H-3446.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 2453**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 64th Legislature 2016 Regular Session**

**By** Representatives Jinkins, Rodne, Cody, Schmick, Chandler, Dunshee, Muri, Kilduff, and Ormsby

AN ACT Relating to improving oversight of the state hospitals; and adding a new chapter to Title 72 RCW.

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

NEW SECTION. **Sec.**  (1) The position of the legislative state hospital authority is created. The legislative state hospital authority shall serve as a consultant to the legislature on funding and policy matters related to the state hospitals and as an oversight authority over the operations and management of the state hospitals.

(2) The legislative state hospital authority shall be appointed by, and shall report to, the joint select committee on state hospital oversight created in section 2 of this act.

(3) The legislative state hospital authority must be a nationally recognized expert on publicly funded mental health systems, with particular expertise in the legal, policy, and fiscal aspects of operating public facilities that provide involuntary inpatient mental health treatment to civil and forensic mental health patients, and must be capable of carrying out the responsibilities identified in this section.

(4) The legislative state hospital authority must monitor the operations of the state hospitals. Monitoring includes, at a minimum:

(a) Reviewing the policies and procedures established and practiced by the department of social and health services to carry out its responsibilities in delivering state hospital services;

(b) Reviewing the implementation of applicable federal, state, and local laws;

(c) Assessing facility operations including, but not limited to, hospital safety, timely provision of services, management practices, and sufficiency of staffing models; and

(d) Investigating inquiries by the joint select committee on state hospital oversight.

(5) To the extent necessary to maintain or achieve operational stability and legal compliance at the state hospitals, the legislative state hospital authority may:

(a) Recommend or require reprioritization of expenditures of appropriated funding within the direction established by the legislature; and

(b) Recommend or require modifications of agency practices and policies.

(6) The legislative state hospital authority must submit reports at regular intervals to the joint select committee on state hospital oversight containing, at a minimum, the following information:

(a) An overview and analysis of the information collected during monitoring;

(b) Required or recommended changes in agency policies, practices, or funding priorities, if any; and

(c) Recommendations for legislative changes, if any.

(7) As needed to carry out his or her oversight, reporting, and advisory functions, the legislative state hospital authority must be granted physical access to the state hospitals and access to all relevant information and databases in the possession of the department of social and health services and the health care authority related to the administration of mental health services at the state hospitals. The legislative state hospital authority shall maintain the confidentiality of information that by law is confidential or privileged.

NEW SECTION. **Sec.**  (1)(a) A joint select committee on state hospital oversight is established, with members as identified in this subsection:

(i) Six members of the senate, consisting of the chair and ranking member of the committees on health care, human services, mental health and housing, and ways and means, or their successor committees. The president of the senate shall select one of the senate members serving on the joint select committee to serve as cochair.

(ii) Six members of the house of representatives, consisting of the chair and ranking member of the committees on health care, judiciary, and appropriations, or their successor committees. The speaker of the house of representatives shall select one of the house of representatives members serving on the joint select committee to serve as cochair.

(b) The cochairs shall convene the initial meeting of the joint select committee.

(2) The joint select committee shall:

(a) Review candidates and contract for the services of a legislative state hospital authority as described in section 1 of this act;

(b) Receive reports from the legislative state hospital authority regarding the operations of the state hospitals;

(c) Submit specific investigative inquiries to the legislative state hospital authority, as needed; and

(d) Make recommendations for legislative changes based on the legislative state hospital authority's findings and recommendations.

(3) Staff support for the committee must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the committee must be reimbursed for travel expenses in accordance with RCW 44.04.120.

(5) The expenses of the committee must be paid jointly by the senate and the house of representatives. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

NEW SECTION. **Sec.**  For purposes of this chapter "state hospitals" refers to eastern state hospital and western state hospital as designated in RCW 72.23.020.

NEW SECTION. **Sec.**  Sections 1 through 3 of this act constitute a new chapter in Title 72 RCW.

**--- END ---**