

# SENATE BILL REPORT

## SB 5835

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As of February 15, 2019

**Title:** An act relating to a hotline for the reporting of potential self-harm and criminal acts.

**Brief Description:** Creating a hotline to receive reports of potential self-harm and criminal acts.

**Sponsors:** Senators Brown, Cleveland, Becker, Darneille, Walsh, Kuderer, Nguyen, Palumbo, Rolfes and Wilson, L..

**Brief History:**

**Committee Activity:** Law & Justice: 2/18/19.

### Brief Summary of Bill

- Requires the attorney general to establish a hotline program for receiving reports of self harm, potential harm, or criminal acts.
- Authorizes the attorney general to contract for the operation of the program, and direct reports to local law enforcement and mental health officials.
- Requires the attorney general to report to the Governor and Legislature on the effectiveness of the program providing detailed program activities and audits.

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## SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Tim Ford (786-7423)

**Background:** Enhanced 911 Program. Emergency 911 communications services allow callers to reach agencies that can dispatch an appropriate type of response. Enhanced 911 (E-911) is a type of service that allows the caller's phone number and location to be automatically displayed at the public safety answering point. In Washington, 911 systems are primarily administered by counties and in some cases, cities or regional authorities. The Washington State Emergency Management Division works with counties and communications companies to ensure the E-911 system is operational and available to all in the state of Washington.

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*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.*

Vulnerable Adults. The term vulnerable adult includes a person who is 60 years of age or older and who has a functional, mental, or physical inability to care for himself or herself; has been found to be incapacitated; who has a developmental disability; has been admitted to a facility licensed or certified by the Department of Social and Health Services (DSHS); receives services from home health, hospice, or home care agencies; receives services from an individual provider; or self-directs his or her own care and receives services from a personal aide.

A mandatory reporter is an employee of DSHS; law enforcement officer; social worker; professional school personnel; individual provider; an employee of a facility; an operator of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; county coroner or medical examiner; Christian Science practitioner; or health care provider.

Mandated reporters must immediately report suspected abandonment, abuse, financial exploitation, or neglect of a vulnerable adult to DSHS. A mandatory reporter must also report to law enforcement suspected sexual assault and certain types of physical assault.

Abuse of Children. Abuse or neglect of a child means sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety. Persons required to report abuse of children to DSHS include medical practitioners; nurses; dentists; social service counselors and therapists; psychologists; medical examiners; pharmacists; school personnel; child care providers; law enforcement officers; juvenile probation officers; corrections employees; DSHS employees; Department of Children, Youth, and Families employees; placement and liaison specialists; responsible living skills program staff; HOPE center staff; state family and children's ombudsman; any volunteer in the ombudsman's office; and adults residing with the child.

**Summary of Bill:** Subject to appropriated funds, the state attorney general must establish a statewide program for receiving reports or information from the public of potential self harm, potential harm, or criminal acts including, but not limited to sexual abuse, assault, or rape. The attorney general must consult with the state patrol and the Health Care Authority to establish the program. The program must include a hotline for receiving reports available 24-hours a day, 365 days a year. The attorney general may contract for hotline operation, but is responsible for oversight of the program. The program must provide a means to review the information submitted through the hotline and to direct those reports to local law enforcement and mental health officials. The attorney general must ensure appropriate training is provided to program personnel, and must include a means to determine the effectiveness of local responses.

Information submitted to the hotline is confidential and not subject to public disclosure, other than for authorized purposes in responding to the report. However, a person charged with a crime based on a report may petition the court for disclosure. The court may place restrictions on the release or use of the report.

A community mental health fund is created, and the attorney general shall administer the fund to pay the costs of the program and to promote public awareness of the program.

The attorney general shall submit an annual report to the Governor and Legislature detailing program activities, fund sources and amounts, itemized costs and expenditures, and overall effectiveness of the program.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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