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SENATE BILL 6022

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State of Washington

61st Legislature

2009 Regular Session

By Senators King and Marr

Read first time 02/16/09. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to allocating responsibility for court-related  
2 costs related to certain civil commitment proceedings under chapter  
3 71.05 RCW; and amending RCW 71.05.100.

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

5 **Sec. 1.** RCW 71.05.100 and 1997 c 112 s 6 are each amended to read  
6 as follows:

7 (1) In addition to the responsibility provided for by RCW  
8 43.20B.330, any person, or his or her estate, or his or her spouse, or  
9 the parents of a minor person who is involuntarily detained pursuant to  
10 this chapter for the purpose of treatment and evaluation outside of a  
11 facility maintained and operated by the department shall be responsible  
12 for the cost of such care and treatment. In the event that an  
13 individual is unable to pay for such treatment or in the event payment  
14 would result in a substantial hardship upon the individual or his or  
15 her family, then the county of residence of such person shall be  
16 responsible for such costs. If it is not possible to determine the  
17 county of residence of the person, the cost shall be borne by the  
18 county where the person was originally detained. The department shall,  
19 pursuant to chapter 34.05 RCW, adopt standards as to ~~((+1))~~ (a)

1 inability to pay in whole or in part, (~~(+2)~~) (b) a definition of  
2 substantial hardship, and (~~(+3)~~) (c) appropriate payment schedules.  
3 Such standards shall be applicable to all county mental health  
4 administrative boards. Financial responsibility with respect to  
5 department services and facilities shall continue to be as provided in  
6 RCW 43.20B.320 through 43.20B.360 and 43.20B.370.

7 (2) When commitment proceedings under RCW 71.05.160, 71.05.230, or  
8 71.05.290 take place in a county other than the county of residence of  
9 the person who is the subject of the proceedings, the county of  
10 residence of the person, or the regional support network serving that  
11 county, shall be responsible for the court-related commitment costs  
12 incurred by the jurisdiction where the commitment proceedings are  
13 conducted. This subsection does not prohibit an entity from seeking  
14 reimbursement for these costs from the person who is the subject of the  
15 commitment proceedings or from another party to the extent authorized  
16 by law.

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