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ENGROSSED SENATE BILL 6319

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State of Washington                      52nd Legislature                      1992 Regular Session

By Senators Niemi, West, Wojahn and Bailey

Read first time 01/24/92. Referred to Committee on Health & Long-Term Care.

1            AN ACT Relating to the placement of people with disabilities;  
2 amending RCW 72.23.025; adding a new section to chapter 72.23 RCW; and  
3 declaring an emergency.

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

5            **Sec. 1.** RCW 72.23.025 and 1989 c 205 s 21 are each amended to read  
6 as follows:

7            (1) It is the intent of the legislature to improve the quality of  
8 service at state hospitals, eliminate overcrowding, and more  
9 specifically define the role of the state hospitals. The legislature  
10 intends that eastern and western state hospitals shall become clinical  
11 centers for handling the most complicated long-term care needs of  
12 patients with a primary diagnosis of mental disorder. Over the next  
13 six years, their involvement in providing short-term ~~((and))~~ acute  
14 care, and less complicated long-term care shall be diminished in

1 accordance with the revised responsibilities for mental health care  
2 under chapter 71.24 RCW. To this end, the legislature intends that  
3 funds appropriated for mental health programs, including funds for  
4 regional support networks and the state hospitals be used for persons  
5 with primary diagnosis of mental disorder. To the extent that persons  
6 with developmental disabilities, head injury, AIDS, or substance abuse  
7 are treated by state hospitals, the legislature intends that the  
8 secretary allocate funds from separate appropriations to help support  
9 their care. The legislature finds that establishment of the eastern  
10 state hospital board, the western state hospital board, and institutes  
11 for the study and treatment of mental disorders at both eastern state  
12 hospital and western state hospital will be instrumental in  
13 implementing the legislative intent.

14 (2)(a) The eastern state hospital board and the western state  
15 hospital board are each established. Members of the boards shall be  
16 appointed by the governor with the consent of the senate. Each board  
17 shall include:

18 (i) The director of the institute for the study and treatment of  
19 mental disorders established at the hospital;

20 (ii) One family member of a current or recent hospital resident;

21 (iii) One consumer of services;

22 (iv) One community mental health service provider;

23 (v) Two citizens with no financial or professional interest in  
24 mental health services;

25 (vi) One representative of the regional support network in which  
26 the hospital is located;

27 (vii) One representative from the staff who is a physician;

28 (viii) One representative from the nursing staff;

29 (ix) One representative from the other professional staff;

30 (x) One representative from the nonprofessional staff; and

1 (xi) One representative of a minority community.

2 (b) At least one representative listed in (a) (viii), (ix), or (x)  
3 of this subsection shall be a union member.

4 (c) Members shall serve four-year terms. Members of the board  
5 shall be reimbursed for travel expenses as provided in RCW 43.03.050  
6 and 43.03.060 and shall receive compensation as provided in RCW  
7 43.03.240.

8 (3) The boards established under this section shall:

9 (a) Monitor the operation and activities of the hospital;

10 (b) Review and advise on the hospital budget;

11 (c) Make recommendations to the governor and the legislature for  
12 improving the quality of service provided by the hospital;

13 (d) Monitor and review the activities of the hospital in  
14 implementing the intent of the legislature set forth in this section;

15 (e) Report periodically to the governor and the legislature on the  
16 implementation of the legislative intent set forth in this section; and

17 (f) Consult with the secretary regarding persons the secretary may  
18 select as the superintendent of the hospital whenever a vacancy occurs.

19 (4)(a) There is established at eastern state hospital and western  
20 state hospital, institutes for the study and treatment of mental  
21 disorders. The institutes shall be operated by joint operating  
22 agreements between state colleges and universities and the department  
23 of social and health services. The institutes are intended to conduct  
24 training, research, and clinical program development activities that  
25 will directly benefit mentally ill persons receiving treatment in  
26 Washington state by performing the following activities:

27 (i) Promote recruitment and retention of highly qualified  
28 professionals at the state hospitals and community mental health  
29 programs;

1 (ii) Improve clinical care by exploring new, innovative, and  
2 scientifically based treatment models for persons presenting  
3 particularly difficult and complicated clinical syndromes;

4 (iii) Provide expanded training opportunities for existing staff at  
5 the state hospitals and community mental health programs;

6 (iv) Promote bilateral understanding of treatment orientation,  
7 possibilities, and challenges between state hospital professionals and  
8 community mental health professionals.

9 (b) To accomplish these purposes the institutes may, within funds  
10 appropriated for this purpose:

11 (i) Enter joint operating agreements with state universities or  
12 other institutions of higher education to accomplish the placement and  
13 training of students and faculty in psychiatry, psychology, social  
14 work, occupational therapy, nursing, and other relevant professions at  
15 the state hospitals and community mental health programs;

16 (ii) Design and implement clinical research projects to improve the  
17 quality and effectiveness of state hospital services and operations;

18 (iii) Enter into agreements with community mental health service  
19 providers to accomplish the exchange of professional staff between the  
20 state hospitals and community mental health service providers;

21 (iv) Establish a student loan forgiveness and conditional  
22 scholarship program to retain qualified professionals at the state  
23 hospitals and community mental health providers when the  
24 ((~~superintendent~~)) secretary has determined a shortage of such  
25 professionals exists.

26 (c) Notwithstanding any other provisions of law to the contrary,  
27 the institutes may enter into agreements with the department or the  
28 state hospitals which may involve changes in staffing necessary to  
29 implement improved patient care programs contemplated by this section.

1 (d) The institutes are authorized to seek and accept public or  
2 private gifts, grants, contracts, or donations to accomplish their  
3 purposes under this section.

4 ~~((5) The department shall review the diagnoses and treatment  
5 history of hospital patients and create a plan to locate  
6 inappropriately placed persons into medicaid reimbursable nursing homes  
7 or other nonhospital settings. The plan shall be submitted to the  
8 legislature by June 30, 1990.))~~

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.23 RCW  
10 to read as follows:

11 The secretary shall from funds appropriated for appropriate  
12 nonmental health program budgets within the department develop a system  
13 of payments or other incentives to discourage the inappropriate  
14 placement of the developmentally disabled, those with head injury,  
15 AIDS, and those suffering the effects of substance abuse at the state  
16 hospitals, whether or not a mental disorder is associated with their  
17 illness, and to encourage their care in community settings or on state  
18 hospital or residential habilitation center grounds. The system shall  
19 be similar to that used in contracts with regional support networks to  
20 limit their use of the state hospitals.

21 Under the system, state, local, or community agencies shall be  
22 given financial or other incentives to develop appropriate crisis  
23 intervention and community care arrangements. However, if it is  
24 determined that care on state hospital grounds is appropriate, the  
25 secretary shall condition such care on payments from appropriate  
26 nonmental health program budgets within the department. The payments  
27 shall be adequate to support additional care that the superintendents  
28 may determine are needed for these persons, after consultation with  
29 experts and the boards.

1           The secretary may establish specialized care programs for persons  
2 described in this section on the grounds of the state hospitals. Such  
3 programs may operate according to professional standards that do not  
4 conform to existing federal or private hospital accreditation  
5 standards.

6           NEW SECTION.   **Sec. 3.**           This act is necessary for the immediate  
7 preservation of the public peace, health, or safety, or support of the  
8 state government and its existing public institutions, and shall take  
9 effect immediately.