

SSB 5456 - H COMM AMD
By Committee on Judiciary

ADOPTED 04/17/2013

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 71.05 RCW
4 to read as follows:

5 A designated mental health professional conducting an evaluation of
6 a person under RCW 71.05.150 or 71.05.153 must consult with any
7 examining emergency room physician regarding the physician's
8 observations and opinions relating to the person's condition, and
9 whether, in the view of the physician, detention is appropriate. The
10 designated mental health professional shall take serious consideration
11 of observations and opinions by examining emergency room physicians in
12 determining whether detention under this chapter is appropriate. The
13 designated mental health professional must document the consultation
14 with an examining emergency room physician, including the physician's
15 observations or opinions regarding whether detention of the person is
16 appropriate.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 71.05 RCW
18 to read as follows:

19 A designated mental health professional who conducts an evaluation
20 for imminent likelihood of serious harm or imminent danger because of
21 being gravely disabled under RCW 71.05.153 must also evaluate the
22 person under RCW 71.05.150 for likelihood of serious harm or grave
23 disability that does not meet the imminent standard for emergency
24 detention."

25 Correct the title.

EFFECT: Removes the provisions stating that the fact that a mental

disorder is caused by an underlying medical condition is not a reason to withhold involuntary detention, and the fact that a person has been involuntarily detained does not give the right to provide medical treatment against the person's will except under specified circumstances.

Removes the provisions allowing an examining physician who disagrees with a DMHP's decision not to detain a person to submit a declaration, and requiring the DMHP to provide a written response to the declaration. Provides instead that a DMHP must consult with any examining emergency room physician and document the consultation and any observations or opinions by the examining emergency room physician regarding whether detention of the person is appropriate.

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