

HOUSE BILL REPORT

SB 5759

As Reported By House Committee On:
Human Services

Title: An act relating to persons incapacitated by alcohol and other drugs.

Brief Description: Extending the involuntary treatment act to cover the commitment of chemically dependent adults.

Sponsors: Senators McAuliffe, Prentice, Skratek, Loveland, von Reichbauer, Haugen, Prince, McDonald, Drew, Owen, Moyer, Erwin, Winsley, Anderson and M. Rasmussen.

Brief History:

Reported by House Committee on:
Human Services, March 25, 1993, DP.

HOUSE COMMITTEE ON HUMAN SERVICES

Majority Report: Do pass. Signed by 8 members: Representatives Riley, Vice Chair; Cooke, Ranking Minority Member; Talcott, Assistant Ranking Minority Member; Karahalios; Lisk; Padden; Patterson; and Thibaudeau.

Staff: John Welsh (786-7133).

Background: The Involuntary Treatment Act provides for the involuntary commitment of both adults and minors who are incapacitated as a result of alcoholism.

Minors are also subject to involuntary treatment for drug addiction. But there is no authority for the involuntary commitment of adults for the treatment of drug addiction.

Short of involuntary commitment for treatment, any person who appears to be incapacitated or gravely disabled by alcohol or other drugs, and who is in a public place or who has threatened, attempted, or inflicted harm on himself, herself or another, could be taken into protective custody for up to 72 hours for detoxification.

Under the procedures provided in the law, the designated county chemical dependency specialist, through the prosecuting attorney, files petitions for involuntary commitment with the Superior or district court alleging that a person is incapacitated by alcohol or other drug

addiction, or has been referred to detoxification twice before in a 12 month period, or as an alcoholic or drug addict has threatened, attempted or inflicted harm on another and is likely to continue unless committed. A hearing is held by the court within seven days, and the court may commit the person to an approved treatment program for up to 60 days upon a finding by clear, cogent, and convincing evidence. The person may be recommitted for a further period of up to 90 days.

Summary of Bill: Adults incapacitated as a result of chemical dependency, which includes alcohol or drug addiction, are subject to the involuntary commitment procedures for treatment under the Involuntary Treatment Act.

The legislative purpose is declared to solely provide authority for the involuntary commitment of persons under this act within available funds and current programs and facilities.

Fiscal Note: Available.

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

Testimony For: Both minors and adults can be treated under the law for alcohol addiction. But only minors can be treated for drug addiction. The bill is necessary to address this serious problem that affects not only individuals but society. Associated with chemical addiction are 54 percent of violent crimes, 74 percent of suicides and over 50 percent of rapes, assaults and domestic violence. Counties need the authority to send adult, drug addicted, offenders for treatment when appropriate.

Testimony Against: None.

Witnesses: Ken Stark, Department of Social and Health Services; and Joan Egidio, citizen.