

SENATE BILL REPORT

SB 5644

As of January 14, 2022

Title: An act relating to providing quality behavioral health co-response services.

Brief Description: Concerning providing quality behavioral health co-response services

Sponsors: Senators Wagoner and Frock.

Brief History:

Committee Activity: Health & Long Term Care: 1/12/22 [w/oRec-BH].

Behavioral Health Subcommittee to Health & Long Term Care: 1/14/22.

Brief Summary of Bill

- Requires the Washington Association of Sheriffs and Police Chiefs (WASPC) to partner with a statewide organization consisting of individuals working in co-response programs to establish professional development activities for co-response professionals, including a learning academy, four to six learning sites, and development of a certification program for co-response behavioral health professionals in collaboration with the Department of Health.
- Requires WASPC to hire a co-response training coordinator to coordinate these activities.
- Requires WASPC to deliver workforce development recommendations specific to co-response programs to the Governor and Legislature by June 30, 2023.

SENATE COMMITTEE ON BEHAVIORAL HEALTH SUBCOMMITTEE TO HEALTH & LONG TERM CARE

Staff: Kevin Black (786-7747)

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

Background: Co-Response Programs. A co-response program is a program in which non-law enforcement personnel, such as a mental health worker, responds alongside a police officer, fire fighter, or EMS worker, to the scene of an emergency or other situation that would traditionally be responded to solely by law enforcement. The state of Washington has created grants to fund co-response programs, including \$10 million for the 2021-2023 biennium for a Mental Health Field Response Team program administered by the Washington Association of Sheriffs and Police Chiefs (WASPC).

Washington Association of Sheriffs and Police Chiefs. WASPC is an association founded in 1963 consisting of executive and top management personnel from law enforcement agencies statewide, combining local, state, tribal, and federal law enforcement in a single body. The 1975 Legislature made WASPC a legal entity, designating the association as a "combination of units of local government." WASPC administers a number of programs that receive state funding, including the 24/7 Sobriety Program, the Jail Booking and Reporting System, Officer Wellness Resources and Behavioral Health Support and Suicide Prevention Grant Program, and the aforementioned Mental Health Field Response Teams Program.

Co-Responder Outreach Alliance. The Co-Responder Outreach Alliance (CROA) is a statewide organization of first responders, behavioral health professionals, and project managers working in co-response programs. CROA was formed in 2018 by co-response teams in Bellevue and Everett. Its governing board was created in 2021.

Summary of Bill: Subject to funding, WASPC must partner with a statewide organization of first responders, behavioral health professionals, and project managers working in co-response programs to:

- establish a co-responder learning academy in 2022, allowing individuals working in co-response to convene for training, networking, and sharing of best practices;
- establish four to six learning sites where individuals interested in co-response can spend a day learning with an experienced co-response team;
- partner with the Department of Health to develop a certification specific to behavioral health professionals working in the co-response field; and
- report on progress and present workforce development recommendations specific to co-response programs to the Governor and Legislature by June 30, 2023.

The co-responder learning academy must include track offerings for different size jurisdictions, and for co-response programs based in police, fire, and emergency medical response. The learning sites must have structured learning components and areas of instruction.

WASPC must hire a co-response training coordinator with consultation and consent from the statewide organization of first responders, behavioral health professionals, and project managers to coordinate these activities. The coordinator must work closely with this organization and consult with a spectrum of co-response programs and other relevant

entities such as the Washington State Fire Fighter's Association and the Department of Health.

Appropriation: None.

Fiscal Note: Available.

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

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

Staff Summary of Public Testimony: PRO: A bright spot for law enforcement over the last few years has been working with embedded social workers or counselors. By and large this has proved a successful model, although it hasn't been particularly standardized. The genesis of this idea came from proponents of a curriculum at Shoreline College, who pointed out there can be a culture clash when different professions approach problems differently. There isn't a mechanism to standardize education for a co-responder. I prefer a framework that is not too prescriptive and will work across the state. Thank you for recognizing that fire-based co-response programs are working well and should be supported. Most of the clients we see are experiencing some form of a behavioral health disorder. Our personnel have little to no behavioral health training. This bill provides an opportunity to standardize training and provide better care and service for our community. Sending social workers out with law enforcement officers reduces use of force, is cost effective, and reduces the use of jail. I support building capacity for training. Society is asking for alternative approaches. Co-response programs have grown dramatically in the past several years. We are aware of over 30 co-response organizations. Things are changing from a police-centric model to a fire or emergency medical services-centric model. Washington is a leader in co-response, but we are becoming a victim of our own success, without state standards. Job openings appear without qualified people to fill them. This bill addresses these issues. The learning sites will create peer-to-peer learning with standard expectations from the visit.

CON: We support the concept, but it's a matter of how it's going to be done. The system is full of treatment without consent, use of seclusion and restraint, and use of psychiatric drugs. Coercive practices create the risk of negative consequences. Using nonconsensual measures is a sign of systemic failure.

OTHER: We love what this bill is trying to do, but we, WASPC, do not have the level of competence to do what the bill requires. Please choose someone else. We should think in terms of standards instead of certification, which can get tricky. We like the concept but oppose certification. There should be more people at the table to figure out where to put this and how to accomplish the goals. Designated crisis responders see the need on the ground every day for collaboration between behavioral health professionals and law enforcement. We want to work with you on amendments to improve the bill.

Persons Testifying: PRO: Senator Keith Wagoner, Prime Sponsor; Brook Buettner, North Sound RADAR Navigator Program; Kimberly Hendrickson, City of Poulsbo, Co-Responder Outreach Alliance; Joe Frank, Bellingham Fire Department.

CON: Steven Pearce, Citizens Commission on Human Rights.

OTHER: James McMahan, Washington Association of Sheriffs & Police Chiefs; Brad Banks, Behavioral Health Administrative Services Organizations; Bob Cooper, National Association of Social Workers; Jessica Shook, Washington Association of Designated Crisis Responders.

Persons Signed In To Testify But Not Testifying: Tanya Morris, citizen; Malora Christensen, Whatcom County GRACE & LEAD; Jay Kernkamp, Co-Responder Outreach Alliance; Carrie Christensen, Spokane Police Department.