
SUBSTITUTE HOUSE BILL 1290

State of Washington

59th Legislature

2005 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Cody, Bailey, Schual-Berke, Campbell, Morrell, Hinkle, Green, Appleton, Moeller, Haigh, Linville, Kenney, Wood and Santos)

READ FIRST TIME 02/15/05.

1 AN ACT Relating to community mental health services; amending RCW
2 71.24.025, 71.24.030, 71.24.045, 71.24.100, 71.24.240, 71.24.300,
3 71.24.420, and 71.05.020; reenacting and amending RCW 71.24.015 and
4 71.24.035; adding a new section to chapter 74.09 RCW; creating new
5 sections; making appropriations; providing expiration dates; and
6 declaring an emergency.

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

8 **Sec. 1.** RCW 71.24.015 and 2001 c 334 s 6 and 2001 c 323 s 1 are
9 each reenacted and amended to read as follows:

10 It is the intent of the legislature to establish a community mental
11 health program which shall help people experiencing mental illness to
12 retain a respected and productive position in the community. This will
13 be accomplished through (~~programs~~) resilience and recovery-based
14 programs, including recognized evidence-based practices, which provide
15 for:

16 (1) Access to a package of mental health services that is
17 consistent across the state for adults of the state who are acutely
18 mentally ill, chronically mentally ill, or seriously disturbed and
19 children of the state who are acutely mentally ill, severely

1 emotionally disturbed, or seriously disturbed, which services recognize
2 the special needs of underserved populations, including minorities,
3 children, the elderly, disabled, and low-income persons. Access to
4 mental health services shall not be limited by a person's history of
5 confinement in a state, federal, or local correctional facility. It is
6 also the purpose of this chapter to promote the early identification of
7 mentally ill children and to ensure that they receive the mental health
8 care and treatment which is appropriate to their developmental level.
9 This care should improve home, school, and community functioning,
10 maintain children in a safe and nurturing home environment, and should
11 enable treatment decisions to be made in response to clinical needs in
12 accordance with sound professional judgment while also recognizing
13 parents' rights to participate in treatment decisions for their
14 children;

15 (2) The involvement of persons with mental illness, their family
16 members, and advocates in designing and implementing mental health
17 services that reduce unnecessary hospitalization and incarceration and
18 promote the recovery and employment of persons with mental illness. To
19 improve the quality of services available and promote the
20 rehabilitation, recovery, and reintegration of persons with mental
21 illness, consumer and advocate participation in mental health services
22 is an integral part of the community mental health system and shall be
23 supported;

24 (3) Accountability of efficient and effective services through
25 state of the art outcome and performance measures and statewide
26 standards for monitoring client and system outcomes, performance, and
27 reporting of client and system outcome information. These processes
28 shall be designed so as to maximize the use of available resources for
29 direct care of people with a mental illness and to assure uniform data
30 collection across the state;

31 (~~(3)~~) (4) Minimum service delivery standards;

32 (~~(4)~~) (5) Priorities for the use of available resources for the
33 care of the mentally ill consistent with the priorities defined in the
34 statute;

35 (~~(5)~~) (6) Coordination of services within the department,
36 including those divisions within the department that provide services
37 to children, between the department and the office of the
38 superintendent of public instruction, and among state mental hospitals,

1 ((~~county authorities~~)) regional support networks, community mental
2 health services, and other support services, which shall to the maximum
3 extent feasible also include the families of the mentally ill, and
4 other service providers; and

5 ((~~+6~~)) (7) Coordination of services aimed at reducing duplication
6 in service delivery and promoting complementary services among all
7 entities that provide mental health services to adults and children.

8 It is the policy of the state to encourage the provision of a full
9 range of treatment and rehabilitation services in the state for mental
10 disorders including services operated by consumers and advocates. The
11 legislature intends to encourage the development of ((~~county based and~~
12 ~~county managed~~)) regional mental health services with adequate local
13 flexibility to assure eligible people in need of care access to the
14 least-restrictive treatment alternative appropriate to their needs, and
15 the availability of treatment components to assure continuity of care.
16 To this end, ((~~counties are encouraged to enter into joint operating~~
17 ~~agreements with other counties to form~~)) regional systems of care
18 ((~~which~~)) will integrate planning, administration, and service delivery
19 duties ((~~assigned to counties~~)) under chapters 71.05 and 71.24 RCW to
20 consolidate administration, reduce administrative layering, and reduce
21 administrative costs.

22 It is further the intent of the legislature to integrate the
23 provision of services to provide continuity of care through all phases
24 of treatment. To this end the legislature intends to promote active
25 engagement with mentally ill persons and collaboration between families
26 and service providers.

27 **Sec. 2.** RCW 71.24.025 and 2001 c 323 s 8 are each amended to read
28 as follows:

29 Unless the context clearly requires otherwise, the definitions in
30 this section apply throughout this chapter.

31 (1) "Acutely mentally ill" means a condition which is limited to a
32 short-term severe crisis episode of:

33 (a) A mental disorder as defined in RCW 71.05.020 or, in the case
34 of a child, as defined in RCW 71.34.020;

35 (b) Being gravely disabled as defined in RCW 71.05.020 or, in the
36 case of a child, a gravely disabled minor as defined in RCW 71.34.020;

37 or

1 (c) Presenting a likelihood of serious harm as defined in RCW
2 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

3 (2) "Available resources" means funds appropriated for the purpose
4 of providing community mental health programs (~~(under RCW 71.24.045)~~),
5 federal funds, except those provided according to Title XIX of the
6 Social Security Act, and state funds appropriated under this chapter or
7 chapter 71.05 RCW by the legislature during any biennium for the
8 purpose of providing residential services, resource management
9 services, community support services, and other mental health services.
10 This does not include funds appropriated for the purpose of operating
11 and administering the state psychiatric hospitals, except as negotiated
12 according to RCW 71.24.300(1)(~~(e)~~) (d).

13 (3) "Child" means a person under the age of eighteen years.

14 (4) "Chronically mentally ill adult" means an adult who has a
15 mental disorder and meets at least one of the following criteria:

16 (a) Has undergone two or more episodes of hospital care for a
17 mental disorder within the preceding two years; or

18 (b) Has experienced a continuous psychiatric hospitalization or
19 residential treatment exceeding six months' duration within the
20 preceding year; or

21 (c) Has been unable to engage in any substantial gainful activity
22 by reason of any mental disorder which has lasted for a continuous
23 period of not less than twelve months. "Substantial gainful activity"
24 shall be defined by the department by rule consistent with Public Law
25 92-603, as amended.

26 (5) "Community mental health program" means all mental health
27 services, activities, or programs using available resources.

28 (6) "Community mental health service delivery system" means public
29 or private agencies that provide services specifically to persons with
30 mental disorders as defined under RCW 71.05.020 and receive funding
31 from public sources.

32 (7) "Community support services" means services authorized,
33 planned, and coordinated through resource management services
34 including, at a minimum, assessment, diagnosis, emergency crisis
35 intervention available twenty-four hours, seven days a week,
36 prescreening determinations for mentally ill persons being considered
37 for placement in nursing homes as required by federal law, screening
38 for patients being considered for admission to residential services,

1 diagnosis and treatment for acutely mentally ill and severely
2 emotionally disturbed children discovered under screening through the
3 federal Title XIX early and periodic screening, diagnosis, and
4 treatment program, investigation, legal, and other nonresidential
5 services under chapter 71.05 RCW, case management services, psychiatric
6 treatment including medication supervision, counseling, psychotherapy,
7 assuring transfer of relevant patient information between service
8 providers, recovery services, and other services determined by regional
9 support networks.

10 (8) "County authority" means the board of county commissioners,
11 county council, or county executive having authority to establish a
12 community mental health program, or two or more of the county
13 authorities specified in this subsection which have entered into an
14 agreement to provide a community mental health program.

15 (9) "Department" means the department of social and health
16 services.

17 (10) "Evidence-based practices" means services for people with
18 severe mental illness that have demonstrated positive outcomes in
19 multiple research studies.

20 (11) "Licensed service provider" means an entity licensed according
21 to this chapter or chapter 71.05 RCW or an entity deemed to meet state
22 minimum standards as a result of accreditation by a recognized
23 behavioral health accrediting body recognized and having a current
24 agreement with the department, that meets state minimum standards or
25 individuals licensed under chapter 18.57, 18.71, 18.83, or 18.79 RCW,
26 as it applies to registered nurses and advanced registered nurse
27 practitioners.

28 ~~((11))~~ (12) "Mental health services" means all services provided
29 by regional support networks and other services provided by the state
30 for the mentally ill.

31 ~~((12))~~ (13) "Mentally ill persons" and "the mentally ill" mean
32 persons and conditions defined in subsections (1), (4), ~~((17))~~ (20),
33 and ~~((18))~~ (21) of this section.

34 ~~((13))~~ (14) "Regional support network" means a county authority
35 or group of county authorities or other entity recognized by the
36 secretary ~~((that enter into joint operating agreements to contract with~~
37 ~~the secretary pursuant to this chapter))~~ through a department
38 procurement process.

1 ~~((14))~~ (15) "Residential services" means a complete range of
2 residences and supports authorized by resource management services and
3 which may involve a facility, a distinct part thereof, or services
4 which support community living, for acutely mentally ill persons,
5 chronically mentally ill adults, severely emotionally disturbed
6 children, or seriously disturbed adults determined by the regional
7 support network to be at risk of becoming acutely or chronically
8 mentally ill. The services shall include at least evaluation and
9 treatment services as defined in chapter 71.05 RCW, acute crisis
10 respite care, long-term adaptive and rehabilitative care, and
11 supervised and supported living services, and shall also include any
12 residential services developed to service mentally ill persons in
13 nursing homes. Residential services for children in out-of-home
14 placements related to their mental disorder shall not include the costs
15 of food and shelter, except for children's long-term residential
16 facilities existing prior to January 1, 1991.

17 ~~((15))~~ (16) "Recovery" means the process in which people are able
18 to live, work, learn, and participate fully in their communities.

19 (17) "Resilience" means the personal and community qualities that
20 enable individuals to rebound from adversity, trauma, tragedy, threats,
21 or other stresses, and to live productive lives.

22 (18) "Resource management services" mean the planning,
23 coordination, and authorization of residential services and community
24 support services administered pursuant to an individual service plan
25 for: (a) Acutely mentally ill adults and children; (b) chronically
26 mentally ill adults; (c) severely emotionally disturbed children; or
27 (d) seriously disturbed adults determined solely by a regional support
28 network to be at risk of becoming acutely or chronically mentally ill.
29 Such planning, coordination, and authorization shall include mental
30 health screening for children eligible under the federal Title XIX
31 early and periodic screening, diagnosis, and treatment program.
32 Resource management services include seven day a week, twenty-four hour
33 a day availability of information regarding mentally ill adults' and
34 children's enrollment in services and their individual service plan to
35 county-designated mental health professionals, evaluation and treatment
36 facilities, and others as determined by the regional support network.

37 ~~((16))~~ (19) "Secretary" means the secretary of social and health
38 services.

1 (~~(17)~~) (20) "Seriously disturbed person" means a person who:
2 (a) Is gravely disabled or presents a likelihood of serious harm to
3 himself or herself or others, or to the property of others, as a result
4 of a mental disorder as defined in chapter 71.05 RCW;
5 (b) Has been on conditional release status, or under a less
6 restrictive alternative order, at some time during the preceding two
7 years from an evaluation and treatment facility or a state mental
8 health hospital;
9 (c) Has a mental disorder which causes major impairment in several
10 areas of daily living;
11 (d) Exhibits suicidal preoccupation or attempts; or
12 (e) Is a child diagnosed by a mental health professional, as
13 defined in chapter 71.34 RCW, as experiencing a mental disorder which
14 is clearly interfering with the child's functioning in family or school
15 or with peers or is clearly interfering with the child's personality
16 development and learning.
17 (~~(18)~~) (21) "Severely emotionally disturbed child" means a child
18 who has been determined by the regional support network to be
19 experiencing a mental disorder as defined in chapter 71.34 RCW,
20 including those mental disorders that result in a behavioral or conduct
21 disorder, that is clearly interfering with the child's functioning in
22 family or school or with peers and who meets at least one of the
23 following criteria:
24 (a) Has undergone inpatient treatment or placement outside of the
25 home related to a mental disorder within the last two years;
26 (b) Has undergone involuntary treatment under chapter 71.34 RCW
27 within the last two years;
28 (c) Is currently served by at least one of the following child-
29 serving systems: Juvenile justice, child-protection/welfare, special
30 education, or developmental disabilities;
31 (d) Is at risk of escalating maladjustment due to:
32 (i) Chronic family dysfunction involving a mentally ill or
33 inadequate caretaker;
34 (ii) Changes in custodial adult;
35 (iii) Going to, residing in, or returning from any placement
36 outside of the home, for example, psychiatric hospital, short-term
37 inpatient, residential treatment, group or foster home, or a
38 correctional facility;

1 (iv) Subject to repeated physical abuse or neglect;

2 (v) Drug or alcohol abuse; or

3 (vi) Homelessness.

4 (~~(19)~~) (22) "State minimum standards" means minimum requirements
5 established by rules adopted by the secretary and necessary to
6 implement this chapter for: (a) Delivery of mental health services;
7 (b) licensed service providers for the provision of mental health
8 services; (c) residential services; and (d) community support services
9 and resource management services.

10 (~~(20)~~) (23) "Tribal authority," for the purposes of this section
11 and RCW 71.24.300 only, means: The federally recognized Indian tribes
12 and the major Indian organizations recognized by the secretary insofar
13 as these organizations do not have a financial relationship with any
14 regional support network that would present a conflict of interest.

15 **Sec. 3.** RCW 71.24.030 and 2001 c 323 s 9 are each amended to read
16 as follows:

17 The secretary is authorized to make grants (~~(to)~~) and/or purchase
18 services (~~(from counties or combinations of counties in the~~
19 ~~establishment and operation of)~~) to establish and operate community
20 mental health programs.

21 **Sec. 4.** RCW 71.24.035 and 2001 c 334 s 7 and 2001 c 323 s 10 are
22 each reenacted and amended to read as follows:

23 (1) The department is designated as the state mental health
24 authority.

25 (2) The secretary shall provide for public, client, and licensed
26 service provider participation in developing the state mental health
27 program, developing contracts with regional support networks, and any
28 waiver request to the federal government under medicaid.

29 (3) The secretary shall provide for participation in developing the
30 state mental health program for children and other underserved
31 populations, by including representatives on any committee established
32 to provide oversight to the state mental health program.

33 (4) The secretary shall be designated as the (~~county authority if~~
34 ~~a county fails~~) regional support network if the regional support
35 network fails to meet state minimum standards or refuses to exercise
36 responsibilities under RCW 71.24.045.

1 (5) The secretary shall:

2 (a) Develop a biennial state mental health program that
3 incorporates ~~((county))~~ regional biennial needs assessments and
4 ~~((county))~~ regional mental health service plans and state services for
5 mentally ill adults and children. The secretary ~~((may))~~ shall also
6 develop a six-year state mental health plan;

7 (b) Assure that any regional ~~((or county))~~ community mental health
8 program provides access to treatment for the ~~((county's))~~ region's
9 residents in the following order of priority: (i) The acutely mentally
10 ill; (ii) chronically mentally ill adults and severely emotionally
11 disturbed children; and (iii) the seriously disturbed. Such programs
12 shall provide:

13 (A) Outpatient services;

14 (B) Emergency care services for twenty-four hours per day;

15 (C) ~~((Day treatment for mentally ill persons which includes
16 training in basic living and social skills, supported work, vocational
17 rehabilitation, and day activities. Such services may include
18 therapeutic treatment. In the case of a child, day treatment includes
19 age-appropriate basic living and social skills, educational and
20 prevocational services, day activities, and therapeutic treatment))~~
21 Intensive rehabilitative day support services that provide a range of
22 integrated and varied life skills training which may include health,
23 hygiene, nutritional issues, money management, maintaining living
24 arrangements, and symptom management, to promote improved functioning
25 or a restoration to a previous higher level of functioning. In the
26 case of a child, day supports include age-appropriate basic living and
27 social skills, educational and prevocational services, day activities,
28 and therapeutic treatment including school-based programming;

29 (D) Screening for patients being considered for admission to state
30 mental health facilities to determine the appropriateness of admission;

31 (E) Employment services, which may include supported employment,
32 transitional work, placement in competitive employment, and other work-
33 related services, that result in mentally ill persons becoming engaged
34 in meaningful and gainful full or part-time work~~((Other sources of
35 funding such as the division of vocational rehabilitation may be
36 utilized by the secretary to maximize federal funding and provide for
37 integration of services))~~;

38 (F) Consultation and education services; and

1 (G) Community support services;

2 (c) Develop and adopt rules establishing state minimum standards
3 for the delivery of mental health services pursuant to RCW 71.24.037
4 including, but not limited to:

5 (i) Licensed service providers. These rules shall permit a county-
6 operated mental health program to be licensed as a service provider
7 subject to compliance with applicable statutes and rules. The
8 secretary shall provide for deeming of compliance with state minimum
9 standards for those entities accredited by recognized behavioral health
10 accrediting bodies recognized and having a current agreement with the
11 department;

12 (ii) Regional support networks; and

13 (iii) Inpatient services, evaluation and treatment services and
14 facilities under chapter 71.05 RCW, resource management services, and
15 community support services;

16 (d) Assure that the special needs of minorities, the elderly,
17 disabled, children, and low-income persons are met within the
18 priorities established in this section;

19 (e) Establish a standard contract or contracts, using a standard
20 procurement process consistent with state minimum standards, which
21 shall be used in contracting with regional support networks (~~or~~
22 ~~counties~~). The standard contract shall include a maximum fund
23 balance, which shall (~~not exceed ten percent~~) be consistent with that
24 required by federal regulations or waiver stipulations.

25 (i) The standardized procurement process shall encourage the
26 preservation of infrastructure previously purchased by the community
27 mental service delivery system and maximization of the use of available
28 funds for services versus profits. County, provider, and
29 consumer/advocate-based organizations should be given the opportunity
30 to compete.

31 (ii) The secretary shall seek input from stakeholders in the
32 development of the procurement;

33 (f) Ensure a regional support network shall not exceed an
34 administrative cost of ten percent of available funds;

35 (g) Establish, to the extent possible, a standardized auditing
36 procedure which minimizes paperwork requirements of (~~county~~
37 ~~authorities~~) regional support networks and licensed service providers.

1 The audit procedure shall focus on the outcomes of service and not the
2 processes for accomplishing them;

3 ~~((g))~~ (h) Develop and maintain an information system to be used
4 by the state(~~(, counties,)~~) and regional support networks that includes
5 a tracking method which allows the department and regional support
6 networks to identify mental health clients' participation in any mental
7 health service or public program on an immediate basis. The
8 information system shall not include individual patient's case history
9 files. Confidentiality of client information and records shall be
10 maintained as provided in this chapter and in RCW 71.05.390, 71.05.400,
11 71.05.410, 71.05.420, 71.05.430, and 71.05.440(~~(. The design of the~~
12 ~~system and the data elements to be collected shall be reviewed by the~~
13 ~~work group appointed by the secretary under section 5(1) of this act~~
14 ~~and representing the department, regional support networks, service~~
15 ~~providers, consumers, and advocates. The data elements shall be~~
16 ~~designed to provide information that is needed to measure performance~~
17 ~~and achieve the service outcomes identified in section 5 of this act))~~);

18 ~~((h))~~ (i) License service providers who meet state minimum
19 standards;

20 ~~((i))~~ (j) Certify regional support networks that meet state
21 minimum standards;

22 ~~((j))~~ (k) Periodically monitor the compliance of certified
23 regional support networks and their network of licensed service
24 providers for compliance with the contract between the department, the
25 regional support network, and federal and state rules at reasonable
26 times and in a reasonable manner;

27 ~~((k))~~ (l) Fix fees to be paid by evaluation and treatment centers
28 to the secretary for the required inspections;

29 ~~((l))~~ (m) Monitor and audit (~~(counties,)~~) regional support
30 networks(~~(,)~~) and licensed service providers as needed to assure
31 compliance with contractual agreements authorized by this chapter;
32 ~~((and~~

33 ~~(m))~~ (n) Adopt such rules as are necessary to implement the
34 department's responsibilities under this chapter; and

35 (o) Assure the availability of an appropriate amount of
36 community-based, geographically distributed residential services as
37 provided by the legislature in the operating budget.

1 (6) The secretary shall use available resources only for (~~regional~~
2 ~~support networks~~) the community mental health service delivery system,
3 consistent with the priorities for both client populations and the
4 services to be provided as defined in this chapter.

5 (7) Each certified regional support network and licensed service
6 provider shall file with the secretary, on request, such data,
7 statistics, schedules, and information as the secretary reasonably
8 requires. A certified regional support network or licensed service
9 provider which, without good cause, fails to furnish any data,
10 statistics, schedules, or information as requested, or files fraudulent
11 reports thereof, may have its certification or license revoked or
12 suspended.

13 (8) The secretary may suspend, revoke, limit, or restrict a
14 certification or license, or refuse to grant a certification or license
15 for failure to conform to: (a) The law; (b) applicable rules and
16 regulations; (c) applicable standards; or (d) state minimum standards.

17 (9) The superior court may restrain any regional support network or
18 service provider from operating without certification or a license or
19 any other violation of this section. The court may also review,
20 pursuant to procedures contained in chapter 34.05 RCW, any denial,
21 suspension, limitation, restriction, or revocation of certification or
22 license, and grant other relief required to enforce the provisions of
23 this chapter.

24 (10) Upon petition by the secretary, and after hearing held upon
25 reasonable notice to the facility, the superior court may issue a
26 warrant to an officer or employee of the secretary authorizing him or
27 her to enter at reasonable times, and examine the records, books, and
28 accounts of any regional support network or service provider refusing
29 to consent to inspection or examination by the authority.

30 (11) Notwithstanding the existence or pursuit of any other remedy,
31 the secretary may file an action for an injunction or other process
32 against any person or governmental unit to restrain or prevent the
33 establishment, conduct, or operation of a regional support network or
34 service provider without certification or a license under this chapter.

35 (12) The standards for certification of evaluation and treatment
36 facilities shall include standards relating to maintenance of good
37 physical and mental health and other services to be afforded persons

1 pursuant to this chapter and chapters 71.05 and 71.34 RCW, and shall
2 otherwise assure the effectuation of the purposes of these chapters.

3 (13)(a) The department, in consultation with affected parties,
4 shall establish a distribution formula that reflects ~~((county))~~
5 regional needs assessments based on the number of persons who are
6 acutely mentally ill, chronically mentally ill, severely emotionally
7 disturbed children, and seriously disturbed. The formula shall take
8 into consideration the impact on ~~((counties))~~ regions of demographic
9 factors ~~((in-counties))~~ which result in concentrations of priority
10 populations as set forth in subsection (5)(b) of this section. These
11 factors shall include the population concentrations resulting from
12 commitments under chapters 71.05 and 71.34 RCW to state psychiatric
13 hospitals, as well as concentration in urban areas, at border crossings
14 at state boundaries, and other significant demographic and workload
15 factors.

16 (b) The formula shall also include a projection of the funding
17 allocations that will result for each ~~((county))~~ region, which
18 specifies allocations according to priority populations, including the
19 allocation for services to children and other underserved populations.

20 (c) After July 1, 2003, the department may allocate up to two
21 percent of total funds to be distributed to the regional support
22 networks for incentive payments to reward the achievement of superior
23 outcomes, or significantly improved outcomes, as measured by a
24 statewide performance measurement system consistent with the framework
25 recommended in the joint legislative audit and review committee's
26 performance audit of the mental health system. The department shall
27 annually report to the legislature on its criteria and allocation of
28 the incentives provided under this subsection.

29 (14) The secretary shall assume all duties assigned to ~~((the~~
30 ~~nonparticipating-counties))~~ regional support networks under chapters
31 71.05, 71.34, and 71.24 RCW~~((~~Such responsibilities shall include~~~~
32 ~~those which would have been assigned to the nonparticipating counties~~
33 ~~under))~~ in regions where there are not participating regional support
34 networks.

35 The regional support networks, or the secretary's assumption of all
36 responsibilities under chapters 71.05, 71.34, and 71.24 RCW, shall be
37 included in all state and federal plans affecting the state mental

1 health program including at least those required by this chapter, the
2 medicaid program, and P.L. 99-660. Nothing in these plans shall be
3 inconsistent with the intent and requirements of this chapter.

4 (15) The secretary shall:

5 (a) Disburse funds for the regional support networks within sixty
6 days of approval of the biennial contract. The department must either
7 approve or reject the biennial contract within sixty days of receipt.

8 (b) Enter into biennial contracts with regional support networks.
9 The contracts shall be consistent with available resources. No
10 contract shall be approved that does not include progress toward
11 meeting the goals of this chapter by taking responsibility for: (i)
12 Short-term commitments; (ii) residential care; and (iii) emergency
13 response systems.

14 ~~(c) ((Allocate one hundred percent of available resources to the
15 regional support networks in accordance with subsection (13) of this
16 section. Incentive payments authorized under subsection (13) of this
17 section may be allocated separately from other available resources.~~

18 ~~(d))~~ Notify regional support networks of their allocation of
19 available resources at least sixty days prior to the start of a new
20 biennial contract period.

21 ~~((e))~~ (d) Deny funding allocations to regional support networks
22 based solely upon formal findings of noncompliance with the terms of
23 the regional support network's contract with the department. Written
24 notice and at least thirty days for corrective action must precede any
25 such action. In such cases, regional support networks shall have full
26 rights to appeal under chapter 34.05 RCW.

27 (16) The department, in cooperation with the state congressional
28 delegation, shall actively seek waivers of federal requirements and
29 such modifications of federal regulations as are necessary to allow
30 federal medicaid reimbursement for services provided by free-standing
31 evaluation and treatment facilities certified under chapter 71.05 RCW.
32 The department shall periodically report its efforts to the appropriate
33 committees of the senate and the house of representatives.

34 **Sec. 5.** RCW 71.24.045 and 2001 c 323 s 12 are each amended to read
35 as follows:

36 The ~~((county authority))~~ regional support network shall:

1 (1) Contract as needed with licensed service providers. The
2 ((~~county authority~~)) regional support network may, in the absence of a
3 licensed service provider entity, become a licensed service provider
4 entity pursuant to minimum standards required for licensing by the
5 department for the purpose of providing services not available from
6 licensed service providers;

7 (2) Operate as a licensed service provider if it deems that doing
8 so is more efficient and cost effective than contracting for services.
9 When doing so, the ((~~county authority~~)) regional support network shall
10 comply with rules promulgated by the secretary that shall provide
11 measurements to determine when a ((~~county~~)) regional support network
12 provided service is more efficient and cost effective;

13 (3) Monitor and perform biennial fiscal audits of licensed service
14 providers who have contracted with the ((~~county~~)) regional support
15 network to provide services required by this chapter. The monitoring
16 and audits shall be performed by means of a formal process which
17 insures that the licensed service providers and professionals
18 designated in this subsection meet the terms of their contracts;

19 (4) Assure that the special needs of minorities, the elderly,
20 disabled, children, and low-income persons are met within the
21 priorities established in this chapter;

22 (5) Maintain patient tracking information in a central location as
23 required for resource management services and the department's
24 information system;

25 ~~(6) ((Use not more than two percent of state appropriated community~~
26 ~~mental health funds, which shall not include federal funds, to~~
27 ~~administer community mental health programs under RCW 71.24.155:~~
28 ~~PROVIDED, That county authorities serving a county or combination of~~
29 ~~counties whose population is one hundred twenty five thousand or more~~
30 ~~may be entitled to sufficient state appropriated community mental~~
31 ~~health funds to employ up to one full time employee or the equivalent~~
32 ~~thereof in addition to the two percent limit established in this~~
33 ~~subsection when such employee is providing staff services to a county~~
34 ~~mental health advisory board;~~

35 (+7)) Coordinate services for individuals who have received
36 services through the community mental health system and who become
37 patients at a state mental hospital.

1 **Sec. 6.** RCW 71.24.100 and 1982 c 204 s 7 are each amended to read
2 as follows:

3 A county authority or a group of county authorities may enter into
4 a joint operating agreement to form a regional support network. Any
5 agreement between two or more county authorities for the establishment
6 of a ~~((community mental health program))~~ regional support network shall
7 provide:

8 (1) That each county shall bear a share of the cost of mental
9 health services; and

10 (2) That the treasurer of one participating county shall be the
11 custodian of funds made available for the purposes of such mental
12 health services, and that the treasurer may make payments from such
13 funds upon audit by the appropriate auditing officer of the county for
14 which he is treasurer.

15 **Sec. 7.** RCW 71.24.240 and 1982 c 204 s 13 are each amended to read
16 as follows:

17 In order to establish eligibility for funding under this chapter,
18 any ~~((county or counties))~~ regional support network seeking to obtain
19 federal funds for the support of any aspect of a community mental
20 health program as defined in this chapter shall submit program plans to
21 the secretary for prior review and approval before such plans are
22 submitted to any federal agency.

23 **Sec. 8.** RCW 71.24.300 and 2001 c 323 s 17 are each amended to read
24 as follows:

25 ~~((A county authority or a group of county authorities whose~~
26 ~~combined population is no less than forty thousand may enter into a~~
27 ~~joint operating agreement to form a regional support network.))~~ Upon
28 the request of a tribal authority or authorities within a regional
29 support network the joint operating agreement or the county authority
30 shall allow for the inclusion of the tribal authority to be represented
31 as a party to the regional support network. The roles and
32 responsibilities of the county and tribal authorities shall be
33 determined by the terms of that agreement including a determination of
34 membership on the governing board and advisory committees, the number
35 of tribal representatives to be party to the agreement, and the
36 provisions of law and shall assure the provision of culturally

1 competent services to the tribes served. The state mental health
2 authority may not determine the roles and responsibilities of county
3 authorities as to each other under regional support networks by rule,
4 except to assure that all duties required of regional support networks
5 are assigned and that counties and the regional support network do not
6 duplicate functions and that a single authority has final
7 responsibility for all available resources and performance under the
8 regional support network's contract with the secretary. If a regional
9 support network is a private entity, the department shall allow for the
10 inclusion of the tribal authority to be represented as a party to the
11 regional support network. The roles and responsibilities of the
12 private entity and the tribal authorities shall be determined by the
13 department, through negotiation with the tribal authority.

14 (1) Regional support networks shall submit an overall six-year
15 operating and capital plan, timeline, and budget and submit progress
16 reports and an updated two-year plan biennially thereafter, to assume
17 within available resources all of the following duties:

18 (a) Administer and provide for the availability of all resource
19 management services, residential services, and community support
20 services.

21 ~~(b) ((Assume the powers and duties of county authorities within its~~
22 ~~area as described in RCW 71.24.045 (1) through (7)).~~

23 ~~(e))~~ Administer and provide for the availability of all
24 investigation, transportation, court-related, and other services
25 provided by the state or counties pursuant to chapter 71.05 RCW.

26 ~~((d))~~ (c) Provide within the boundaries of each regional support
27 network evaluation and treatment services for at least eighty-five
28 percent of persons detained or committed for periods up to seventeen
29 days according to chapter 71.05 RCW. Regional support networks with
30 populations of less than one hundred fifty thousand may contract to
31 purchase evaluation and treatment services from other networks.
32 Insofar as the original intent of serving persons in the community is
33 maintained, the secretary is authorized to approve exceptions on a
34 case-by-case basis to the requirement to provide evaluation and
35 treatment services within the boundaries of each regional support
36 network. Such exceptions are limited to contracts with neighboring or
37 contiguous regions.

1 ~~((e))~~ (d) Administer a portion of funds appropriated by the
2 legislature to house mentally ill persons in state institutions from
3 counties within the boundaries of any regional support network, with
4 the exception of persons currently confined at, or under the
5 supervision of, a state mental hospital pursuant to chapter 10.77 RCW,
6 and provide for the care of all persons needing evaluation and
7 treatment services for periods up to seventeen days according to
8 chapter 71.05 RCW in appropriate residential services, which may
9 include state institutions. The regional support networks shall
10 reimburse the state for use of state institutions at a rate equal to
11 that assumed by the legislature when appropriating funds for such care
12 at state institutions during the biennium when reimbursement occurs.
13 The secretary shall submit a report to the appropriate committees of
14 the senate and house of representatives on the efforts to implement
15 this section by October 1, 2002. The duty of a state hospital to
16 accept persons for evaluation and treatment under chapter 71.05 RCW is
17 limited by the responsibilities assigned to regional support networks
18 under this section.

19 ~~((f))~~ (e) Administer and provide for the availability of all
20 other mental health services, which shall include patient counseling,
21 ~~((day treatment))~~ intensive rehabilitative day support, consultation,
22 education services, employment services as defined in RCW 71.24.035,
23 and mental health services to children ~~((as provided in this chapter
24 designed to achieve the outcomes specified in section 5 of this act))~~.

25 ~~((g))~~ (f) Establish standards and procedures for reviewing
26 individual service plans and determining when that person may be
27 discharged from resource management services.

28 ~~(2) ((Regional support networks shall assume all duties assigned to
29 county authorities by this chapter and chapter 71.05 RCW.~~

30 ~~(3))~~ A regional support network may request that any state-owned
31 land, building, facility, or other capital asset which was ever
32 purchased, deeded, given, or placed in trust for the care of the
33 mentally ill and which is within the boundaries of a regional support
34 network be made available to support the operations of the regional
35 support network. State agencies managing such capital assets shall
36 give first priority to requests for their use pursuant to this chapter.

37 ~~((4))~~ (3) Each regional support network shall appoint a mental
38 health advisory board which shall review and provide comments on plans

1 and policies developed under this chapter, provide local oversight
2 regarding the activities of the regional support network, and work with
3 the regional support network to resolve significant concerns regarding
4 service delivery and outcomes. The department shall establish
5 statewide procedures for the operation of regional advisory committees
6 including mechanisms for advisory board feedback to the department
7 regarding regional support network performance. The composition of the
8 board shall be ~~((broadly representative of the demographic character of~~
9 ~~the region and the mentally ill persons served therein. Length of~~
10 ~~terms of board members shall be determined by the regional support~~
11 ~~network))~~ established by the department and shall include, but not be
12 limited to, representatives of consumers and families, county elected
13 officials, and law enforcement.

14 ~~((+5))~~ (4) Regional support networks shall assume all duties
15 specified in their plans and joint operating agreements through
16 biennial contractual agreements with the secretary.

17 ~~((+6) Counties or groups of counties participating in a regional~~
18 ~~support network are not subject to RCW 71.24.045(6)).~~

19 ~~(+7))~~ (5) Regional support networks may receive technical
20 assistance from the housing trust fund and may identify and submit
21 projects for housing and housing support services to the housing trust
22 fund established under chapter 43.185 RCW. Projects identified or
23 submitted under this subsection must be fully integrated with the
24 regional support network six-year operating and capital plan, timeline,
25 and budget required by subsection (1) of this section.

26 **Sec. 9.** RCW 71.24.420 and 2001 c 323 s 2 are each amended to read
27 as follows:

28 The department shall operate the community mental health service
29 delivery system authorized under this chapter within the following
30 constraints:

31 (1) The full amount of federal funds for mental health services,
32 plus qualifying state expenditures as appropriated in the biennial
33 operating budget, shall be appropriated to the department each year in
34 the biennial appropriations act to carry out the provisions of the
35 community mental health service delivery system authorized in this
36 chapter.

1 ~~(2) ((The department may expend funds defined in subsection (1) of~~
2 ~~this section in any manner that will effectively accomplish the outcome~~
3 ~~measures defined in section 5 of this act.~~

4 ~~(3) The department shall implement strategies that accomplish the~~
5 ~~outcome measures identified in section 5 of this act that are within~~
6 ~~the funding constraints in this section.~~

7 ~~(4))~~) The department shall monitor expenditures against the
8 appropriation levels provided for in subsection (1) of this section.

9 NEW SECTION. **Sec. 10.** A new section is added to chapter 74.09 RCW
10 to read as follows:

11 (1) The definitions in this subsection apply throughout this
12 section unless the context clearly requires otherwise.

13 (a) "Confined" means incarcerated in a correctional institution, as
14 defined in RCW 9.94.049, or admitted to an institute for mental
15 disease, as defined in 42 C.F.R part 435, Sec. 1009 on the effective
16 date of this section;

17 (b) "Suspend" means to place a person's medical assistance
18 eligibility on an inactive status so that the person remains enrolled
19 in medical assistance but medical assistance benefits are not paid for
20 services furnished.

21 (2) The department shall adopt rules and policies providing that
22 when a person with a mental disorder is confined:

23 (a) The person's eligibility for medical assistance will be
24 suspended rather than terminated for as long as is permitted by federal
25 law;

26 (b) The person shall not be terminated from medical assistance
27 unless the department determines that, excluding ineligibility based
28 solely on the duration of the person's confinement, the person:

29 (i) No longer meets the medical assistance eligibility criteria
30 under which he or she had qualified; and

31 (ii) Is not eligible for medical assistance or medical care
32 services under any other eligibility criteria; and

33 (c) The person's medical assistance eligibility will be fully
34 restored on the day of release unless and until the department
35 determines that the individual is no longer eligible for medical
36 assistance.

1 (3) The secretary shall require community services offices to enter
2 into agreements with correctional institutions and institutes for
3 mental disease to establish practices for prompt restoration of
4 suspended eligibility and speedy enrollment of persons who are likely
5 to be eligible for medical assistance or medical care services while
6 confined or upon release from confinement. Practices developed under
7 this subsection must:

8 (a) Establish procedures for receiving medical assistance or
9 medical care services applications on behalf of confined persons in
10 anticipation of their release from confinement;

11 (b) Expeditiously review applications filed by or on behalf of
12 confined persons and, to the extent practicable, complete the review
13 before the person is released;

14 (c) Establish procedures for providing medical assistance or
15 medical care services identity cards to persons eligible for medical
16 assistance or medical care services immediately upon their release from
17 confinement; and

18 (d) Provide for coordination with the federal social security
19 administration, through interagency agreements or otherwise, to
20 expedite processing of applications for federal supplemental security
21 income or social security disability benefits.

22 (4) In determining disability or incapacity status for medical
23 assistance or medical care services eligibility, the department shall
24 accept disability or incapacity determinations by a physician or other
25 health professional permitted under federal or state law that are
26 completed while the person is still confined.

27 NEW SECTION. **Sec. 11.** (1) The sum of dollars, or as much
28 thereof as may be necessary, is appropriated for the fiscal year ending
29 June 30, 2006, from the general fund to the department of social and
30 health services for the purposes of this act.

31 (2) The sum of dollars, or as much thereof as may be
32 necessary, is appropriated for the fiscal year ending June 30, 2007,
33 from the general fund to the department of social and health services
34 for the purposes of this act.

35 NEW SECTION. **Sec. 12.** (1) A joint legislative and executive task
36 force on mental health services delivery and financing is created. The

1 joint task force shall consist of eight members, as follows: The
2 secretary of the department of social and health services or his or her
3 designee; the president of the Washington state association of counties
4 or his or her designee; a representative from the governor's office;
5 two members of the senate appointed by the president of the senate, one
6 of whom shall be a member of the majority caucus and one of whom shall
7 be a member of the minority caucus; two members of the house of
8 representatives appointed by the speaker of the house of
9 representatives, one of whom shall be a member of the majority caucus
10 and one of whom shall be a member of the minority caucus; and the chair
11 of the joint legislative audit and review committee or his or her
12 designee. Staff support for the joint task force shall be provided by
13 the office of financial management, the house of representatives office
14 of program research, and senate committee services.

15 (2) The joint task force may create advisory committees to assist
16 the joint task force in its work.

17 (3) Joint task force members may be reimbursed for travel expenses
18 as authorized under RCW 43.03.050 and 43.03.060 and chapter 44.04 RCW,
19 as appropriate. Advisory committee members, if appointed, shall not
20 receive compensation or reimbursement for travel or expenses.

21 (4) The joint task force shall oversee and make recommendations
22 related to:

23 (a) The reorganization of the mental health administrative
24 structure within the department of social and health services;

25 (b) The standard procurement process established by section 4 of
26 this act;

27 (c) The establishment of regional support networks through the
28 standard procurement process;

29 (d) Serving the needs of nonmedicaid consumers for the priority
30 populations under chapter 71.24 RCW; and

31 (e) The types, numbers, and locations of inpatient psychiatric
32 hospital and community residential beds needed to serve persons with a
33 mental illness.

34 (5) The joint task force shall report its initial findings and
35 recommendations to the governor and appropriate committees of the
36 legislature by January 1, 2006, and its final findings and
37 recommendations by June 30, 2007.

38 (6) This section expires June 30, 2007.

1 **Sec. 13.** RCW 71.05.020 and 2000 c 94 s 1 are each amended to read
2 as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Admission" or "admit" means a decision by a physician that a
6 person should be examined or treated as a patient in a hospital;

7 (2) "Antipsychotic medications" means that class of drugs primarily
8 used to treat serious manifestations of mental illness associated with
9 thought disorders, which includes, but is not limited to atypical
10 antipsychotic medications;

11 (3) "Attending staff" means any person on the staff of a public or
12 private agency having responsibility for the care and treatment of a
13 patient;

14 (4) "Commitment" means the determination by a court that a person
15 should be detained for a period of either evaluation or treatment, or
16 both, in an inpatient or a less restrictive setting;

17 (5) "Conditional release" means a revocable modification of a
18 commitment, which may be revoked upon violation of any of its terms;

19 (6) (~~"County designated mental health professional" means a mental~~
20 ~~health professional appointed by the county to perform the duties~~
21 ~~specified in this chapter;~~

22 ~~(7))~~ "Custody" means involuntary detention under the provisions of
23 this chapter or chapter 10.77 RCW, uninterrupted by any period of
24 unconditional release from commitment from a facility providing
25 involuntary care and treatment;

26 ~~((8))~~ (7) "Department" means the department of social and health
27 services;

28 (8) "Designated mental health professional" means a mental health
29 professional certified by the department per rules adopted by the
30 secretary and employed by a regional support network established under
31 chapter 71.24 RCW;

32 (9) "Detention" or "detain" means the lawful confinement of a
33 person, under the provisions of this chapter;

34 (10) "Developmental disabilities professional" means a person who
35 has specialized training and three years of experience in directly
36 treating or working with persons with developmental disabilities and is
37 a psychiatrist, psychologist, or social worker, and such other

1 developmental disabilities professionals as may be defined by rules
2 adopted by the secretary;

3 (11) "Developmental disability" means that condition defined in RCW
4 71A.10.020(3);

5 (12) "Discharge" means the termination of hospital medical
6 authority. The commitment may remain in place, be terminated, or be
7 amended by court order;

8 (13) "Evaluation and treatment facility" means any facility which
9 can provide directly, or by direct arrangement with other public or
10 private agencies, emergency evaluation and treatment, outpatient care,
11 and timely and appropriate inpatient care to persons suffering from a
12 mental disorder, and which is certified as such by the department. A
13 physically separate and separately operated portion of a state hospital
14 may be designated as an evaluation and treatment facility. A facility
15 which is part of, or operated by, the department or any federal agency
16 will not require certification. No correctional institution or
17 facility, or jail, shall be an evaluation and treatment facility within
18 the meaning of this chapter;

19 (14) "Gravely disabled" means a condition in which a person, as a
20 result of a mental disorder: (a) Is in danger of serious physical harm
21 resulting from a failure to provide for his or her essential human
22 needs of health or safety; or (b) manifests severe deterioration in
23 routine functioning evidenced by repeated and escalating loss of
24 cognitive or volitional control over his or her actions and is not
25 receiving such care as is essential for his or her health or safety;

26 (15) "Habilitative services" means those services provided by
27 program personnel to assist persons in acquiring and maintaining life
28 skills and in raising their levels of physical, mental, social, and
29 vocational functioning. Habilitative services include education,
30 training for employment, and therapy. The habilitative process shall
31 be undertaken with recognition of the risk to the public safety
32 presented by the individual being assisted as manifested by prior
33 charged criminal conduct;

34 (16) "History of one or more violent acts" refers to the period of
35 time ten years prior to the filing of a petition under this chapter,
36 excluding any time spent, but not any violent acts committed, in a
37 mental health facility or in confinement as a result of a criminal
38 conviction;

1 (17) "Individualized service plan" means a plan prepared by a
2 developmental disabilities professional with other professionals as a
3 team, for an individual with developmental disabilities, which shall
4 state:

5 (a) The nature of the person's specific problems, prior charged
6 criminal behavior, and habilitation needs;

7 (b) The conditions and strategies necessary to achieve the purposes
8 of habilitation;

9 (c) The intermediate and long-range goals of the habilitation
10 program, with a projected timetable for the attainment;

11 (d) The rationale for using this plan of habilitation to achieve
12 those intermediate and long-range goals;

13 (e) The staff responsible for carrying out the plan;

14 (f) Where relevant in light of past criminal behavior and due
15 consideration for public safety, the criteria for proposed movement to
16 less-restrictive settings, criteria for proposed eventual discharge or
17 release, and a projected possible date for discharge or release; and

18 (g) The type of residence immediately anticipated for the person
19 and possible future types of residences;

20 (18) "Judicial commitment" means a commitment by a court pursuant
21 to the provisions of this chapter;

22 (19) "Likelihood of serious harm" means:

23 (a) A substantial risk that: (i) Physical harm will be inflicted
24 by an individual upon his or her own person, as evidenced by threats or
25 attempts to commit suicide or inflict physical harm on oneself; (ii)
26 physical harm will be inflicted by an individual upon another, as
27 evidenced by behavior which has caused such harm or which places
28 another person or persons in reasonable fear of sustaining such harm;
29 or (iii) physical harm will be inflicted by an individual upon the
30 property of others, as evidenced by behavior which has caused
31 substantial loss or damage to the property of others; or

32 (b) The individual has threatened the physical safety of another
33 and has a history of one or more violent acts;

34 (20) "Mental disorder" means any organic, mental, or emotional
35 impairment which has substantial adverse effects on an individual's
36 cognitive or volitional functions;

37 (21) "Mental health professional" means a psychiatrist,

1 psychologist, psychiatric nurse, or social worker, and such other
2 mental health professionals as may be defined by rules adopted by the
3 secretary pursuant to the provisions of this chapter;

4 (22) "Peace officer" means a law enforcement official of a public
5 agency or governmental unit, and includes persons specifically given
6 peace officer powers by any state law, local ordinance, or judicial
7 order of appointment;

8 (23) "Private agency" means any person, partnership, corporation,
9 or association that is not a public agency, whether or not financed in
10 whole or in part by public funds, which constitutes an evaluation and
11 treatment facility or private institution, hospital, or sanitarium,
12 which is conducted for, or includes a department or ward conducted for,
13 the care and treatment of persons who are mentally ill;

14 (24) "Professional person" means a mental health professional and
15 shall also mean a physician, registered nurse, and such others as may
16 be defined by rules adopted by the secretary pursuant to the provisions
17 of this chapter;

18 (25) "Psychiatrist" means a person having a license as a physician
19 and surgeon in this state who has in addition completed three years of
20 graduate training in psychiatry in a program approved by the American
21 medical association or the American osteopathic association and is
22 certified or eligible to be certified by the American board of
23 psychiatry and neurology;

24 (26) "Psychologist" means a person who has been licensed as a
25 psychologist pursuant to chapter 18.83 RCW;

26 (27) "Public agency" means any evaluation and treatment facility or
27 institution, hospital, or sanitarium which is conducted for, or
28 includes a department or ward conducted for, the care and treatment of
29 persons who are mentally ill((+{,+}))₁ if the agency is operated
30 directly by, federal, state, county, or municipal government, or a
31 combination of such governments;

32 (28) "Release" means legal termination of the commitment under the
33 provisions of this chapter;

34 (29) "Resource management services" has the meaning given in
35 chapter 71.24 RCW;

36 (30) "Secretary" means the secretary of the department of social
37 and health services, or his or her designee;

1 (31) "Social worker" means a person with a master's or further
2 advanced degree from an accredited school of social work or a degree
3 deemed equivalent under rules adopted by the secretary;

4 (32) "Violent act" means behavior that resulted in homicide,
5 attempted suicide, nonfatal injuries, or substantial damage to
6 property.

7 NEW SECTION. **Sec. 14.** (1) The department of social and health
8 services shall enter into an annual contract with regional support
9 networks for the fiscal year ending June 30, 2006. The department
10 shall issue a request for proposal to establish new regional support
11 networks under RCW 71.24.035 to be effective July 1, 2006.

12 (2) This section expires June 30, 2007.

13 NEW SECTION. **Sec. 15.** The code reviser shall replace all
14 references to "county designated mental health professional" with
15 "designated mental health professional" in the Revised Code of
16 Washington.

17 NEW SECTION. **Sec. 16.** This act does not affect any existing right
18 acquired or liability or obligation incurred under the sections amended
19 or repealed in this act or under any rule or order adopted under those
20 sections, nor does it affect any proceeding instituted under those
21 sections.

22 NEW SECTION. **Sec. 17.** If any provision of this act or its
23 application to any person or circumstance is held invalid, the
24 remainder of the act or the application of the provision to other
25 persons or circumstances is not affected.

26 NEW SECTION. **Sec. 18.** This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and takes effect
29 immediately.

--- END ---