

SENATE BILL REPORT

SHB 2345

As Reported By Senate Committee On:
Human Services & Corrections, February 24, 2000

Title: An act relating to rule-making authority for the special commitment center.

Brief Description: Requiring the secretary of social and health services to adopt rules for oversight and operation of the sexually violent predator program.

Sponsors: House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Ballasiotes, Ruderman, Hurst and Lovick; by request of Department of Social and Health Services).

Brief History:

Committee Activity: Human Services & Corrections: 2/17/2000, 2/24/2000 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Sheahan, Stevens and Zarelli.

Staff: Fara Daun (786-7459)

Background: The Department of Social and Health Services (DSHS) operates the Special Commitment Center for sexually violent predators. The Special Commitment Center is located on McNeil Island and, following litigation, has been the subject of oversight by a federal court. The court has required the department to take a number of specific actions to bring the program into compliance with the court's interpretation of the purposes of the law. Although the secretary of DSHS has general authority to accomplish the responsibilities of the department, DSHS has requested a clear and specific grant of authority within Chapter 71.09 RCW to take the actions required by the court.

Summary of Bill: The DSHS secretary is granted specific authority to adopt rules pursuant to the Administrative Procedure Act for the oversight and operation of the Special Commitment Center. The rules must include provisions for an annual inspection of the Special Commitment Center and requirements for treatment plans and record retention. There is an emergency clause.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The department needs this authority. The differences between the House and Senate versions are not significant to the Special Commitment Center and the department has no preference on which version of the bill is passed.

Testimony Against: None.

Testified: Mark Seeling, Special Commitment Center (pro).