
HOUSE BILL 2045

State of Washington

67th Legislature

2022 Regular Session

By Representatives Bronoske, Leavitt, and Fey

Read first time 01/19/22. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to equitable geographic distribution of community
2 placements for persons releasing from a state hospital to a less
3 restrictive placement after committing acts constituting a violent
4 felony; amending RCW 71.05.365; and adding a new section to chapter
5 71.05 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 71.05
8 RCW to read as follows:

9 (1) In a case where the court has made an affirmative special
10 finding under RCW 71.05.280(3)(b), at the time when it becomes
11 appropriate to develop an individualized discharge plan for the
12 person, the secretary shall work with the entity or entities
13 responsible for the community treatment of the person to develop an
14 individualized discharge plan that is within the person's county of
15 origin, unless it is determined by the secretary that the person's
16 return to his or her county of origin would be inappropriate
17 considering any court-issued protection orders, victim safety
18 concerns, the availability of appropriate treatment, negative
19 influences on the person, or the location of family or other persons
20 or organizations offering support to the person.

1 (2) If an individualized discharge plan under subsection (1) of
2 this section calls for placement outside of the county of origin, and
3 there are two or more options for placement, the secretary shall
4 develop the individualized discharge plan in a manner that does not
5 have a disproportionate effect on a single county. The secretary
6 shall additionally provide the law and justice council of the county
7 in which the person is to be discharged with a written explanation as
8 to why the placement was chosen.

9 (3) For purposes of this section, "county of origin" means the
10 county in which the person was most recently enrolled in services
11 prior to the current commitment, another county within the same
12 regional service area, or, if the person was not enrolled in services
13 prior to the current commitment, a county within the same regional
14 service area as the county where the person was criminally charged
15 prior to commitment.

16 **Sec. 2.** RCW 71.05.365 and 2019 c 325 s 3008 are each amended to
17 read as follows:

18 When a person has been involuntarily committed for treatment to a
19 hospital for a period of (~~ninety~~) 90 or (~~one hundred eighty~~) 180
20 days, and the superintendent or professional person in charge of the
21 hospital determines that the person no longer requires active
22 psychiatric treatment at an inpatient level of care, the behavioral
23 health administrative services organization, managed care
24 organization, or agency providing oversight of long-term care or
25 developmental disability services that is responsible for resource
26 management services for the person must work with the hospital to
27 develop an individualized discharge plan and arrange for a transition
28 to the community in accordance with the person's individualized
29 discharge plan within (~~fourteen~~) 14 days of the determination. An
30 individualized discharge plan in any case where the court has made an
31 affirmative special finding under RCW 71.05.280(3)(b) shall be
32 developed in compliance with the requirements of section 1 of this
33 act.

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