

HOUSE BILL REPORT

HB 2511

As Passed Legislature

Title: An act relating to involuntary treatment.

Brief Description: Petitioning for involuntary treatment.

Sponsors: Representatives Leonard, Cooke, Thibaudeau, King and Ogden; by request of Department of Social and Health Services.

Brief History:

Reported by House Committee on:
Human Services, February 3, 1994, DP;
Passed House, February 11, 1994, 93-0;
Amended by Senate;
House concurred;
Passed Legislature, March 6, 1994, 89-0.

HOUSE COMMITTEE ON HUMAN SERVICES

Majority Report: Do pass. Signed by 11 members:
Representatives Leonard, Chair; Thibaudeau, Vice Chair;
Cooke, Ranking Minority Member; Talcott, Assistant Ranking
Minority Member; Brown; Caver; Karahalios; Lisk; Padden;
Patterson and Wolfe.

Staff: John Welsh (786-7133).

Background: State law provides for the involuntary commitment of persons who are incapacitated by alcohol or other psychoactive chemicals and who have impaired judgment with respect to the need for treatment. Under such circumstances, a person may be committed who constitutes a danger to self, to others or to property.

Summary of Bill: For the purpose of commitment, the risk of dangerousness presented by an impaired person is clarified. A person incapacitated by alcohol or other psychoactive chemicals is subject to involuntary treatment if he or she presents a substantial risk and likelihood of serious harm to himself or herself, to any other person or to property.

At least two-thirds of the members of the Citizens Advisory Council must be recipients of alcohol or drug addiction services in recovery for at least two years. Department rules and policies on treatment must be done in

collaboration with departmental staff, local government and treatment providers.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: A court decision held that the current standard of dangerousness a person must exhibit to be subject to involuntary treatment was insufficient to justify loss of liberty, even for treatment purposes. The new language is identical to the involuntary treatment law for mental illness and represents a more compelling level of dangerousness for involuntary commitment which has withstood judicial scrutiny.

Testimony Against: None.

Witnesses: Linda Grant, Association of Alcoholism Programs (pro); Ken Stark, Department of Social and Health Services (pro); and Bonnie Jacques, Department of Social and Health Services (pro).