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ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1450

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State of Washington

64th Legislature

2015 Regular Session

**By** House Appropriations (originally sponsored by Representatives Jinkins, Rodne, Walkinshaw, Harris, Cody, Goodman, Senn, Walsh, Riccelli, Robinson, Orwall, Moeller, Gregerson, Van De Wege, Ormsby, Clibborn, McBride, Tharinger, Kagi, and Stanford)

READ FIRST TIME 02/27/15.

1 AN ACT Relating to involuntary outpatient mental health  
2 treatment; amending RCW 71.05.150, 71.05.156, 71.05.212, 71.05.230,  
3 71.05.240, 71.05.245, 71.05.280, 71.05.290, 71.05.320, 71.05.340,  
4 71.05.730, 71.05.730, 71.24.330, and 71.24.330; reenacting and  
5 amending RCW 71.05.020 and 71.05.020; adding new sections to chapter  
6 71.05 RCW; creating a new section; providing an effective date; and  
7 providing an expiration date.

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

9 **Sec. 1.** RCW 71.05.020 and 2011 c 148 s 1 and 2011 c 89 s 14 are  
10 each reenacted and amended to read as follows:

11 The definitions in this section apply throughout this chapter  
12 unless the context clearly requires otherwise.

13 (1) "Admission" or "admit" means a decision by a physician or  
14 psychiatric advanced registered nurse practitioner that a person  
15 should be examined or treated as a patient in a hospital;

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

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

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

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

9 (6) "Crisis stabilization unit" means a short-term facility or a  
10 portion of a facility licensed by the department of health and  
11 certified by the department of social and health services under RCW  
12 71.24.035, such as an evaluation and treatment facility or a  
13 hospital, which has been designed to assess, diagnose, and treat  
14 individuals experiencing an acute crisis without the use of long-term  
15 hospitalization;

16 (7) "Custody" means involuntary detention under the provisions of  
17 this chapter or chapter 10.77 RCW, uninterrupted by any period of  
18 unconditional release from commitment from a facility providing  
19 involuntary care and treatment;

20 (8) "Department" means the department of social and health  
21 services;

22 (9) "Designated chemical dependency specialist" means a person  
23 designated by the county alcoholism and other drug addiction program  
24 coordinator designated under RCW 70.96A.310 to perform the commitment  
25 duties described in chapters 70.96A and 70.96B RCW;

26 (10) "Designated crisis responder" means a mental health  
27 professional appointed by the county or the regional support network  
28 to perform the duties specified in this chapter;

29 (11) "Designated mental health professional" means a mental  
30 health professional designated by the county or other authority  
31 authorized in rule to perform the duties specified in this chapter;

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

34 (13) "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  
37 is a psychiatrist, psychologist, psychiatric advanced registered  
38 nurse practitioner, or social worker, and such other developmental  
39 disabilities professionals as may be defined by rules adopted by the  
40 secretary;

1 (14) "Developmental disability" means that condition defined in  
2 RCW 71A.10.020(~~(+3)~~) (5);

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

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

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

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

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

38 (20) "Imminent" means the state or condition of being likely to  
39 occur at any moment or near at hand, rather than distant or remote;

1 (21) "Individualized service plan" means a plan prepared by a  
2 developmental disabilities professional with other professionals as a  
3 team, for a person 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  
8 purposes 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  
16 to less-restrictive settings, criteria for proposed eventual  
17 discharge or release, and a projected possible date for discharge or  
18 release; and

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

21 (22) "Information related to mental health services" means all  
22 information and records compiled, obtained, or maintained in the  
23 course of providing services to either voluntary or involuntary  
24 recipients of services by a mental health service provider. This may  
25 include documents of legal proceedings under this chapter or chapter  
26 71.34 or 10.77 RCW, or somatic health care information;

27 (23) "Judicial commitment" means a commitment by a court pursuant  
28 to the provisions of this chapter;

29 (24) "Legal counsel" means attorneys and staff employed by county  
30 prosecutor offices or the state attorney general acting in their  
31 capacity as legal representatives of public mental health service  
32 providers under RCW 71.05.130;

33 (25) "Likelihood of serious harm" means:

34 (a) A substantial risk that: (i) Physical harm will be inflicted  
35 by a person upon his or her own person, as evidenced by threats or  
36 attempts to commit suicide or inflict physical harm on oneself; (ii)  
37 physical harm will be inflicted by a person upon another, as  
38 evidenced by behavior which has caused such harm or which places  
39 another person or persons in reasonable fear of sustaining such harm;  
40 or (iii) physical harm will be inflicted by a person upon the

1 property of others, as evidenced by behavior which has caused  
2 substantial loss or damage to the property of others; or

3 (b) The person has threatened the physical safety of another and  
4 has a history of one or more violent acts;

5 (26) "Mental disorder" means any organic, mental, or emotional  
6 impairment which has substantial adverse effects on a person's  
7 cognitive or volitional functions;

8 (27) "Mental health professional" means a psychiatrist,  
9 psychologist, psychiatric advanced registered nurse practitioner,  
10 psychiatric nurse, or social worker, and such other mental health  
11 professionals as may be defined by rules adopted by the secretary  
12 pursuant to the provisions of this chapter;

13 (28) "Mental health service provider" means a public or private  
14 agency that provides mental health services to persons with mental  
15 disorders as defined under this section and receives funding from  
16 public sources. This includes, but is not limited to, hospitals  
17 licensed under chapter 70.41 RCW, evaluation and treatment facilities  
18 as defined in this section, community mental health service delivery  
19 systems or community mental health programs as defined in RCW  
20 71.24.025, facilities conducting competency evaluations and  
21 restoration under chapter 10.77 RCW, and correctional facilities  
22 operated by state and local governments;

23 (29) "Peace officer" means a law enforcement official of a public  
24 agency or governmental unit, and includes persons specifically given  
25 peace officer powers by any state law, local ordinance, or judicial  
26 order of appointment;

27 (30) "Private agency" means any person, partnership, corporation,  
28 or association that is not a public agency, whether or not financed  
29 in whole or in part by public funds, which constitutes an evaluation  
30 and treatment facility or private institution, or hospital, which is  
31 conducted for, or includes a department or ward conducted for, the  
32 care and treatment of persons who are mentally ill;

33 (31) "Professional person" means a mental health professional and  
34 shall also mean a physician, psychiatric advanced registered nurse  
35 practitioner, registered nurse, and such others as may be defined by  
36 rules adopted by the secretary pursuant to the provisions of this  
37 chapter;

38 (32) "Psychiatric advanced registered nurse practitioner" means a  
39 person who is licensed as an advanced registered nurse practitioner

1 pursuant to chapter 18.79 RCW; and who is board certified in advanced  
2 practice psychiatric and mental health nursing;

3 (33) "Psychiatrist" means a person having a license as a  
4 physician and surgeon in this state who has in addition completed  
5 three years of graduate training in psychiatry in a program approved  
6 by the American medical association or the American osteopathic  
7 association and is certified or eligible to be certified by the  
8 American board of psychiatry and neurology;

9 (34) "Psychologist" means a person who has been licensed as a  
10 psychologist pursuant to chapter 18.83 RCW;

11 (35) "Public agency" means any evaluation and treatment facility  
12 or institution, or hospital which is conducted for, or includes a  
13 department or ward conducted for, the care and treatment of persons  
14 with mental illness, if the agency is operated directly by, federal,  
15 state, county, or municipal government, or a combination of such  
16 governments;

17 (36) "Registration records" include all the records of the  
18 department, regional support networks, treatment facilities, and  
19 other persons providing services to the department, county  
20 departments, or facilities which identify persons who are receiving  
21 or who at any time have received services for mental illness;

22 (37) "Release" means legal termination of the commitment under  
23 the provisions of this chapter;

24 (38) "Resource management services" has the meaning given in  
25 chapter 71.24 RCW;

26 (39) "Secretary" means the secretary of the department of social  
27 and health services, or his or her designee;

28 (40) "Serious violent offense" has the same meaning as provided  
29 in RCW 9.94A.030;

30 (41) "Social worker" means a person with a master's or further  
31 advanced degree from a social work educational program accredited and  
32 approved as provided in RCW 18.320.010;

33 (42) "Therapeutic court personnel" means the staff of a mental  
34 health court or other therapeutic court which has jurisdiction over  
35 defendants who are dually diagnosed with mental disorders, including  
36 court personnel, probation officers, a court monitor, prosecuting  
37 attorney, or defense counsel acting within the scope of therapeutic  
38 court duties;

39 (43) "Triage facility" means a short-term facility or a portion  
40 of a facility licensed by the department of health and certified by

1 the department of social and health services under RCW 71.24.035,  
2 which is designed as a facility to assess and stabilize an individual  
3 or determine the need for involuntary commitment of an individual,  
4 and must meet department of health residential treatment facility  
5 standards. A triage facility may be structured as a voluntary or  
6 involuntary placement facility;

7 (44) "Treatment records" include registration and all other  
8 records concerning persons who are receiving or who at any time have  
9 received services for mental illness, which are maintained by the  
10 department, by regional support networks and their staffs, and by  
11 treatment facilities. Treatment records include mental health  
12 information contained in a medical bill including but not limited to  
13 mental health drugs, a mental health diagnosis, provider name, and  
14 dates of service stemming from a medical service. Treatment records  
15 do not include notes or records maintained for personal use by a  
16 person providing treatment services for the department, regional  
17 support networks, or a treatment facility if the notes or records are  
18 not available to others;

19 (45) "Violent act" means behavior that resulted in homicide,  
20 attempted suicide, nonfatal injuries, or substantial damage to  
21 property.

22 (46) "In need of assisted outpatient mental health treatment"  
23 means that a person, as a result of a mental disorder: (a) Has been  
24 committed by a court to detention for involuntary mental health  
25 treatment at least twice during the preceding thirty-six months, or,  
26 if the person is currently committed for involuntary mental health  
27 treatment, the person has been committed to detention for involuntary  
28 mental health treatment at least once during the thirty-six months  
29 preceding the date of initial detention of the current commitment  
30 cycle; (b) is unlikely to voluntarily participate in outpatient  
31 treatment without an order for less restrictive alternative  
32 treatment, in view of the person's treatment history or current  
33 behavior; (c) is unlikely to survive safely in the community without  
34 supervision; (d) is likely to benefit from less restrictive  
35 alternative treatment; and (e) requires outpatient treatment that  
36 would be provided under a less restrictive alternative treatment  
37 order to prevent a relapse, decompensation, or deterioration that is  
38 likely to result in the person presenting a likelihood of serious  
39 harm or the person becoming gravely disabled within a reasonably  
40 short period of time. For purposes of (a) of this subsection, time

1 spent in a mental health facility or in confinement as a result of a  
2 criminal conviction is excluded from the thirty-six month  
3 calculation.

4 (47) "Less restrictive alternative treatment" means a program of  
5 individualized treatment in a less restrictive setting that includes  
6 the services described in section 15 of this act.

7 **Sec. 2.** RCW 71.05.020 and 2014 c 225 s 79 are each reenacted and  
8 amended to read as follows:

9 The definitions in this section apply throughout this chapter  
10 unless the context clearly requires otherwise.

11 (1) "Admission" or "admit" means a decision by a physician or  
12 psychiatric advanced registered nurse practitioner that a person  
13 should be examined or treated as a patient in a hospital;

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

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

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

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

26 (6) "Crisis stabilization unit" means a short-term facility or a  
27 portion of a facility licensed by the department of health and  
28 certified by the department of social and health services under RCW  
29 71.24.035, such as an evaluation and treatment facility or a  
30 hospital, which has been designed to assess, diagnose, and treat  
31 individuals experiencing an acute crisis without the use of long-term  
32 hospitalization;

33 (7) "Custody" means involuntary detention under the provisions of  
34 this chapter or chapter 10.77 RCW, uninterrupted by any period of  
35 unconditional release from commitment from a facility providing  
36 involuntary care and treatment;

37 (8) "Department" means the department of social and health  
38 services;



1 (9) "Designated chemical dependency specialist" means a person  
2 designated by the county alcoholism and other drug addiction program  
3 coordinator designated under RCW 70.96A.310 to perform the commitment  
4 duties described in chapters 70.96A and 70.96B RCW;

5 (10) "Designated crisis responder" means a mental health  
6 professional appointed by the county or the behavioral health  
7 organization to perform the duties specified in this chapter;

8 (11) "Designated mental health professional" means a mental  
9 health professional designated by the county or other authority  
10 authorized in rule to perform the duties specified in this chapter;

11 (12) "Detention" or "detain" means the lawful confinement of a  
12 person, under the provisions of this chapter;

13 (13) "Developmental disabilities professional" means a person who  
14 has specialized training and three years of experience in directly  
15 treating or working with persons with developmental disabilities and  
16 is a psychiatrist, psychologist, psychiatric advanced registered  
17 nurse practitioner, or social worker, and such other developmental  
18 disabilities professionals as may be defined by rules adopted by the  
19 secretary;

20 (14) "Developmental disability" means that condition defined in  
21 RCW 71A.10.020(~~(+4)~~) (5);

22 (15) "Discharge" means the termination of hospital medical  
23 authority. The commitment may remain in place, be terminated, or be  
24 amended by court order;

25 (16) "Evaluation and treatment facility" means any facility which  
26 can provide directly, or by direct arrangement with other public or  
27 private agencies, emergency evaluation and treatment, outpatient  
28 care, and timely and appropriate inpatient care to persons suffering  
29 from a mental disorder, and which is certified as such by the  
30 department. A physically separate and separately operated portion of  
31 a state hospital may be designated as an evaluation and treatment  
32 facility. A facility which is part of, or operated by, the department  
33 or any federal agency will not require certification. No correctional  
34 institution or facility, or jail, shall be an evaluation and  
35 treatment facility within the meaning of this chapter;

36 (17) "Gravely disabled" means a condition in which a person, as a  
37 result of a mental disorder: (a) Is in danger of serious physical  
38 harm resulting from a failure to provide for his or her essential  
39 human needs of health or safety; or (b) manifests severe  
40 deterioration in routine functioning evidenced by repeated and

1 escalating loss of cognitive or volitional control over his or her  
2 actions and is not receiving such care as is essential for his or her  
3 health or safety;

4 (18) "Habilitative services" means those services provided by  
5 program personnel to assist persons in acquiring and maintaining life  
6 skills and in raising their levels of physical, mental, social, and  
7 vocational functioning. Habilitative services include education,  
8 training for employment, and therapy. The habilitative process shall  
9 be undertaken with recognition of the risk to the public safety  
10 presented by the person being assisted as manifested by prior charged  
11 criminal conduct;

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

17 (20) "Imminent" means the state or condition of being likely to  
18 occur at any moment or near at hand, rather than distant or remote;

19 (21) "Individualized service plan" means a plan prepared by a  
20 developmental disabilities professional with other professionals as a  
21 team, for a person with developmental disabilities, which shall  
22 state:

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

25 (b) The conditions and strategies necessary to achieve the  
26 purposes of habilitation;

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

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

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

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

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

39 (22) "Information related to mental health services" means all  
40 information and records compiled, obtained, or maintained in the

1 course of providing services to either voluntary or involuntary  
2 recipients of services by a mental health service provider. This may  
3 include documents of legal proceedings under this chapter or chapter  
4 71.34 or 10.77 RCW, or somatic health care information;

5 (23) "Judicial commitment" means a commitment by a court pursuant  
6 to the provisions of this chapter;

7 (24) "Legal counsel" means attorneys and staff employed by county  
8 prosecutor offices or the state attorney general acting in their  
9 capacity as legal representatives of public mental health service  
10 providers under RCW 71.05.130;

11 (25) "Likelihood of serious harm" means:

12 (a) A substantial risk that: (i) Physical harm will be inflicted  
13 by a person upon his or her own person, as evidenced by threats or  
14 attempts to commit suicide or inflict physical harm on oneself; (ii)  
15 physical harm will be inflicted by a person upon another, as  
16 evidenced by behavior which has caused such harm or which places  
17 another person or persons in reasonable fear of sustaining such harm;  
18 or (iii) physical harm will be inflicted by a person upon the  
19 property of others, as evidenced by behavior which has caused  
20 substantial loss or damage to the property of others; or

21 (b) The person has threatened the physical safety of another and  
22 has a history of one or more violent acts;

23 (26) "Mental disorder" means any organic, mental, or emotional  
24 impairment which has substantial adverse effects on a person's  
25 cognitive or volitional functions;

26 (27) "Mental health professional" means a psychiatrist,  
27 psychologist, psychiatric advanced registered nurse practitioner,  
28 psychiatric nurse, or social worker, and such other mental health  
29 professionals as may be defined by rules adopted by the secretary  
30 pursuant to the provisions of this chapter;

31 (28) "Mental health service provider" means a public or private  
32 agency that provides mental health services to persons with mental  
33 disorders as defined under this section and receives funding from  
34 public sources. This includes, but is not limited to, hospitals  
35 licensed under chapter 70.41 RCW, evaluation and treatment facilities  
36 as defined in this section, community mental health service delivery  
37 systems or community mental health programs as defined in RCW  
38 71.24.025, facilities conducting competency evaluations and  
39 restoration under chapter 10.77 RCW, and correctional facilities  
40 operated by state and local governments;

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

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

11 (31) "Professional person" means a mental health professional and  
12 shall also mean a physician, psychiatric advanced registered nurse  
13 practitioner, registered nurse, and such others as may be defined by  
14 rules adopted by the secretary pursuant to the provisions of this  
15 chapter;

16 (32) "Psychiatric advanced registered nurse practitioner" means a  
17 person who is licensed as an advanced registered nurse practitioner  
18 pursuant to chapter 18.79 RCW; and who is board certified in advanced  
19 practice psychiatric and mental health nursing;

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

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

28 (35) "Public agency" means any evaluation and treatment facility  
29 or institution, or hospital which is conducted for, or includes a  
30 department or ward conducted for, the care and treatment of persons  
31 with mental illness, if the agency is operated directly by, federal,  
32 state, county, or municipal government, or a combination of such  
33 governments;

34 (36) "Registration records" include all the records of the  
35 department, behavioral health organizations, treatment facilities,  
36 and other persons providing services to the department, county  
37 departments, or facilities which identify persons who are receiving  
38 or who at any time have received services for mental illness;

39 (37) "Release" means legal termination of the commitment under  
40 the provisions of this chapter;

1 (38) "Resource management services" has the meaning given in  
2 chapter 71.24 RCW;

3 (39) "Secretary" means the secretary of the department of social  
4 and health services, or his or her designee;

5 (40) "Serious violent offense" has the same meaning as provided  
6 in RCW 9.94A.030;

7 (41) "Social worker" means a person with a master's or further  
8 advanced degree from a social work educational program accredited and  
9 approved as provided in RCW 18.320.010;

10 (42) "Therapeutic court personnel" means the staff of a mental  
11 health court or other therapeutic court which has jurisdiction over  
12 defendants who are dually diagnosed with mental disorders, including  
13 court personnel, probation officers, a court monitor, prosecuting  
14 attorney, or defense counsel acting within the scope of therapeutic  
15 court duties;

16 (43) "Treatment records" include registration and all other  
17 records concerning persons who are receiving or who at any time have  
18 received services for mental illness, which are maintained by the  
19 department, by behavioral health organizations and their staffs, and  
20 by treatment facilities. Treatment records include mental health  
21 information contained in a medical bill including but not limited to  
22 mental health drugs, a mental health diagnosis, provider name, and  
23 dates of service stemming from a medical service. Treatment records  
24 do not include notes or records maintained for personal use by a  
25 person providing treatment services for the department, behavioral  
26 health organizations, or a treatment facility if the notes or records  
27 are not available to others;

28 (44) "Triage facility" means a short-term facility or a portion  
29 of a facility licensed by the department of health and certified by  
30 the department of social and health services under RCW 71.24.035,  
31 which is designed as a facility to assess and stabilize an individual  
32 or determine the need for involuntary commitment of an individual,  
33 and must meet department of health residential treatment facility  
34 standards. A triage facility may be structured as a voluntary or  
35 involuntary placement facility;

36 (45) "Violent act" means behavior that resulted in homicide,  
37 attempted suicide, nonfatal injuries, or substantial damage to  
38 property.

39 (46) "In need of assisted outpatient mental health treatment"  
40 means that a person, as a result of a mental disorder: (a) Has been

1 committed by a court to detention for involuntary mental health  
2 treatment at least twice during the preceding thirty-six months, or,  
3 if the person is currently committed for involuntary mental health  
4 treatment, the person has been committed to detention for involuntary  
5 mental health treatment at least once during the thirty-six months  
6 preceding the date of initial detention of the current commitment  
7 cycle; (b) is unlikely to voluntarily participate in outpatient  
8 treatment without an order for less restrictive alternative  
9 treatment, in view of the person's treatment history or current  
10 behavior; (c) is unlikely to survive safely in the community without  
11 supervision; (d) is likely to benefit from less restrictive  
12 alternative treatment; and (e) requires outpatient treatment that  
13 would be provided under a less restrictive alternative treatment  
14 order to prevent a relapse, decompensation, or deterioration that is  
15 likely to result in the person presenting a likelihood of serious  
16 harm or the person becoming gravely disabled within a reasonably  
17 short period of time. For purposes of (a) of this subsection, time  
18 spent in a mental health facility or in confinement as a result of a  
19 criminal conviction is excluded from the thirty-six month  
20 calculation.

21 (47) "Less restrictive alternative treatment" means a program of  
22 individualized treatment in a less restrictive setting than inpatient  
23 treatment that includes the services described in section 15 of this  
24 act.

25 **Sec. 3.** RCW 71.05.150 and 2011 c 148 s 5 are each amended to  
26 read as follows:

27 (1)(a) When a designated mental health professional receives  
28 information alleging that a person, as a result of a mental disorder:  
29 (i) Presents a likelihood of serious harm; ~~((e))~~ (ii) is gravely  
30 disabled; or (iii) is in need of assisted outpatient mental health  
31 treatment; the designated mental health professional may, after  
32 investigation and evaluation of the specific facts alleged and of the  
33 reliability and credibility of any person providing information to  
34 initiate detention or outpatient evaluation, if satisfied that the  
35 allegations are true and that the person will not voluntarily seek  
36 appropriate treatment, file a petition for initial detention or  
37 outpatient evaluation. If the petition is filed solely on the grounds  
38 that the person is in need of assisted outpatient mental health  
39 treatment, the petition may only be for an outpatient evaluation. If

1 the petition is for an outpatient evaluation and the person is being  
2 held in a hospital emergency department, the person may be released  
3 once the hospital has satisfied federal and state legal requirements  
4 for appropriate screening and stabilization of patients.

5 (b) Before filing the petition, the designated mental health  
6 professional must personally interview the person, unless the person  
7 refuses an interview, and determine whether the person will  
8 voluntarily receive appropriate evaluation and treatment at an  
9 evaluation and treatment facility, crisis stabilization unit, or  
10 triage facility.

11 (2)(a) An order to detain to a designated evaluation and  
12 treatment facility for not more than a seventy-two-hour evaluation  
13 and treatment period, or an order for an outpatient evaluation, may  
14 be issued by a judge of the superior court upon request of a  
15 designated mental health professional, whenever it appears to the  
16 satisfaction of a judge of the superior court:

17 (i) That there is probable cause to support the petition; and

18 (ii) That the person has refused or failed to accept appropriate  
19 evaluation and treatment voluntarily.

20 (b) The petition for initial detention or outpatient evaluation,  
21 signed under penalty of perjury, or sworn telephonic testimony may be  
22 considered by the court in determining whether there are sufficient  
23 grounds for issuing the order.

24 (c) The order shall designate retained counsel or, if counsel is  
25 appointed from a list provided by the court, the name, business  
26 address, and telephone number of the attorney appointed to represent  
27 the person.

28 (3) The designated mental health professional shall then serve or  
29 cause to be served on such person, his or her guardian, and  
30 conservator, if any, a copy of the order together with a notice of  
31 rights, and a petition for initial detention or outpatient  
32 evaluation. After service on such person the designated mental health  
33 professional shall file the return of service in court and provide  
34 copies of all papers in the court file to the evaluation and  
35 treatment facility and the designated attorney. The designated mental  
36 health professional shall notify the court and the prosecuting  
37 attorney that a probable cause hearing will be held within seventy-  
38 two hours of the date and time of outpatient evaluation or admission  
39 to the evaluation and treatment facility. The person shall be  
40 permitted to be accompanied by one or more of his or her relatives,

1 friends, an attorney, a personal physician, or other professional or  
2 religious advisor to the place of evaluation. An attorney  
3 accompanying the person to the place of evaluation shall be permitted  
4 to be present during the admission evaluation. Any other individual  
5 accompanying the person may be present during the admission  
6 evaluation. The facility may exclude the individual if his or her  
7 presence would present a safety risk, delay the proceedings, or  
8 otherwise interfere with the evaluation.

9 (4) The designated mental health professional may notify a peace  
10 officer to take such person or cause such person to be taken into  
11 custody and placed in an evaluation and treatment facility. At the  
12 time such person is taken into custody there shall commence to be  
13 served on such person, his or her guardian, and conservator, if any,  
14 a copy of the original order together with a notice of rights and a  
15 petition for initial detention.

16 **Sec. 4.** RCW 71.05.156 and 2013 c 334 s 2 are each amended to  
17 read as follows:

18 A designated mental health professional who conducts an  
19 evaluation for imminent likelihood of serious harm or imminent danger  
20 because of being gravely disabled under RCW 71.05.153 must also  
21 evaluate the person under RCW 71.05.150 for likelihood of serious  
22 harm or grave disability that does not meet the imminent standard for  
23 emergency detention, and to determine whether the person is in need  
24 of assisted outpatient mental health treatment.

25 **Sec. 5.** RCW 71.05.212 and 2010 c 280 s 2 are each amended to  
26 read as follows:

27 (1) Whenever a designated mental health professional or  
28 professional person is conducting an evaluation under this chapter,  
29 consideration shall include all reasonably available information from  
30 credible witnesses and records regarding:

31 (a) Prior recommendations for evaluation of the need for civil  
32 commitments when the recommendation is made pursuant to an evaluation  
33 conducted under chapter 10.77 RCW;

34 (b) Historical behavior, including history of one or more violent  
35 acts;

36 (c) Prior determinations of incompetency or insanity under  
37 chapter 10.77 RCW; and

38 (d) Prior commitments under this chapter.



1 (2) Credible witnesses may include family members, landlords,  
2 neighbors, or others with significant contact and history of  
3 involvement with the person. If the designated mental health  
4 professional relies upon information from a credible witness in  
5 reaching his or her decision to detain the individual, then he or she  
6 must provide contact information for any such witness to the  
7 prosecutor. The designated mental health professional or prosecutor  
8 shall provide notice of the date, time, and location of the probable  
9 cause hearing to such a witness.

10 (3) Symptoms and behavior of the respondent which standing alone  
11 would not justify civil commitment may support a finding of grave  
12 disability or likelihood of serious harm, or a finding that the  
13 person is in need of assisted outpatient mental health treatment,  
14 when:

15 (a) Such symptoms or behavior are closely associated with  
16 symptoms or behavior which preceded and led to a past incident of  
17 involuntary hospitalization, severe deterioration, or one or more  
18 violent acts;

19 (b) These symptoms or behavior represent a marked and concerning  
20 change in the baseline behavior of the respondent; and

21 (c) Without treatment, the continued deterioration of the  
22 respondent is probable.

23 (4) When conducting an evaluation for offenders identified under  
24 RCW 72.09.370, the designated mental health professional or  
25 professional person shall consider an offender's history of  
26 judicially required or administratively ordered antipsychotic  
27 medication while in confinement.

28 **Sec. 6.** RCW 71.05.230 and 2011 c 343 s 9 are each amended to  
29 read as follows:

30 A person detained or committed for seventy-two hour evaluation  
31 and treatment may be ~~((detained))~~ committed for not more than  
32 fourteen additional days of involuntary intensive treatment or ninety  
33 additional days of a less restrictive alternative to involuntary  
34 intensive treatment. A petition may only be filed if the following  
35 conditions are met:

36 (1) The professional staff of the agency or facility providing  
37 evaluation services has analyzed the person's condition and finds  
38 that the condition is caused by mental disorder and ~~((either))~~  
39 results in a likelihood of serious harm, ~~((or))~~ results in the

1 ((~~detained~~)) person being gravely disabled, or results in the person  
2 being in need of assisted outpatient mental health treatment, and are  
3 prepared to testify those conditions are met; and

4 (2) The person has been advised of the need for voluntary  
5 treatment and the professional staff of the facility has evidence  
6 that he or she has not in good faith volunteered; and

7 (3) The facility providing intensive treatment is certified to  
8 provide such treatment by the department; and

9 (4) The professional staff of the agency or facility or the  
10 designated mental health professional has filed a petition with the  
11 court for a fourteen day involuntary detention or a ninety day less  
12 restrictive alternative ((~~with the court~~)). The petition must be  
13 signed either by:

14 (a) Two physicians;

15 (b) One physician and a mental health professional;

16 (c) Two psychiatric advanced registered nurse practitioners;

17 (d) One psychiatric advanced registered nurse practitioner and a  
18 mental health professional; or

19 (e) A physician and a psychiatric advanced registered nurse  
20 practitioner. The persons signing the petition must have examined the  
21 person. If involuntary detention is sought the petition shall state  
22 facts that support the finding that such person, as a result of  
23 mental disorder, presents a likelihood of serious harm, or is gravely  
24 disabled and that there are no less restrictive alternatives to  
25 detention in the best interest of such person or others. The petition  
26 shall state specifically that less restrictive alternative treatment  
27 was considered and specify why treatment less restrictive than  
28 detention is not appropriate. If an involuntary less restrictive  
29 alternative is sought, the petition shall state facts that support  
30 the finding that such person, as a result of mental disorder,  
31 presents a likelihood of serious harm, ((~~or~~)) is gravely disabled, or  
32 is in need of assisted outpatient mental health treatment, and shall  
33 set forth a plan for the less restrictive alternative treatment  
34 proposed by the facility in accordance with section 15 of this act;  
35 and

36 (5) A copy of the petition has been served on the detained or  
37 committed person, his or her attorney and his or her guardian or  
38 conservator, if any, prior to the probable cause hearing; and

1 (6) The court at the time the petition was filed and before the  
2 probable cause hearing has appointed counsel to represent such person  
3 if no other counsel has appeared; and

4 (7) The petition reflects that the person was informed of the  
5 loss of firearm rights if involuntarily committed; and

6 (8) At the conclusion of the initial commitment period, the  
7 professional staff of the agency or facility or the designated mental  
8 health professional may petition for an additional period of either  
9 ninety days of less restrictive alternative treatment or ninety days  
10 of involuntary intensive treatment as provided in RCW 71.05.290; and

11 (9) If the hospital or facility designated to provide  
12 (~~outpatient~~) less restrictive alternative treatment is other than  
13 the facility providing involuntary treatment, the outpatient facility  
14 so designated to provide less restrictive alternative treatment has  
15 agreed to assume such responsibility.

16 **Sec. 7.** RCW 71.05.240 and 2009 c 293 s 4 are each amended to  
17 read as follows:

18 (1) If a petition is filed for fourteen day involuntary treatment  
19 or ninety days of less restrictive alternative treatment, the court  
20 shall hold a probable cause hearing within seventy-two hours of the  
21 initial detention or outpatient evaluation of such person as  
22 determined in RCW 71.05.180. If requested by the (~~detained~~) person  
23 or his or her attorney, the hearing may be postponed for a period not  
24 to exceed forty-eight hours. The hearing may also be continued  
25 subject to the conditions set forth in RCW 71.05.210 or subject to  
26 the petitioner's showing of good cause for a period not to exceed  
27 twenty-four hours.

28 (2) The court at the time of the probable cause hearing and  
29 before an order of commitment is entered shall inform the person both  
30 orally and in writing that the failure to make a good faith effort to  
31 seek voluntary treatment as provided in RCW 71.05.230 will result in  
32 the loss of his or her firearm rights if the person is subsequently  
33 detained for involuntary treatment under this section.

34 (3) At the conclusion of the probable cause hearing(~~(, if the~~  
35 ~~court finds by a preponderance of the evidence that))~~);

36 (a) If the court finds by a preponderance of the evidence that  
37 such person, as the result of mental disorder, presents a likelihood  
38 of serious harm, or is gravely disabled, and, after considering less  
39 restrictive alternatives to involuntary detention and treatment,

1 finds that no such alternatives are in the best interests of such  
2 person or others, the court shall order that such person be detained  
3 for involuntary treatment not to exceed fourteen days in a facility  
4 certified to provide treatment by the department. If the court finds  
5 that such person, as the result of a mental disorder, presents a  
6 likelihood of serious harm, or is gravely disabled, but that  
7 treatment in a less restrictive setting than detention is in the best  
8 interest of such person or others, the court shall order an  
9 appropriate less restrictive alternative course of treatment for not  
10 to exceed ninety days;

11 (b) If the court finds by a preponderance of the evidence that  
12 such person, as the result of a mental disorder, is in need of  
13 assisted outpatient mental health treatment, and that the person does  
14 not present a likelihood of serious harm or grave disability, the  
15 court shall order an appropriate less restrictive alternative course  
16 of treatment not to exceed ninety days, and may not order inpatient  
17 treatment.

18 (c) An order for less restrictive alternative treatment must  
19 identify the services the person will receive, in accordance with  
20 section 15 of this act. If the petitioner did not set forth a  
21 proposed less restrictive alternative treatment plan, the court may  
22 postpone the issuance of the order for up to five judicial days and  
23 require the petitioner to submit a proposal for less restrictive  
24 alternative treatment services. The court may order additional  
25 evaluation of the person if necessary to identify appropriate  
26 services.

27 (4) The court shall specifically state to such person and give  
28 such person notice in writing that if involuntary treatment beyond  
29 the fourteen day period or beyond the ninety days of less restrictive  
30 treatment is to be sought, such person will have the right to a full  
31 hearing or jury trial as required by RCW 71.05.310. The court shall  
32 also state to the person and provide written notice that the person  
33 is barred from the possession of firearms and that the prohibition  
34 remains in effect until a court restores his or her right to possess  
35 a firearm under RCW 9.41.047.

36 **Sec. 8.** RCW 71.05.245 and 2010 c 280 s 3 are each amended to  
37 read as follows:

38 (1) In making a determination of whether a person is gravely  
39 disabled (~~(or)~~), presents a likelihood of serious harm, or is in need

1 of assisted outpatient mental health treatment in a hearing conducted  
2 under RCW 71.05.240 or 71.05.320, the court must consider the  
3 symptoms and behavior of the respondent in light of all available  
4 evidence concerning the respondent's historical behavior.

5 (2) Symptoms or behavior which standing alone would not justify  
6 civil commitment may support a finding of grave disability or  
7 likelihood of serious harm, or a finding that the person is in need  
8 of assisted outpatient mental health treatment, when: (a) Such  
9 symptoms or behavior are closely associated with symptoms or behavior  
10 which preceded and led to a past incident of involuntary  
11 hospitalization, severe deterioration, or one or more violent acts;  
12 (b) these symptoms or behavior represent a marked and concerning  
13 change in the baseline behavior of the respondent; and (c) without  
14 treatment, the continued deterioration of the respondent is probable.

15 (3) In making a determination of whether there is a likelihood of  
16 serious harm in a hearing conducted under RCW 71.05.240 or 71.05.320,  
17 the court shall give great weight to any evidence before the court  
18 regarding whether the person has: (a) A recent history of one or more  
19 violent acts; or (b) a recent history of one or more commitments  
20 under this chapter or its equivalent provisions under the laws of  
21 another state which were based on a likelihood of serious harm. The  
22 existence of prior violent acts or commitments under this chapter or  
23 its equivalent shall not be the sole basis for determining whether a  
24 person presents a likelihood of serious harm.

25 For the purposes of this subsection "recent" refers to the period  
26 of time not exceeding three years prior to the current hearing.

27 **Sec. 9.** RCW 71.05.280 and 2013 c 289 s 4 are each amended to  
28 read as follows:

29 At the expiration of the fourteen-day period of intensive  
30 treatment, a person may be confined for further treatment pursuant to  
31 RCW 71.05.320 if:

32 (1) Such person after having been taken into custody for  
33 evaluation and treatment has threatened, attempted, or inflicted: (a)  
34 Physical harm upon the person of another or himself or herself, or  
35 substantial damage upon the property of another, and (b) as a result  
36 of mental disorder presents a likelihood of serious harm; or

37 (2) Such person was taken into custody as a result of conduct in  
38 which he or she attempted or inflicted physical harm upon the person  
39 of another or himself or herself, or substantial damage upon the

1 property of others, and continues to present, as a result of mental  
2 disorder, a likelihood of serious harm; or

3 (3) Such person has been determined to be incompetent and  
4 criminal charges have been dismissed pursuant to RCW 10.77.086(4),  
5 and has committed acts constituting a felony, and as a result of a  
6 mental disorder, presents a substantial likelihood of repeating  
7 similar acts.

8 (a) In any proceeding pursuant to this subsection it shall not be  
9 necessary to show intent, willfulness, or state of mind as an element  
10 of the crime;

11 (b) For any person subject to commitment under this subsection  
12 where the charge underlying the finding of incompetence is for a  
13 felony classified as violent under RCW 9.94A.030, the court shall  
14 determine whether the acts the person committed constitute a violent  
15 offense under RCW 9.94A.030; or

16 (4) Such person is gravely disabled; or

17 (5) Such person is in need of assisted outpatient mental health  
18 treatment.

19 **Sec. 10.** RCW 71.05.290 and 2009 c 217 s 3 are each amended to  
20 read as follows:

21 (1) At any time during a person's fourteen day intensive  
22 treatment period, the professional person in charge of a treatment  
23 facility or his or her professional designee or the designated mental  
24 health professional may petition the superior court for an order  
25 requiring such person to undergo an additional period of treatment.  
26 Such petition must be based on one or more of the grounds set forth  
27 in RCW 71.05.280.

28 (2) The petition shall summarize the facts which support the need  
29 for further confinement and shall be supported by affidavits signed  
30 by:

31 (a) Two examining physicians;

32 (b) One examining physician and examining mental health  
33 professional;

34 (c) Two psychiatric advanced registered nurse practitioners;

35 (d) One psychiatric advanced registered nurse practitioner and a  
36 mental health professional; or

37 (e) An examining physician and an examining psychiatric advanced  
38 registered nurse practitioner. The affidavits shall describe in  
39 detail the behavior of the detained person which supports the

1 petition and shall explain what, if any, less restrictive treatments  
2 which are alternatives to detention are available to such person, and  
3 shall state the willingness of the affiant to testify to such facts  
4 in subsequent judicial proceedings under this chapter. If less  
5 restrictive alternative treatment is sought, the petition shall set  
6 forth a proposed plan for less restrictive alternative treatment in  
7 accordance with section 15 of this act.

8 (3) If a person has been determined to be incompetent pursuant to  
9 RCW 10.77.086(4), then the professional person in charge of the  
10 treatment facility or his or her professional designee or the  
11 designated mental health professional may directly file a petition  
12 for one hundred eighty day treatment under RCW 71.05.280(3). No  
13 petition for initial detention or fourteen day detention is required  
14 before such a petition may be filed.

15 **Sec. 11.** RCW 71.05.320 and 2013 c 289 s 5 are each amended to  
16 read as follows:

17 (1) If the court or jury finds that grounds set forth in RCW  
18 71.05.280 have been proven and that the best interests of the person  
19 or others will not be served by a less restrictive treatment which is  
20 an alternative to detention, the court shall remand him or her to the  
21 custody of the department or to a facility certified for ninety day  
22 treatment by the department for a further period of intensive  
23 treatment not to exceed ninety days from the date of judgment. If the  
24 grounds set forth in RCW 71.05.280(3) are the basis of commitment,  
25 then the period of treatment may be up to but not exceed one hundred  
26 eighty days from the date of judgment in a facility certified for one  
27 hundred eighty day treatment by the department.

28 (2) If the court or jury finds that grounds set forth in RCW  
29 71.05.280 have been proven, but finds that treatment less restrictive  
30 than detention will be in the best interest of the person or others,  
31 then the court shall remand him or her to the custody of the  
32 department or to a facility certified for ninety day treatment by the  
33 department or to a less restrictive alternative for a further period  
34 of less restrictive treatment not to exceed ninety days from the date  
35 of judgment. If the grounds set forth in RCW 71.05.280(3) are the  
36 basis of commitment, then the period of treatment may be up to but  
37 not exceed one hundred eighty days from the date of judgment. If the  
38 court or jury finds that the grounds set forth in RCW 71.05.280(5)  
39 have been proven, and provide the only basis for commitment, the

1 court must enter an order for less restrictive alternative treatment  
2 for up to ninety days from the date of judgment and may not order  
3 inpatient treatment.

4 (3) An order for less restrictive alternative treatment entered  
5 under subsection (2) of this section must identify the services the  
6 person will receive, in accordance with section 15 of this act. If  
7 the petitioner did not set forth a proposed plan for less restrictive  
8 alternative services, the court may postpone the issuance of the  
9 order for up to five judicial days and require the petitioner to  
10 submit a proposal for less restrictive alternative services. The  
11 court may order additional evaluation of the person if necessary to  
12 identify appropriate services.

13 (4) The person shall be released from involuntary treatment at  
14 the expiration of the period of commitment imposed under subsection  
15 (1) or (2) of this section unless the superintendent or professional  
16 person in charge of the facility in which he or she is confined, or  
17 in the event of a less restrictive alternative, the designated mental  
18 health professional, files a new petition for involuntary treatment  
19 on the grounds that the committed person:

20 (a) During the current period of court ordered treatment: (i) Has  
21 threatened, attempted, or inflicted physical harm upon the person of  
22 another, or substantial damage upon the property of another, and (ii)  
23 as a result of mental disorder or developmental disability presents a  
24 likelihood of serious harm; or

25 (b) Was taken into custody as a result of conduct in which he or  
26 she attempted or inflicted serious physical harm upon the person of  
27 another, and continues to present, as a result of mental disorder or  
28 developmental disability a likelihood of serious harm; or

29 (c)(i) Is in custody pursuant to RCW 71.05.280(3) and as a result  
30 of mental disorder or developmental disability continues to present a  
31 substantial likelihood of repeating acts similar to the charged  
32 criminal behavior, when considering the person's life history,  
33 progress in treatment, and the public safety.

34 (ii) In cases under this subsection where the court has made an  
35 affirmative special finding under RCW 71.05.280(3)(b), the commitment  
36 shall continue for up to an additional one hundred eighty day period  
37 whenever the petition presents prima facie evidence that the person  
38 continues to suffer from a mental disorder or developmental  
39 disability that results in a substantial likelihood of committing  
40 acts similar to the charged criminal behavior, unless the person



1 presents proof through an admissible expert opinion that the person's  
2 condition has so changed such that the mental disorder or  
3 developmental disability no longer presents a substantial likelihood  
4 of the person committing acts similar to the charged criminal  
5 behavior. The initial or additional commitment period may include  
6 transfer to a specialized program of intensive support and treatment,  
7 which may be initiated prior to or after discharge from the state  
8 hospital; or

9 (d) Continues to be gravely disabled; or

10 (e) Is in need of assisted outpatient mental health treatment.

11 If the conduct required to be proven in (b) and (c) of this  
12 subsection was found by a judge or jury in a prior trial under this  
13 chapter, it shall not be necessary to prove such conduct again.

14 ~~((4) For a person committed under subsection (2) of this section  
15 who has been remanded to a period of less restrictive treatment, in  
16 addition to the grounds specified in subsection (3) of this section,  
17 the designated mental health professional may file a new petition for  
18 continued less restrictive treatment if:~~

19 ~~(a) The person was previously committed by a court to detention  
20 for involuntary mental health treatment during the thirty-six months  
21 that preceded the person's initial detention date during the current  
22 involuntary commitment cycle, excluding any time spent in a mental  
23 health facility or in confinement as a result of a criminal  
24 conviction;~~

25 ~~(b) In view of the person's treatment history or current  
26 behavior, the person is unlikely to voluntarily participate in  
27 outpatient treatment without an order for less restrictive treatment;  
28 and~~

29 ~~(c) Outpatient treatment that would be provided under a less  
30 restrictive treatment order is necessary to prevent a relapse,  
31 decompensation, or deterioration that is likely to result in the  
32 person presenting a likelihood of serious harm or the person becoming  
33 gravely disabled within a reasonably short period of time.)~~ If less  
34 restrictive alternative treatment is sought, the petition shall set  
35 forth a proposed plan for less restrictive alternative services in  
36 accordance with section 15 of this act.

37 (5) A new petition for involuntary treatment filed under  
38 subsection ~~((3) or))~~ (4) of this section shall be filed and heard in  
39 the superior court of the county of the facility which is filing the  
40 new petition for involuntary treatment unless good cause is shown for

1 a change of venue. The cost of the proceedings shall be borne by the  
2 state.

3 (6)(a) The hearing shall be held as provided in RCW 71.05.310,  
4 and if the court or jury finds that the grounds for additional  
5 confinement as set forth in this section are present, the court may  
6 order the committed person returned for an additional period of  
7 treatment not to exceed one hundred eighty days from the date of  
8 judgment, except as provided in subsection (7) of this section. If  
9 the court's order is based solely on the grounds identified in  
10 subsection (4)(e) of this section, the court may enter an order for  
11 less restrictive alternative treatment not to exceed one hundred  
12 eighty days from the date of judgment, and may not enter an order for  
13 inpatient treatment. An order for less restrictive alternative  
14 treatment must identify the services the person will receive, in  
15 accordance with section 15 of this act. If the petitioner did not set  
16 forth a proposed plan for less restrictive alternative services, the  
17 court may postpone the issuance of the order for up to five judicial  
18 days and require the petitioner to submit a proposal for less  
19 restrictive alternative services. The court may order additional  
20 evaluation of the person if necessary to identify appropriate  
21 services.

22 (b) At the end of the one hundred eighty day period of  
23 commitment, or one-year period of commitment if subsection (7) of  
24 this section applies, the committed person shall be released unless a  
25 petition for ~~((another))~~ an additional one hundred eighty day period  
26 of continued treatment is filed and heard in the same manner as  
27 provided in this section. Successive one hundred eighty day  
28 commitments are permissible on the same grounds and pursuant to the  
29 same procedures as the original one hundred eighty day commitment.  
30 However, a commitment solely on the grounds identified in subsection  
31 (4)(e) of this section is not permissible under this subsection ~~((4~~  
32 ~~of this section))~~ if ~~((thirty six months have passed since the last~~  
33 ~~date of discharge from detention for inpatient treatment that~~  
34 ~~preceded the current less restrictive alternative order, nor shall a~~  
35 ~~commitment under subsection (4) of this section be permissible if))~~  
36 the likelihood of serious harm ~~((in subsection (4)(c) of this~~  
37 ~~section))~~ as described in RCW 71.05.020(4)(e) is based solely on  
38 harm to the property of others.

39 (7) An order for less restrictive treatment entered under  
40 subsection (6) of this section may be for up to one year when the

1 person's previous commitment term was for intensive inpatient  
2 treatment in a state hospital.

3 (8) No person committed as provided in this section may be  
4 detained unless a valid order of commitment is in effect. No order of  
5 commitment can exceed one hundred eighty days in length except as  
6 provided in subsection (7) of this section.

7 **Sec. 12.** RCW 71.05.340 and 2009 c 322 s 1 are each amended to  
8 read as follows:

9 (1)(a) When, in the opinion of the superintendent or the  
10 professional person in charge of the hospital or facility providing  
11 involuntary treatment, the committed person can be appropriately  
12 served by outpatient treatment prior to or at the expiration of the  
13 period of commitment, then such outpatient care may be required as a  
14 term of conditional release for a period which, when added to the  
15 inpatient treatment period, shall not exceed the period of  
16 commitment. If the hospital or facility designated to provide  
17 outpatient treatment is other than the facility providing involuntary  
18 treatment, the outpatient facility so designated must agree in  
19 writing to assume such responsibility. A copy of the terms of  
20 conditional release shall be given to the patient, the designated  
21 mental health professional in the county in which the patient is to  
22 receive outpatient treatment, and to the court of original  
23 commitment.

24 (b) Before a person committed under grounds set forth in RCW  
25 71.05.280(3) or 71.05.320(~~(+3)~~) (4)(c) is conditionally released  
26 under (a) of this subsection, the superintendent or professional  
27 person in charge of the hospital or facility providing involuntary  
28 treatment shall in writing notify the prosecuting attorney of the  
29 county in which the criminal charges against the committed person  
30 were dismissed, of the decision to conditionally release the person.  
31 Notice and a copy of the terms of conditional release shall be  
32 provided at least thirty days before the person is released from  
33 inpatient care. Within twenty days after receiving notice, the  
34 prosecuting attorney may petition the court in the county that issued  
35 the commitment order to hold a hearing to determine whether the  
36 person may be conditionally released and the terms of the conditional  
37 release. The prosecuting attorney shall provide a copy of the  
38 petition to the superintendent or professional person in charge of  
39 the hospital or facility providing involuntary treatment, the

1 attorney, if any, and guardian or conservator of the committed  
2 person, and the court of original commitment. If the county in which  
3 the committed person is to receive outpatient treatment is the same  
4 county in which the criminal charges against the committed person  
5 were dismissed, then the court shall, upon the motion of the  
6 prosecuting attorney, transfer the proceeding to the court in that  
7 county. The court shall conduct a hearing on the petition within ten  
8 days of the filing of the petition. The committed person shall have  
9 the same rights with respect to notice, hearing, and counsel as for  
10 an involuntary treatment proceeding, except as set forth in this  
11 subsection and except that there shall be no right to jury trial. The  
12 issue to be determined at the hearing is whether or not the person  
13 may be conditionally released without substantial danger to other  
14 persons, or substantial likelihood of committing criminal acts  
15 jeopardizing public safety or security. If the court disapproves of  
16 the conditional release, it may do so only on the basis of  
17 substantial evidence. Pursuant to the determination of the court upon  
18 the hearing, the conditional release of the person shall be approved  
19 by the court on the same or modified conditions or the person shall  
20 be returned for involuntary treatment on an inpatient basis subject  
21 to release at the end of the period for which he or she was  
22 committed, or otherwise in accordance with the provisions of this  
23 chapter.

24 (2) The hospital or facility designated to provide outpatient  
25 care or the secretary may modify the conditions for continued release  
26 when such modification is in the best interest of the person.  
27 Notification of such changes shall be sent to all persons receiving a  
28 copy of the original conditions.

29 (3)(a) If the hospital or facility designated to provide  
30 outpatient care, the designated mental health professional, or the  
31 secretary determines that:

32 (i) A conditionally released person is failing to adhere to the  
33 terms and conditions of his or her release;

34 (ii) Substantial deterioration in a conditionally released  
35 person's functioning has occurred;

36 (iii) There is evidence of substantial decompensation with a  
37 reasonable probability that the decompensation can be reversed by  
38 further inpatient treatment; or

39 (iv) The person poses a likelihood of serious harm.

1       Upon notification by the hospital or facility designated to  
2 provide outpatient care, or on his or her own motion, the designated  
3 mental health professional or the secretary may order that the  
4 conditionally released person be apprehended and taken into custody  
5 and temporarily detained in an evaluation and treatment facility in  
6 or near the county in which he or she is receiving outpatient  
7 treatment.

8       (b) The hospital or facility designated to provide outpatient  
9 treatment shall notify the secretary or designated mental health  
10 professional when a conditionally released person fails to adhere to  
11 terms and conditions of his or her conditional release or experiences  
12 substantial deterioration in his or her condition and, as a result,  
13 presents an increased likelihood of serious harm. The designated  
14 mental health professional or secretary shall order the person  
15 apprehended and temporarily detained in an evaluation and treatment  
16 facility in or near the county in which he or she is receiving  
17 outpatient treatment.

18       (c) A person detained under this subsection (3) shall be held  
19 until such time, not exceeding five days, as a hearing can be  
20 scheduled to determine whether or not the person should be returned  
21 to the hospital or facility from which he or she had been  
22 conditionally released. The designated mental health professional or  
23 the secretary may modify or rescind such order at any time prior to  
24 commencement of the court hearing.

25       (d) The court that originally ordered commitment shall be  
26 notified within two judicial days of a person's detention under the  
27 provisions of this section, and the designated mental health  
28 professional or the secretary shall file his or her petition and  
29 order of apprehension and detention with the court that originally  
30 ordered commitment or with the court in the county in which the  
31 person is detained and serve them upon the person detained. His or  
32 her attorney, if any, and his or her guardian or conservator, if any,  
33 shall receive a copy of such papers as soon as possible. Such person  
34 shall have the same rights with respect to notice, hearing, and  
35 counsel as for an involuntary treatment proceeding, except as  
36 specifically set forth in this section and except that there shall be  
37 no right to jury trial. The venue for proceedings regarding a  
38 petition for modification or revocation of an order for conditional  
39 release shall be in the county in which the petition was filed. The  
40 issues to be determined shall be: (i) Whether the conditionally

1 released person did or did not adhere to the terms and conditions of  
2 his or her conditional release; (ii) that substantial deterioration  
3 in the person's functioning has occurred; (iii) there is evidence of  
4 substantial decompensation with a reasonable probability that the  
5 decompensation can be reversed by further inpatient treatment; or  
6 (iv) there is a likelihood of serious harm; and, if any of the  
7 conditions listed in this subsection (3)(d) have occurred, whether  
8 the terms of conditional release should be modified or the person  
9 should be returned to the facility. If any of the conditions listed  
10 in this subsection (3)(d) have occurred and the person is committed  
11 solely based on being in need of assisted outpatient mental health  
12 treatment, the court shall determine whether the terms of the order  
13 should be modified or if proceedings should be initiated under RCW  
14 71.05.150.

15 (e) In determining whether or not to modify the terms of  
16 conditional release or return the person to the facility:

17 (i) The court must consider the symptoms and behavior of the  
18 person in light of all available evidence concerning the person's  
19 historical behavior, which may include information provided by  
20 credible witnesses as defined in RCW 71.05.212(2); and

21 (ii) If the petition is based on the person's failure to adhere  
22 to the terms or conditions of his or her release, the court must give  
23 great weight to information regarding symptoms or behavior that: (A)  
24 Are closely associated with symptoms or behavior which preceded and  
25 led to a past incident of involuntary hospitalization, severe  
26 deterioration, or one or more violent acts; (B) represent a marked  
27 and concerning change in the baseline behavior of the person; and (C)  
28 indicate that without modified terms or return of the person to the  
29 facility, continued deterioration is probable.

30 (f) Pursuant to the determination of the court upon such hearing,  
31 the conditionally released person shall either continue to be  
32 conditionally released on the same or modified conditions or shall be  
33 returned for involuntary treatment on an inpatient basis subject to  
34 release at the end of the period for which he or she was committed  
35 for involuntary treatment, or otherwise in accordance with the  
36 provisions of this chapter. Such hearing may be waived by the person  
37 and his or her counsel and his or her guardian or conservator, if  
38 any, but shall not be waivable unless all such persons agree to  
39 waive, and upon such waiver the person may be returned for

1 involuntary treatment or continued on conditional release on the same  
2 or modified conditions.

3 (4) The proceedings set forth in subsection (3) of this section  
4 may be initiated by the designated mental health professional or the  
5 secretary on the same basis set forth therein without requiring or  
6 ordering the apprehension and detention of the conditionally released  
7 person, in which case the court hearing shall take place in not less  
8 than five days from the date of service of the petition upon the  
9 conditionally released person. The petition may be filed in the court  
10 that originally ordered commitment or with the court in the county in  
11 which the person is present. The venue for the proceedings regarding  
12 the petition for modification or revocation of an order for  
13 conditional release shall be in the county in which the petition was  
14 filed.

15 Upon expiration of the period of commitment, or when the person  
16 is released from outpatient care, notice in writing to the court  
17 which committed the person for treatment shall be provided.

18 (5) The grounds and procedures for revocation of less restrictive  
19 alternative treatment shall be the same as those set forth in this  
20 section for conditional releases, except that if inpatient treatment  
21 is sought for a person committed based solely on being in need of  
22 assisted outpatient mental health treatment, such treatment must be  
23 initiated under a new petition for involuntary treatment under RCW  
24 71.05.150.

25 (6) In the event of a revocation of a conditional release, the  
26 subsequent treatment period may be for no longer than the actual  
27 period authorized in the original court order.

28 **Sec. 13.** RCW 71.05.730 and 2011 c 343 s 2 are each amended to  
29 read as follows:

30 (1) A county may apply to its regional support network on a  
31 quarterly basis for reimbursement of its direct costs in providing  
32 judicial services for civil commitment cases under this chapter and  
33 chapter 71.34 RCW. The regional support network shall in turn be  
34 entitled to reimbursement from the regional support network that  
35 serves the county of residence of the individual who is the subject  
36 of the civil commitment case. Reimbursements under this section shall  
37 be paid out of the regional support network's nonmedicaid  
38 appropriation.

1 (2) Reimbursement for judicial services shall be provided per  
2 civil commitment case at a rate to be determined based on an  
3 independent assessment of the county's actual direct costs. This  
4 assessment must be based on an average of the expenditures for  
5 judicial services within the county over the past three years. In the  
6 event that a baseline cannot be established because there is no  
7 significant history of similar cases within the county, the  
8 reimbursement rate shall be equal to eighty percent of the median  
9 reimbursement rate of counties included in the independent  
10 assessment.

11 (3) For the purposes of this section:

12 (a) "Civil commitment case" includes all judicial hearings  
13 related to a single episode of hospitalization((~~τ~~)) or less  
14 restrictive alternative ((~~detention in lieu of hospitalization~~))  
15 treatment, except that the filing of a petition for a one hundred  
16 eighty-day commitment under this chapter or a petition for a  
17 successive one hundred eighty-day commitment under chapter 71.34 RCW  
18 shall be considered to be a new case regardless of whether there has  
19 been a break in detention. "Civil commitment case" does not include  
20 the filing of a petition for a one hundred eighty-day commitment  
21 under this chapter on behalf of a patient at a state psychiatric  
22 hospital.

23 (b) "Judicial services" means a county's reasonable direct costs  
24 in providing prosecutor services, assigned counsel and defense  
25 services, court services, and court clerk services for civil  
26 commitment cases under this chapter and chapter 71.34 RCW.

27 (4) To the extent that resources have shared purpose, the  
28 regional support network may only reimburse counties to the extent  
29 such resources are necessary for and devoted to judicial services as  
30 described in this section.

31 (5) No filing fee may be charged or collected for any civil  
32 commitment case subject to reimbursement under this section.

33 **Sec. 14.** RCW 71.05.730 and 2014 c 225 s 87 are each amended to  
34 read as follows:

35 (1) A county may apply to its behavioral health organization on a  
36 quarterly basis for reimbursement of its direct costs in providing  
37 judicial services for civil commitment cases under this chapter and  
38 chapter 71.34 RCW. The behavioral health organization shall in turn  
39 be entitled to reimbursement from the behavioral health organization



1 that serves the county of residence of the individual who is the  
2 subject of the civil commitment case. Reimbursements under this  
3 section shall be paid out of the behavioral health organization's  
4 nonmedicaid appropriation.

5 (2) Reimbursement for judicial services shall be provided per  
6 civil commitment case at a rate to be determined based on an  
7 independent assessment of the county's actual direct costs. This  
8 assessment must be based on an average of the expenditures for  
9 judicial services within the county over the past three years. In the  
10 event that a baseline cannot be established because there is no  
11 significant history of similar cases within the county, the  
12 reimbursement rate shall be equal to eighty percent of the median  
13 reimbursement rate of counties included in the independent  
14 assessment.

15 (3) For the purposes of this section:

16 (a) "Civil commitment case" includes all judicial hearings  
17 related to a single episode of hospitalization((~~τ~~)) or less  
18 restrictive alternative ((~~detention in lieu of hospitalization~~))  
19 treatment, except that the filing of a petition for a one hundred  
20 eighty-day commitment under this chapter or a petition for a  
21 successive one hundred eighty-day commitment under chapter 71.34 RCW  
22 shall be considered to be a new case regardless of whether there has  
23 been a break in detention. "Civil commitment case" does not include  
24 the filing of a petition for a one hundred eighty-day commitment  
25 under this chapter on behalf of a patient at a state psychiatric  
26 hospital.

27 (b) "Judicial services" means a county's reasonable direct costs  
28 in providing prosecutor services, assigned counsel and defense  
29 services, court services, and court clerk services for civil  
30 commitment cases under this chapter and chapter 71.34 RCW.

31 (4) To the extent that resources have shared purpose, the  
32 behavioral health organization may only reimburse counties to the  
33 extent such resources are necessary for and devoted to judicial  
34 services as described in this section.

35 (5) No filing fee may be charged or collected for any civil  
36 commitment case subject to reimbursement under this section.

37 NEW SECTION. **Sec. 15.** A new section is added to chapter 71.05  
38 RCW to read as follows:

1 (1) Less restrictive alternative treatment, at a minimum,  
2 includes the following services:

3 (a) Assignment of a care coordinator;

4 (b) An intake evaluation with the provider of the less  
5 restrictive alternative treatment;

6 (c) A psychiatric evaluation;

7 (d) Medication management;

8 (e) A schedule of regular contacts with the provider of the less  
9 restrictive alternative treatment services for the duration of the  
10 order;

11 (f) A transition plan addressing access to continued services at  
12 the expiration of the order; and

13 (g) An individual crisis plan.

14 (2) Less restrictive alternative treatment may additionally  
15 include the following services:

16 (a) Psychotherapy;

17 (b) Nursing;

18 (c) Substance abuse counseling; and

19 (d) Support for housing, benefits, education, and employment.

20 NEW SECTION. **Sec. 16.** A new section is added to chapter 71.05  
21 RCW to read as follows:

22 A court order for less restrictive alternative treatment for a  
23 person found to be in need of assisted outpatient mental health  
24 treatment must be terminated prior to the expiration of the order  
25 when, in the opinion of the professional person in charge of the less  
26 restrictive alternative treatment provider, (1) the person is  
27 prepared to accept voluntary treatment, or (2) the outpatient  
28 treatment ordered is no longer necessary to prevent a relapse,  
29 decompensation, or deterioration that is likely to result in the  
30 person presenting a likelihood of serious harm or the person becoming  
31 gravely disabled within a reasonably short period of time.

32 **Sec. 17.** RCW 71.24.330 and 2013 c 320 s 9 are each amended to  
33 read as follows:

34 (1)(a) Contracts between a regional support network and the  
35 department shall include mechanisms for monitoring performance under  
36 the contract and remedies for failure to substantially comply with  
37 the requirements of the contract including, but not limited to,

1 financial penalties, termination of the contract, and reprourement  
2 of the contract.

3 (b) The department shall incorporate the criteria to measure the  
4 performance of service coordination organizations into contracts with  
5 regional support networks as provided in chapter 70.320 RCW.

6 (2) The regional support network procurement processes shall  
7 encourage the preservation of infrastructure previously purchased by  
8 the community mental health service delivery system, the maintenance  
9 of linkages between other services and delivery systems, and  
10 maximization of the use of available funds for services versus  
11 profits. However, a regional support network selected through the  
12 procurement process is not required to contract for services with any  
13 county-owned or operated facility. The regional support network  
14 procurement process shall provide that public funds appropriated by  
15 the legislature shall not be used to promote or deter, encourage, or  
16 discourage employees from exercising their rights under Title 29,  
17 chapter 7, subchapter II, United States Code or chapter 41.56 RCW.

18 (3) In addition to the requirements of RCW 71.24.035, contracts  
19 shall:

20 (a) Define administrative costs and ensure that the regional  
21 support network does not exceed an administrative cost of ten percent  
22 of available funds;

23 (b) Require effective collaboration with law enforcement,  
24 criminal justice agencies, and the chemical dependency treatment  
25 system;

26 (c) Require substantial implementation of department adopted  
27 integrated screening and assessment process and matrix of best  
28 practices;

29 (d) Maintain the decision-making independence of designated  
30 mental health professionals;

31 (e) Except at the discretion of the secretary or as specified in  
32 the biennial budget, require regional support networks to pay the  
33 state for the costs associated with individuals who are being served  
34 on the grounds of the state hospitals and who are not receiving long-  
35 term inpatient care as defined in RCW 71.24.025;

36 (f) Include a negotiated alternative dispute resolution clause;  
37 ((and))

38 (g) Include a provision requiring either party to provide one  
39 hundred eighty days' notice of any issue that may cause either party  
40 to voluntarily terminate, refuse to renew, or refuse to sign a

1 mandatory amendment to the contract to act as a regional support  
2 network. If either party decides to voluntarily terminate, refuse to  
3 renew, or refuse to sign a mandatory amendment to the contract to  
4 serve as a regional support network they shall provide ninety days'  
5 advance notice in writing to the other party; and

6 (h) Require regional support networks to provide services as  
7 identified in section 15 of this act to individuals committed for  
8 involuntary commitment under less restrictive alternative court  
9 orders when:

10 (i) The individual is enrolled in the medicaid program and meets  
11 regional support network access to care standards; or

12 (ii) The individual is not enrolled in medicaid, does not have  
13 other insurance which can pay for the services, and the regional  
14 support network has adequate available resources to provide the  
15 services.

16 **Sec. 18.** RCW 71.24.330 and 2014 c 225 s 51 are each amended to  
17 read as follows:

18 (1)(a) Contracts between a behavioral health organization and the  
19 department shall include mechanisms for monitoring performance under  
20 the contract and remedies for failure to substantially comply with  
21 the requirements of the contract including, but not limited to,  
22 financial penalties, termination of the contract, and reprocurement  
23 of the contract.

24 (b) The department shall incorporate the criteria to measure the  
25 performance of service coordination organizations into contracts with  
26 behavioral health organizations as provided in chapter 70.320 RCW.

27 (2) The behavioral health organization procurement processes  
28 shall encourage the preservation of infrastructure previously  
29 purchased by the community mental health service delivery system, the  
30 maintenance of linkages between other services and delivery systems,  
31 and maximization of the use of available funds for services versus  
32 profits. However, a behavioral health organization selected through  
33 the procurement process is not required to contract for services with  
34 any county-owned or operated facility. The behavioral health  
35 organization procurement process shall provide that public funds  
36 appropriated by the legislature shall not be used to promote or  
37 deter, encourage, or discourage employees from exercising their  
38 rights under Title 29, chapter 7, subchapter II, United States Code  
39 or chapter 41.56 RCW.

1 (3) In addition to the requirements of RCW 71.24.035, contracts  
2 shall:

3 (a) Define administrative costs and ensure that the behavioral  
4 health organization does not exceed an administrative cost of ten  
5 percent of available funds;

6 (b) Require effective collaboration with law enforcement,  
7 criminal justice agencies, and the chemical dependency treatment  
8 system;

9 (c) Require substantial implementation of department adopted  
10 integrated screening and assessment process and matrix of best  
11 practices;

12 (d) Maintain the decision-making independence of designated  
13 mental health professionals;

14 (e) Except at the discretion of the secretary or as specified in  
15 the biennial budget, require behavioral health organizations to pay  
16 the state for the costs associated with individuals who are being  
17 served on the grounds of the state hospitals and who are not  
18 receiving long-term inpatient care as defined in RCW 71.24.025;

19 (f) Include a negotiated alternative dispute resolution clause;  
20 (~~and~~)

21 (g) Include a provision requiring either party to provide one  
22 hundred eighty days' notice of any issue that may cause either party  
23 to voluntarily terminate, refuse to renew, or refuse to sign a  
24 mandatory amendment to the contract to act as a behavioral health  
25 organization. If either party decides to voluntarily terminate,  
26 refuse to renew, or refuse to sign a mandatory amendment to the  
27 contract to serve as a behavioral health organization they shall  
28 provide ninety days' advance notice in writing to the other party;  
29 and

30 (h) Require behavioral health organizations to provide services  
31 as identified in section 15 of this act to individuals committed for  
32 involuntary commitment under less restrictive alternative court  
33 orders when:

34 (i) The individual is enrolled in the medicaid program and meets  
35 behavioral health organization access to care standards; or

36 (ii) The individual is not enrolled in medicaid, does not have  
37 other insurance which can pay for the services, and the behavioral  
38 health organization has adequate available resources to provide the  
39 services.

1        NEW SECTION.    **Sec. 19.**    Sections 1, 13, and 17 of this act expire  
2 April 1, 2016.

3        NEW SECTION.    **Sec. 20.**    Sections 2, 14, and 18 of this act take  
4 effect April 1, 2016.

5        NEW SECTION.    **Sec. 21.**    If specific funding for the purposes of  
6 this act, referencing this act by bill or chapter number, is not  
7 provided by June 30, 2015, in the omnibus appropriations act, this  
8 act is null and void.

--- END ---