

2SHB 1627 - S COMM AMD

By Committee on Human Services & Corrections

NOT CONSIDERED

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 10.77 RCW
4 to read as follows:

5 (1) If, at the time of a referral for an evaluation of competency
6 to stand trial in a jail for an in-custody defendant, the department
7 has not met its performance target for timely completion of competency
8 evaluations under RCW 10.77.068(1)(a)(ii) during the most recent
9 quarter in fifty percent of cases submitted by the referring county, as
10 documented in the most recent quarterly report under RCW 10.77.068(3)
11 or confirmed by records maintained by the department, the department
12 shall reimburse the county for the cost of appointing a qualified
13 expert or professional person under RCW 10.77.060(1)(a) subject to
14 subsections (2) and (3) of this section.

15 (2) Appointment of a qualified expert or professional person under
16 this section must be from a list of qualified experts or professional
17 persons assembled with participation by representatives of the
18 prosecuting attorney and the defense bar of the county.

19 (3) A qualified expert or professional person appointed by a court
20 under this section must be compensated for competency evaluations in an
21 amount that will encourage in-depth evaluation reports. Subject to the
22 availability of funds appropriated for this specific purpose, the
23 department shall reimburse the county in an amount determined by the
24 department to be fair and reasonable with the county paying any excess
25 costs. The amount of reimbursement established by the department must
26 at least meet the equivalent amount for evaluations conducted by the
27 department. The county shall maintain data on the timeliness of
28 competency evaluations completed under this section. If the defendant
29 is subsequently referred for admission to the state hospital, the

1 county shall provide the state hospital with a copy of the evaluation
2 report.

3 (4) Nothing in this section precludes either party from objecting
4 to the appointment of an evaluator on the basis that an inpatient
5 evaluation is appropriate under RCW 10.77.060(1)(d).

6 (5) This section expires June 30, 2016.

7 NEW SECTION. **Sec. 2.** Within current resources, the office of the
8 state human resources director shall gather market salary data related
9 to psychologists and psychiatrists employed by the department of social
10 and health services and department of corrections and report to the
11 governor and relevant committees of the legislature by June 30, 2013.

12 NEW SECTION. **Sec. 3.** Section 2 of this act is necessary for the
13 immediate preservation of the public peace, health, or safety, or
14 support of the state government and its existing public institutions,
15 and takes effect immediately."

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16 On page 1, line 1 of the title, after "evaluations;" strike the
17 remainder of the title and insert "adding a new section to chapter
18 10.77 RCW; creating a new section; providing an expiration date; and
19 declaring an emergency."

EFFECT: The county must maintain data on the timeliness of
competency evaluations under this section. A subject to appropriation
clause is added, and an emergency clause restricted to section 2 so
that a report may be provided by June 30, 2013. Other technical
amendments and clarifications.

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