

SENATE BILL REPORT

SSB 5047

As Passed Senate, February 17, 1999

Title: An act relating to the sharing of information received by mental health professionals performing services under chapter 10.77 RCW.

Brief Description: Changing the standards for information sharing among mental health professionals.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Long, Hargrove and Costa).

Brief History:

Committee Activity: Human Services & Corrections: 1/14/99, 1/28/99 [DPS].
Passed Senate, 2/17/99, 49-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5047 be substituted therefor, and the substitute bill do pass.

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

Staff: Fara Daun (786-7459)

Background: Under 1998 legislation that becomes effective March 1, 1999, a defendant whose misdemeanor charges have been dismissed due to his or her incompetency but who remains in custody is required to have an additional mental health evaluation under the civil commitment statute. Concern exists that present law does not permit the professionals providing the evaluation and treatment services or follow-up services to obtain relevant information or records without the consent of the patient.

Summary of Bill: Professionals providing evaluation and treatment or follow-up services under the criminal insanity law are permitted to obtain relevant mental health information or records without the patient's consent.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This permits forensic evaluators and treatment staff to receive information about a person's civil commitment history. This information is important, even critical, to the ability to provide accurate reports to the court on competency to stand trial, sanity, and dangerousness of the person. The information is also important to treatment decisions.

Testimony Against: None.

Testified: Jann Hoppler, Mental Health Division, DSHS (pro).