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SENATE BILL 6374

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State of Washington

56th Legislature

2000 Regular Session

By Senators Long, Hargrove, Franklin, Stevens, Kohl-Welles, Winsley and Costa

Read first time 01/14/2000. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to notification and time limits for initial  
2 evaluations by the county designated mental health professional; and  
3 amending RCW 71.05.050.

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

5 **Sec. 1.** RCW 71.05.050 and 1998 c 297 s 6 are each amended to read  
6 as follows:

7 Nothing in this chapter shall be construed to limit the right of  
8 any person to apply voluntarily to any public or private agency or  
9 practitioner for treatment of a mental disorder, either by direct  
10 application or by referral. Any person voluntarily admitted for  
11 inpatient treatment to any public or private agency shall be released  
12 immediately upon his or her request. Any person voluntarily admitted  
13 for inpatient treatment to any public or private agency shall orally be  
14 advised of the right to immediate release and further advised of such  
15 rights in writing as are secured to them pursuant to this chapter and  
16 their rights of access to attorneys, courts, and other legal redress.  
17 Their condition and status shall be reviewed at least once each one  
18 hundred eighty days for evaluation as to the need for further treatment  
19 and/or possible release, at which time they shall again be advised of

1 their right to release upon request: PROVIDED HOWEVER, That if the  
2 professional staff of any public or private agency or hospital regards  
3 a person voluntarily admitted who requests release as presenting, as a  
4 result of a mental disorder, an imminent likelihood of serious harm, or  
5 is gravely disabled, they may detain such person for sufficient time to  
6 notify the county designated mental health professional of such  
7 person's condition to enable the county designated mental health  
8 professional to authorize such person being further held in custody or  
9 transported to an evaluation and treatment center pursuant to the  
10 provisions of this chapter, which shall in ordinary circumstances be no  
11 later than the next judicial day: PROVIDED FURTHER, That if a person  
12 is brought to the emergency room of a public or private agency or  
13 hospital for observation or treatment, the person refuses voluntary  
14 admission, and the professional staff of the public or private agency  
15 or hospital regard such person as presenting as a result of a mental  
16 disorder an imminent likelihood of serious harm, or as presenting an  
17 imminent danger because of grave disability, they may detain such  
18 person for sufficient time to notify the county designated mental  
19 health professional of such person's condition to enable the county  
20 designated mental health professional to authorize such person being  
21 further held in custody or transported to an evaluation treatment  
22 center pursuant to the conditions in this chapter, but which time shall  
23 be no more than six hours from the time the professional staff  
24 (~~determine that an evaluation by~~) notifies the county designated  
25 mental health professional that an evaluation is necessary. The  
26 professional staff must notify the county designated mental health  
27 professional immediately upon determining that an evaluation is  
28 necessary. When, in the opinion of the professional staff, medically  
29 necessary treatment precludes the county designated mental health  
30 professional from conducting the evaluation, the professional staff  
31 shall notify the county designated mental health professional  
32 immediately upon completion of the treatment.

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