

# ***HOUSE BILL ANALYSIS***

## ***SSB 6749***

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**Title:** An act relating to chemical dependency.

**Brief Description:** Changing provisions relating to persons incapacitated by a chemical dependency.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Long, Hargrove, Haugen, Stevens, Winsley, McAuliffe and Patterson).

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### **HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES**

**Meeting Date:** February 23, 2000.

**Bill Analysis Prepared by:** Deborah Frazier (786-7152).

**Background:** Under current law, a chemical dependency specialist may file an involuntary treatment petition for a person:

- (1) who is chemically dependent and is incapacitated by alcohol or drug addiction;  
OR
- (2) who has twice before, in the preceding 12 months, been voluntarily admitted for detoxification or chemical dependency treatment, and is in need of a more sustained treatment program;  
OR
- (3) who is chemically dependent and has threatened, attempted, or inflicted physical harm on another and is likely to inflict physical harm on another unless committed.

"Incapacitated," as applied in (1) above, is defined by two tests:

- the person is incapable of making a rational decision regarding the need for treatment;  
and
- presents a likelihood of serious harm to self or others.

**Summary of Bill:** The bill changes the definition of "incapacitated" to:

- the person presents a likelihood of serious harm to self or others;  
OR
- the person is gravely disabled.

This change means that a chemical dependency specialist may seek an involuntary treatment petition if the person meets one test for incapacitation, rather than both.

The bill also updates the definition of "likelihood of serious harm" to the current usage in the mental health involuntary treatment statutes.

***Appropriation:*** None.

***Fiscal Note:*** Available.

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