
Judiciary Committee

HB 2453

Title: An act relating to improving oversight of the state hospitals.

Brief Description: Improving oversight of the state hospitals.

Sponsors: Representatives Jinkins, Rodne, Cody, Schmick, Chandler, Dunshee, Muri, Kilduff and Ormsby.

Brief Summary of Bill

- Creates a Legislative State Hospital Authority (Authority) to serve as a consultant to the Legislature on funding and policy matters related to the state hospitals and perform oversight functions with respect to the state hospitals.
- Forms the Joint Select Committee on State Hospital Oversight, which is tasked with appointing and receiving reports from the Authority.

Hearing Date: 1/26/16

Staff: Omeara Harrington (786-7136).

Background:

The Department of Social and Health Services (DSHS) operates two state-owned psychiatric hospitals for the care of adults with mental illnesses: Western State Hospital, located in Lakewood, and Eastern State Hospital, located in Medical Lake. Western State Hospital provides services to individuals in western Washington counties and has over 800 beds. Eastern State Hospital is a 287-bed facility serving counties in eastern Washington. Funding was provided for additional inpatient capacity at Western State Hospital and Eastern State Hospital in the 2015-17 budget. The DSHS also operates the Child Study and Treatment Center in Lakewood, a 47-bed facility that provides psychiatric services for children 5-18 years old throughout the state.

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.

The state hospitals provide inpatient mental health treatment to persons involuntarily committed under a variety of circumstances. A person may be committed to a state hospital through a civil process under the Involuntary Treatment Act if, due to a mental disorder, he or she poses a likelihood of serious harm or is gravely disabled. The state hospitals also provide services to persons involuntarily committed through the forensic system. A forensic commitment may be for the purpose of competency to stand trial evaluation or restoration services, or may be the result of an insanity acquittal. Due to recent litigation regarding the timeliness of competency to stand trial services, DSHS is currently under the observation of a court-appointed monitor with respect to its provision of competency-related services.

Summary of Bill:

The position of the Legislative State Hospital Authority is created. The Authority serves both as a consultant to the Legislature on funding and policy matters related to the state hospitals, and in an oversight capacity with respect to the state hospitals. For purposes of the act, "state hospitals" includes Eastern State Hospital and Western State Hospital.

The Authority must be a nationally recognized expert on publicly funded mental health systems, with particular expertise in the legal, policy, and fiscal aspects of operating public facilities that provide involuntary mental health treatment to civil and forensic mental health patients.

Specific responsibilities are assigned to the Authority. As needed to carry out these responsibilities, the Authority must be granted physical access to the state hospitals, as well as access to all relevant information and databases in the possession of the DSHS and the Health Care Authority related to the administration of mental health services at the state hospitals.

The Authority must monitor the operations of the state hospitals, which includes, at a minimum:

- reviewing the policies and procedures established by the DSHS to carry out its responsibilities in delivering state hospital services;
- reviewing the implementation of applicable laws;
- assessing facility operations, including hospital safety, timely provision of services, management practices, and sufficiency of staffing models; and
- investigating inquiries assigned by the Joint Select Committee on State Hospital Oversight.

To the extent necessary to achieve or maintain operational stability and legal compliance, the Authority may recommend or require modifications of agency practices and policies and reprioritization of expenditures of appropriated funding.

The Joint Select Committee on State Hospital Oversight (Committee) is created, and consists of the chairs and ranking members of the Senate committees on: Health Care; Human Services, Mental Health and Housing; and Ways and Means; as well as the chairs and ranking members of the House of Representatives committees on: Health Care; Judiciary; and Appropriations. The Committee must review candidates and contract for the services of the Authority.

The Authority must submit reports at regular intervals to the Committee containing, at a minimum: (1) an overview and analysis of the information the Authority collected during monitoring; (2) any required or recommended changes in agency policies, practices, or funding

priorities; and (3) any recommendations for legislative changes. In addition, the Committee may submit specific investigative inquiries to the Authority. The Committee may make recommendations for legislative changes based on the Authority's findings and recommendations.

Appropriation: None.

Fiscal Note: Requested on 1/21/16.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.