed pursuant to this chapter must place the incapacitated person in a less restrictive alternative treatment placement as described in RCW 71.05.585 or in a placement that achieves the purposes of treatment of the incapacitated person and protection of the public, as designated by the court. The placement may include an evaluation or treatment facility or a secure detoxification facility.

(2) An appointed guardian may, if specified in the court order, require the incapacitated person to receive treatment related specifically to remedying or preventing the recurrence of the incapacitated person being gravely disabled, or to require the incapacitated person to receive routine medical treatment unrelated to remedying or preventing the recurrence of the incapacitated person being gravely disabled. Except in emergency cases in which the incapacitated person faces loss of life or serious bodily injury, surgery must not be performed upon the incapacitated person without the incapacitated person's prior consent or a court order specifically authorizing that surgery.

(3)(a) For an incapacitated person who is not to be placed in the person's own home or the home of a relative, first priority must be placement in a suitable facility as close as possible to the person's home or the home of a relative. For the purposes of this section, "suitable facility" means a less restrictive residential treatment placement available and necessary to achieve the purpose of treatment. At the time the court considers the report of the guardian ad litem specified in section 108 of this act, the court must consider available placement alternatives. After considering all the evidence, the court must determine the least restrictive and most appropriate alternative placement for the incapacitated person. The court must also determine those persons to be notified of a change of placement.

(b) For an incapacitated person who is gravely disabled and does not qualify for placement under (a) of this subsection, first priority must be placement in a facility that achieves the purposes of treatment of the incapacitated person and protection of the public. The court must determine the most appropriate placement for the incapacitated person. The court must also determine those persons to be notified of a change of placement, and additionally require the guardian to notify the district attorney or attorney representing the originating county before any change of placement.

(c) For any incapacitated person, if requested, the local mental health service provider must assist the guardian or the court in selecting a placement facility for the incapacitated person. When an incapacitated person who is receiving services from the local mental health professional is placed, the guardian must inform the local mental health service provider of the facility's location and any movement of the incapacitated person to another facility.

(4)(a) Except for an incapacitated person who is gravely disabled and is placed under subsection (3)(a) of this section, the guardian may transfer the incapacitated person to a less restrictive alternative placement without a further hearing and court approval. If a guardian has reasonable cause to believe that the incapacitated person is in need of immediate more restrictive placement because the condition of the incapacitated person has so changed that the incapacitated person poses an immediate and substantial danger to himself or herself or others, the guardian may place the incapacitated person in a more restrictive facility or hospital. If the change of placement is to a placement more restrictive than the court-determined placement, the guardian must provide written notice of the change of placement and the reason for the change to the court, the incapacitated person's attorney, and any other persons designated by the court pursuant to subsection (3) of this section.

(b) For an incapacitated person who is gravely disabled and is placed under subsection (3)(b) of this section, the guardian may not transfer the incapacitated person without providing written notice of the proposed change of placement and the reason for the change to the court, the incapacitated person's attorney, the district attorney of the county that made the commitment, and any other persons designated by the court to receive notice. If any person designated to receive notice objects to the proposed transfer within ten days after receiving notice, the matter must be set for a further hearing and court approval. The notification and hearing is not required for the transfer of persons between state hospitals.

(c) At a hearing where the guardian is seeking placement to a less restrictive alternative placement under (a) of this subsection, the placement may not be approved if it is determined by a preponderance of the evidence that the placement poses a threat to the safety of the public, the incapacitated person, or any other individual.

NEW SECTION. **Sec.**  RETRIEVAL AND REMOVAL OF INCAPACITATED PERSON. When any incapacitated person placed into a facility under this chapter leaves the facility without the approval of the guardian or the person in charge of the facility, or when the guardian appointed under this chapter deems it necessary to remove the incapacitated person to the mental health service provider, the guardian may take the incapacitated person into custody and return the person to the facility or remove the person to the mental health service provider. A guardian or guardian's designee may request a peace officer to detain the incapacitated person and return the person to the facility in which the person was placed or to transfer the person to the mental health service provider. Such request must be in writing and be accompanied by a certified copy of the letters of guardianship showing the person requesting detention and transfer to be the guardian appointed under this chapter as guardian of the person sought to be detained. When possible, any person charged with apprehension of an incapacitated person under this section must dress in plain clothes and travel in an unmarked vehicle.

NEW SECTION. **Sec.**  OUTPATIENT TREATMENT. Any guardian who places the incapacitated person in an inpatient facility pursuant to section 112 of this act may also require the incapacitated person to undergo outpatient treatment. Before doing so, the guardian must obtain the agreement of the mental health service provider that the incapacitated person will receive outpatient treatment and that the person in charge of the facility will designate a person to be the treatment case manager of the incapacitated person. The person in charge of this facility must notify the mental health service provider or designee of such agreement. At ninety-day intervals following the commencement of the outpatient treatment, the treatment case manager must report in writing to the guardian and to the person in charge of the mental health facility setting forth the status and progress of the incapacitated person.

NEW SECTION. **Sec.**  PLACEMENT UPON FACILITY RELEASE. (1) A guardian appointed under this chapter must find an alternative placement for the incapacitated person within seven days after the guardian is notified by the professional person in charge of the facility serving the incapacitated person that the incapacitated person no longer needs the care or treatment offered by that facility.

(2) If unusual conditions or circumstances preclude alternative placement of the incapacitated person within seven days, the guardian must find such placement within thirty days.

(3) If alternative placement cannot be found at the end of the thirty-day period, the guardian must confer with the professional person in charge of the facility who must determine the earliest practicable date when such alternative placement may be obtained.

NEW SECTION. **Sec.**  GUARDIANSHIP TERMINATION. (1) A guardianship initiated under this chapter automatically terminates one year after the appointment of the guardian by the superior court. The period of service of a temporary guardian must not be included in the one-year period. If the guardian has been appointed as guardian of the estate as well, the guardian must, for a reasonable time, continue to have such power and authority over the estate as the superior court, on petition by the guardian, may deem necessary under chapter 11.88 RCW. If, upon the termination of an initial or a succeeding period of guardianship, the guardian determines that guardianship is still required, the guardian may petition the superior court for his or her reappointment as guardian for a succeeding one-year period. The petition must include the opinion of two psychiatrists or psychologists who have at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders that the incapacitated person is still gravely disabled. One of these opinions must be from a psychiatrist or psychologist who is not the treating mental health professional. If the guardian is unable to obtain the opinion of two psychiatrists or psychologists, the guardian must request that the court appoint them.

(2) Any facility in which an incapacitated person is placed must release the incapacitated person at the person's request when the guardianship terminates. A petition for reappointment filed by the guardian must be transmitted to the facility at least thirty days before the automatic termination date. The facility may detain the incapacitated person after the end of the termination date only if the guardianship proceedings have not been completed and the court orders the incapacitated person to be held until the proceedings have been completed.

NEW SECTION. **Sec.**  NOTICE OF TERMINATION. (1) The clerk of the superior court must notify each guardian, the incapacitated person and the person in charge of the facility in which the incapacitated person resides, and the incapacitated person's attorney, at least sixty days before the termination of the one-year period. If the guardian is a private party, the clerk of the superior court must also notify the mental health service provider and the guardian ad litem at least sixty days before the termination of the one-year period. Notification must be delivered by first-class mail, personal delivery, or electronic means and be in substantially the following form:

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| In the Superior Court of the State of Washington in and  for the County of . . . . . | |
|  | |
| In the Matter of the Guardianship of  . . . . . | Guardianship Cause No. . . . . . |
|  | Notice of Termination |
|  | of Guardianship |
|  | |
| The people of the State of Washington to: | |
| (Incapacitated person, incapacitated person's attorney, guardian, and professional person in charge of the facility in which the incapacitated person resides, county mental health service provider, and guardian ad litem.) | |

The one-year guardianship established for . . . . . pursuant to chapter 11.--- RCW (the new chapter created in section 301 of this act) on . . . . . will terminate on . . . . .. If the guardian, . . . . ., wishes to reestablish guardianship for another year, he or she must petition the court by . . . . .. Subject to a request for a court hearing by jury trial the judge may, on his or her own motion, accept or reject the guardian's petition.

If the guardian petitions to reestablish guardianship, the incapacitated person, the professional person in charge of the facility in which he or she resides, the incapacitated person's attorney, and, if the guardian is a private party, the county mental health service provider, and the guardian ad litem must be notified.

If any of them request it, there must be a court hearing or a jury trial, whichever is requested, on the issue of whether the incapacitated person is still gravely disabled and in need of guardianship. If the private guardian does not petition for reappointment, the guardian ad litem may recommend another guardian. Such a petition is considered a petition for reappointment as guardian.

|  |  |
| --- | --- |
|  | Clerk of the Superior Court |
| . . . . . | by . . . . . Deputy . . . . . |

(2) Subject to a request for a court hearing or jury trial, the judge may, on his or her own motion, accept or reject the guardian's petition. If the guardian does not petition to reestablish guardianship at or before the termination of the one-year period, the court must issue a decree terminating guardianship. The decree must be delivered to the guardian and the incapacitated person by first-class mail, personal delivery, or electronic means.

NEW SECTION. **Sec.**  RETROACTIVE APPOINTMENT. If the guardian continues in good faith to act within the powers granted in the original letters of guardianship beyond the one-year period, the guardian may petition for and must be granted letters ratifying the acts as guardian beyond the one-year period. The letters must provide for a retroactive appointment of the guardian to provide continuity of authority in those cases when the guardian did not apply in time for reappointment.

**II. AUTHORITY OF GUARDIANS TO INVOLUNTARILY COMMIT INCAPACITATED PERSONS**

**Sec.**  RCW 11.88.010 and 2016 c 209 s 403 are each amended to read as follows:

(1) The superior court of each county shall have power to appoint guardians for the persons and/or estates of incapacitated persons, and guardians for the estates of nonresidents of the state who have property in the county needing care and attention.

(a) For purposes of this chapter, a person may be deemed incapacitated as to person when the superior court determines the individual: (i) Has a significant risk of personal harm based upon a demonstrated inability to adequately provide for nutrition, health, housing, or physical safety; or (ii) for purposes of chapter 11.--- RCW (the new chapter created in section 301 of this act), is gravely disabled as defined in RCW 71.05.020.

(b) For purposes of this chapter, a person may be deemed incapacitated as to the person's estate when the superior court determines the individual is at significant risk of financial harm based upon a demonstrated inability to adequately manage property or financial affairs.

(c) A determination of incapacity is a legal not a medical decision, based upon a demonstration of management insufficiencies over time in the area of person or estate. Except as provided in (a)(ii) of this subsection, age, eccentricity, poverty, or medical diagnosis alone shall not be sufficient to justify a finding of incapacity.

(d) A person may also be determined incapacitated if he or she is under the age of majority as defined in RCW 26.28.010.

(e) For purposes of giving informed consent for health care pursuant to RCW 7.70.050 and 7.70.065, an "incompetent" person is any person who is (i) incompetent by reason of mental illness, developmental disability, senility, habitual drunkenness, excessive use of drugs, or other mental incapacity, of either managing his or her property or caring for himself or herself, or both, or (ii) incapacitated as defined in (a), (b), or (d) of this subsection.

(f) For purposes of the terms "incompetent," "disabled," or "not legally competent," as those terms are used in the Revised Code of Washington to apply to persons incapacitated under this chapter, those terms shall be interpreted to mean "incapacitated" persons for purposes of this chapter.

(2) The superior court for each county shall have power to appoint limited guardians for the persons and estates, or either thereof, of incapacitated persons, who by reason of their incapacity have need for protection and assistance, but who are capable of managing some of their personal and financial affairs. After considering all evidence presented as a result of such investigation, the court shall impose, by order, only such specific limitations and restrictions on an incapacitated person to be placed under a limited guardianship as the court finds necessary for such person's protection and assistance. A person shall not be presumed to be incapacitated nor shall a person lose any legal rights or suffer any legal disabilities as the result of being placed under a limited guardianship, except as to those rights and disabilities specifically set forth in the court order establishing such a limited guardianship. In addition, the court order shall state the period of time for which it shall be applicable.

(3) Venue for petitions for guardianship or limited guardianship shall lie in the county wherein the alleged incapacitated person is domiciled, or if such person resides in a facility supported in whole or in part by local, state, or federal funding sources, in either the county where the facility is located, the county of domicile prior to residence in the supported facility, or the county where a parent or spouse or domestic partner of the alleged incapacitated person is domiciled.

If the alleged incapacitated person's residency has changed within one year of the filing of the petition, any interested person may move for a change of venue for any proceedings seeking the appointment of a guardian or a limited guardian under this chapter to the county of the alleged incapacitated person's last place of residence of one year or more. The motion shall be granted when it appears to the court that such venue would be in the best interests of the alleged incapacitated person and would promote more complete consideration of all relevant matters.

(4) Under RCW 11.125.080, a principal may nominate, by a durable power of attorney, the guardian or limited guardian of his or her estate or person for consideration by the court if guardianship proceedings for the principal's person or estate are thereafter commenced. The court shall make its appointment in accordance with the principal's most recent nomination in a durable power of attorney except for good cause or disqualification.

(5) Imposition of a guardianship for an incapacitated person shall not result in the loss of the right to vote unless the court determines that the person is incompetent for purposes of rationally exercising the franchise in that the individual lacks the capacity to understand the nature and effect of voting such that she or he cannot make an individual choice. The court order establishing guardianship shall specify whether or not the individual retains voting rights. When a court determines that the person is incompetent for the purpose of rationally exercising the right to vote, the court shall notify the appropriate county auditor.

NEW SECTION. **Sec.**  This act only applies to the most populous county east of the crest of the Cascade mountains and to any county west of the crest of the Cascade mountains with a population between seven hundred fifty thousand and one million.

NEW SECTION. **Sec.**  A new section is added to chapter 11.88 RCW to read as follows:

The provisions of this chapter apply and supplement, but do not supersede, the provisions of chapter 11.--- RCW (the new chapter created in section 301 of this act). If there is any conflict between the provisions of this chapter and chapter 11.--- RCW (the new chapter created in section 301 of this act), chapter 11.--- RCW (the new chapter created in section 301 of this act) supersedes.

NEW SECTION. **Sec.**  A new section is added to chapter 11.92 RCW to read as follows:

The provisions of this chapter apply and supplement, but do not supersede, the provisions of chapter 11.--- RCW (the new chapter created in section 301 of this act). If there is any conflict between the provisions of this chapter and chapter 11.--- RCW (the new chapter created in section 301 of this act), chapter 11.--- RCW (the new chapter created in section 301 of this act) supersedes.

NEW SECTION. **Sec.**  A new section is added to chapter 71.05 RCW to read as follows:

The provisions of this chapter apply and supplement, but do not supersede, the provisions of chapter 11.--- RCW (the new chapter created in section 301 of this act). If there is any conflict between the provisions of this chapter and chapter 11.--- RCW (the new chapter created in section 301 of this act), chapter 11.--- RCW (the new chapter created in section 301 of this act) supersedes.

NEW SECTION. **Sec.**  (1) The administrative office of the courts, in collaboration with the counties described under section 202 of this act, must establish a work group to conduct an evaluation of the effectiveness of the implementation of chapter 11.--- RCW (the new chapter created in section 301 of this act) in addressing the needs of persons who are gravely disabled. The evaluation must include an assessment of the number and status of persons who have been appointed guardians under chapter 11.--- RCW (the new chapter created in section 301 of this act), the effectiveness of these guardianships in addressing short and long-term needs of those persons, and the impact of these guardianships on existing guardianships under chapter 11.88 RCW and on mental health programs within each participating county. The work group may include representatives from the health care authority, department of social and health services, department of commerce, participating county mental health service providers, law enforcement, and disability rights advocacy groups. The administrative office of the courts must submit a report to the legislature on the results of the evaluation, including any recommendations for future legislation, by December 31, 2024.

(2) This section expires January 1, 2025.

**III. MISCELLANEOUS PROVISIONS**

NEW SECTION. **Sec.**  Sections 101 through 118 and 202 of this act constitute a new chapter in Title 11 RCW.

NEW SECTION. **Sec.**  Except for section 206 of this act, this act expires July 1, 2024.

**--- END ---**