

SENATE BILL REPORT

2SHB 1448

As Reported by Senate Committee On:
Human Services, Mental Health & Housing, February 25, 2016

Title: An act relating to procedures for responding to reports of threatened or attempted suicide.

Brief Description: Providing procedures for responding to reports of threatened or attempted suicide.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Riccelli, Holy, Parker, Ormsby, Caldier, Hayes, Jinkins, Walkinshaw, Gregerson, Appleton, Ryu, McBride and Shea).

Brief History: Passed House: 2/16/16, 95-2.

Committee Activity: Human Services, Mental Health & Housing: 2/23/16, 2/25/16 [DPA-WM].

SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Staff: Kevin Black (786-7747)

Background: A person may be detained for involuntary mental health treatment under the Involuntary Treatment Act (ITA) if the person, as the result of a mental disorder, presents a likelihood of serious harm or is gravely disabled and will not voluntarily accept appropriate treatment. Among other circumstances, a person poses a likelihood of serious harm if there is a substantial risk that the person will inflict physical harm upon himself or herself as evidenced by threats or attempts to commit suicide.

Designated mental health professionals (DMHPs) are responsible for investigating whether or not a person should be detained for an evaluation for involuntary mental health treatment under the ITA. DMHPs are contracted by regional support networks to perform evaluations for involuntary commitment, but do not provide mental health services or generalized mental health evaluations.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Amendments): When funded, the Washington Association of Sheriffs and Police Chiefs, in consultation with the Criminal Justice Training Commission (CJTC), must develop and adopt a model policy for use by law enforcement agencies relating to a law enforcement officer's referral of a person to a mental health agency after receiving a report of threatened or attempted suicide. The model policy must complement CJTC's crisis intervention training curriculum.

By July 1, 2017, all general authority Washington law enforcement agencies must adopt a policy establishing criteria and procedures for a law enforcement officer to refer a person to a mental health agency after receiving a report of threatened or attempted suicide.

As soon as possible, but no later than 24 hours after receiving a referral from law enforcement, excluding weekends and holidays, a mental health professional contacted by the DMHP must attempt to contact the referred person to determine whether additional mental health intervention is needed. Documentation of the attempt to contact and assess the person must be maintained by the DMHP agency.

Peace officers and their employing agencies are not liable for the referral of a person to a mental health agency, or failure to refer a person, if such action or inaction is taken in good faith and without gross negligence.

EFFECT OF CHANGES MADE BY HUMAN SERVICES, MENTAL HEALTH & HOUSING COMMITTEE (Recommended Amendments): The contents of the original bill were replaced.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: We had a tragic murder/suicide in Spokane, and we are now looking for a small fix to save lives. Mental health emergencies should be treated by mental health professionals. We worked to make improvements on this bill over the summer. My family had a tragic story. Pass this bill so that persons who are in a similar situation can get help. This is an important bill to families in Washington state. On Saturday, a similar incident occurred to a family in Pierce County. The human expense outweighs the small investment it would take to pass this bill.

CON: This bill presents implementation problems for law enforcement agencies and unrealistic burdens that we don't think we could meet on a day to day basis. We have proposed alternate language. Not every incident report is reviewed after entry; to do so would present a significant challenge.

Persons Testifying: PRO: Representative Riccelli, prime sponsor; Gary Kennison, Karri Kennison, citizens.

CON: James McMahan, WA Assn. of Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying: No one.