

SENATE BILL REPORT

SB 6292

As of January 27, 2010

Title: An act relating to providing notice of release from involuntary treatment.

Brief Description: Providing notice of release from involuntary treatment.

Sponsors: Senator Brandland.

Brief History:

Committee Activity: Human Services & Corrections: 1/26/10.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Kevin Black (786-7747)

Background: Involuntary commitments for mental health treatment are initiated by designated mental health professionals (DMHP). The commitment may last for a renewable period of 72 hours, 14 days, 90 days, or 180 days. It is not uncommon for a person who is detained by a DMHP to be transported across county lines for treatment at an evaluation and treatment facility or state hospital. Once an individual is discharged from commitment, the individual may receive a less restrictive order (LRO) or conditional release order specifying conditions of release, including cooperation with mental health treatment. A DMHP may initiate a new commitment on the basis of noncompliance with a LRO or conditional release order in circumstances which would not otherwise justify civil commitment.

Summary of Bill: Whenever a person who is involuntarily committed for mental health treatment is discharged from an evaluation and treatment facility or a state hospital, the evaluation and treatment facility or state hospital must provide notice of the discharge and a copy of any LRO or conditional release order to the DMHP's office in the county where the commitment was initiated, and the DMHP's office in the county where the individual is expected to reside. This notice must be provided within one calendar day.

Appropriation: None.

Fiscal Note: Requested on January 20, 2010.

Committee/Commission/Task Force Created: No.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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

Staff Summary of Public Testimony: PRO: I was surprised to learn that a DMHP office sometimes does not receive notice when a detained person is released. If the DMHP has knowledge, the DMHP can enforce any conditions of release to protect the patient and the community. The bill should be strengthened by requiring notice to law enforcement to enhance public safety.

CON: Discharge staff are concerned that they may not be able to determine what DMHP offices to contact, and whether those offices will give sufficient protection to the privacy of medical information.

Persons Testifying: PRO: Senator Brandland, prime sponsor; Chief John Turner, Snohomish City Police.

CON: Jackie Der, Harborview Medical Center.