

HOUSE BILL REPORT

HB 2892

As Amended by the Senate

Title: An act relating to the mental health field response teams program.

Brief Description: Establishing the mental health field response teams program.

Sponsors: Representatives Lovick, Hayes, Goodman, Klippert, Tarleton, Slatter, McDonald, Frame and Kloba.

Brief History:

Committee Activity:

Public Safety: 1/30/18, 2/1/18 [DP];

Appropriations: 2/5/18, 2/6/18 [DP].

Floor Activity:

Passed House: 2/8/18, 98-0.

Senate Amended.

Passed Senate: 3/2/18, 48-0.

Brief Summary of Bill

- Creates the mental health field response team grant program (program), administered by the Washington Association of Sheriffs and Police Chiefs.
- Requires the Washington State Institute for Public Policy to conduct a study on whether the program improves outcomes of interactions with persons experiencing behavioral health crises.

HOUSE COMMITTEE ON PUBLIC SAFETY

Majority Report: Do pass. Signed by 9 members: Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Appleton, Chapman, Griffey, Holy, Orwall and Pettigrew.

Staff: Kelly Leonard (786-7147).

HOUSE COMMITTEE ON APPROPRIATIONS

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.

Majority Report: Do pass. Signed by 32 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist, Buys, Calder, Cody, Condotta, Fitzgibbon, Graves, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Manweller, Pettigrew, Pollet, Sawyer, Schmick, Senn, Stanford, Sullivan, Taylor, Tharinger, Vick, Volz and Wilcox.

Staff: Rachelle Harris (786-7137).

Background:

Washington Association of Sheriffs and Police Chiefs. The Washington Association of Sheriffs and Police Chiefs (WASPC) is an independent organization consisting of sheriffs, police chiefs, the Washington State Patrol, and the Department of Corrections. The 1975 Legislature made the WASPC a statutory entity by designating the association as a "combination of units of local government," and it currently receives state funding to manage certain programs. This includes, for example, the Jail Booking and Reporting System.

Behavioral Health Organizations. A behavioral health organization refers to a county, group of counties, or nonprofit organization under contract with the Department of Social and Health Services (DSHS) to provide a comprehensive network of behavioral health services in a regional service area. Behavioral health organizations contract with local providers to provide an array of mental health services, monitor the activities of local providers, and oversee the distribution of funds under the state managed care plan.

Washington State Institute for Public Policy. The Washington State Institute for Public Policy (WSIPP) is a research organization created by the Legislature to provide nonpartisan research at legislative direction on issues of importance to Washington.

Summary of Bill:

When funded, the WASPC must develop and implement a mental health field response team grant program (program). The purpose of the program is to assist local law enforcement agencies to develop and operate mental health field response team capabilities by utilizing mental health professionals to professionally, humanely, and safely respond to encounters involving persons with mental health issues.

Grants are awarded to local law enforcement agencies based on locally developed proposals. Two or more agencies may submit a joint proposal. Grant applications are reviewed by peer review panels appointed by the WASPC in consultation with behavioral health organizations. To the extent possible, at least one grant recipient agency should be from the east side of the state and one from the west side of the state. Grant recipients must be selected and receiving funds by October 1, 2018.

Grant recipients must include at least one DSHS designated mental health professional who will perform professional services. A mental health professional may assist patrol officers in the field or in an on-call capacity, provide training on best practices, or provide other services. Grant recipients must also develop and provide training necessary for mental health

professionals to operate successfully and competently in partnership with law enforcement agencies.

The WASPC must submit an annual report to the Governor and appropriate committees of the Legislature on the program, including information on grant recipients, use of funds, participation of mental health professionals, and feedback from grant recipients.

The WSIPP, in consultation with the WASPC, must develop data collection and reporting guidelines for grant recipients. The WSIPP must conduct a study on whether the use of mental health field response improves outcomes of interactions with persons experiencing behavioral health crises.

EFFECT OF SENATE AMENDMENT(S):

The stated purpose of the grant program is modified by specifying that the program is for assisting local law enforcement agencies with establishing and expanding mental health field response capabilities (rather than developing and operating those capabilities). References to mental health field response teams are removed, and instead the Senate amendment refers to mental health field response capabilities or programs. The primary goals of mental health field response are treatment, diversion, and reduced incarceration time. Grant proposals are required to include a plan for diversion from incarceration.

The WASPC is required to make every effort to fund at least eight grants per fiscal year. Language is added requiring the WASPC to prioritize grants for law enforcement agencies with local matching funds. A portion of the grant funds may also be used to develop data management capability to support the program. The Senate amendment specifies that the WASPC is not prohibited from soliciting or accepting private funds to support the grant program.

Grant recipients are required to include at least one mental health professional (rather than a designated crisis responder). Grant recipients are encouraged to coordinate with local public safety answering points to maximize the goals of the program. In addition, language is added requiring the WASPC to coordinate with public safety answering points, behavioral health organizations, and the DSHS to develop and incorporate telephone triage criteria and dispatch protocols to assist with mental health, law enforcement, and emergency medical responses involving mental health situations.

The WSIPP study is removed. Instead, within existing resources, WASPC must consult with the DSHS Research and Analysis Unit to establish data collection and reporting guidelines. The data will be used to for a similar study.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony (Public Safety):

(In support) Our criminal justice system is a good system, but it can sometimes be an ineffective and expensive method of addressing mental health crises. Mental health is the number one public safety issue facing Washington. People experiencing mental health crises are not necessarily committing crimes, but communities continue to rely on law enforcement to respond to those crises.

This bill focuses on sending help where help is needed. Mental health professionals will be working in the field alongside law enforcement. This improves the interactions between the public and law enforcement, thereby reducing the possibility of using force, and also improves public safety overall. Instead of booking someone into jail, he or she may be connected with services or diverted to a more appropriate facility.

Many law enforcement agencies are developing innovative solutions to the larger demand for mental health services in the field. This bill will assist agencies with this effort, and further expand partnerships between law enforcement and mental health professionals.

The bill has flexibility for law enforcement agencies to use different models, including using a co-responder model or an on-call model. It also allows multiple agencies to submit a joint proposal, which is significant for small and rural agencies.

It is important to continue to include the 9-1-1 system and dispatchers in the conversation on expanding the availability of mental health professionals. The population in need of services in the field are often heavy users of the 9-1-1 system. The bill will help redirect resources to better serve these populations, while also collecting data on what works.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) This is the number one legislative priority for sheriffs and police chiefs. Mental health is a top public safety issue. Having a mental health or chemical dependency crisis is not illegal and it should not be treated as such. Our system today continues to only send a police officer when someone is having a mental health crisis, which is inappropriate. Some jurisdictions in the state are using existing local funding to create various versions of the program in this bill, and expanding those opportunities to other jurisdictions would be a good idea. Cities are beginning to respond to issues of mental health in new ways. There are a variety of models being tried in various communities.

(Opposed) None.

Persons Testifying (Public Safety): Representative Lovick, prime sponsor; James McMahan, Washington Association of Sheriffs and Police Chiefs; Logan Bahr, Association of Washington Cities; and Keith Flewelling and Karl Hatton, Association of Public Safety Communications-National Emergency Number Association.

Persons Testifying (Appropriations): James McMahan, Washington Association of Sheriffs and Police Chiefs; Carl Schroeder, Association of Washington Cities; and Doug Levy, Cities of Everett, Kent, Redmond, Renton, Puyallup, and Issaquah.

Persons Signed In To Testify But Not Testifying (Public Safety): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.