

FINAL BILL REPORT

SSB 5187

C 302 L 11
Synopsis as Enacted

Brief Description: Concerning the accountability of mental health professionals employed by an evaluation and treatment facility for communicating with a parent or guardian about the option of parent-initiated mental health treatment.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Becker, Keiser, Hargrove, Stevens and Carrell).

Senate Committee on Human Services & Corrections
House Committee on Early Learning & Human Services
House Committee on Health & Human Services Appropriations & Oversight

Background: A parent in Washington may consent to mental health treatment on behalf of a minor child provided that a professional person determines that there is a medical necessity for treatment. An evaluation and treatment facility (E&T) is not obligated to provide treatment to the minor but may not refuse solely on the basis of the lack of consent of the minor. A minor who does not consent to treatment may petition a superior court for review as to whether such treatment is based upon medical necessity.

In 2003 and 2005, the Legislature passed bills obligating an E&T to promptly provide notice of all available treatment options to a parent or guardian of a minor who seeks treatment for that minor, including the option for parent-initiated treatment.

Summary: A hospital emergency room or inpatient psychiatric facility which provides services to minors must inform a parent or guardian of a minor who is seeking treatment for that minor of all statutorily available treatment options, including the option for parent-initiated treatment. This notice must be provided verbally and in writing, and the notice must be documented by the facility and accompanied by a signed receipt from the parent or guardian. A facility who fails to provide notice is subject to a civil penalty of \$1,000 unless the facility is licensed by the Department of Health (DOH), in which case DOH is authorized to enforce this provision through its authority to deny, suspend, revoke, or modify the facility's license.

Facilities subject to this legislation must develop policies and protocols respecting notification by December 1, 2011. The Department of Social and Health Services and DOH must provide a detailed report to the Legislature regarding the facilities' compliance by December 1, 2012.

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.

Votes on Final Passage:

Senate	48	0	
House	95	0	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 22, 2011.