

# HOUSE BILL REPORT

## SHB 1292

---

---

**As Passed House:**

March 13, 2001

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

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

**Sponsors:** By House Committee on Children & Family Services (originally sponsored by Representatives Tokuda, Campbell, Boldt, Miloscia, Kagi, Morell, Darneille and Veloria).

**Brief History:**

**Committee Activity:**

Children & Family Services: 2/15/01, 2/22/01 [DPS].

**Floor Activity:**

Passed House: 3/13/01, 94-0.

**Brief Summary of Substitute Bill**

- A chemical dependency specialist may seek an involuntary treatment petition if the person meets one test for incapacitation, rather than two.
- Incapacitated– is defined as: the person presents a likelihood of serious harm to self or others; OR the person is gravely disabled.
- The definition of likelihood of serious harm– is updated to reflect to the current usage in the mental health involuntary treatment statutes.

---

### HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Boldt, Republican Co-Chair; Tokuda, Democratic Co-Chair; Kagi, Democratic Vice Chair; Morell, Republican Vice Chair; Ballasiotes, Campbell, Darneille, Dickerson, Miloscia and Pflug.

**Staff:** Deborah Frazier (786-7152).

**Background:**

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 allow a chemical dependency specialist to seek an involuntary treatment petition if the person meets one test for incapacitation, rather than two.

Incapacitated– is defined as: the person presents a likelihood of serious harm to self or others; OR the person is gravely disabled.

The bill updates the definition of likelihood of serious harm– to the current usage in the mental health involuntary treatment statutes, and clarifies that counties may, but are not required to, appoint a County-Designated Mental Health Professional to perform detention and commitment duties.

---

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on February 23, 2001.

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

**Testimony For:** We’ve looked at the top 20 users of acute alcohol and detox units, jails, and Harborview’s emergency room and inpatient hospitalization. The cost to serve these individuals’ acute needs was over one million dollars in one year. If we had treated these folks’ chronic use of alcohol, we could have avoided some of these costs. This bill will allow us to intervene earlier with this group of individuals, target our limited resources

and save money in the long term.

**Testimony Against:** None.

**Testified:** (In support) Ken Stark, Department of Social and Health Services; Patrick Vanzo, King County Department of Community & Human Services; Ed Dwyer-O'Conner, Harborview Medical Center; Donald Lachman, Chronic Public Inebriate Partnership; Brenda Peter, Downtown Seattle Association; and Terri Johnston, Seattle Police Department.