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HOUSE BILL 1536

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Klippert, Cody, Goodman, Muri, Stokesbary, Haler, Hayes, Tharinger, and Wylie

Read first time 01/22/15. Referred to Committee on Judiciary.

1 AN ACT Relating to the timing of emergency detentions and  
2 assessments under the involuntary treatment act; and reenacting and  
3 amending RCW 71.05.153.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 71.05.153 and 2011 c 305 s 8 and 2011 c 148 s 2 are  
6 each reenacted and amended to read as follows:

7 (1) When a designated mental health professional receives  
8 information alleging that a person, as the result of a mental  
9 disorder, presents an imminent likelihood of serious harm, or is in  
10 imminent danger because of being gravely disabled, after  
11 investigation and evaluation of the specific facts alleged and of the  
12 reliability and credibility of the person or persons providing the  
13 information if any, the designated mental health professional may  
14 take such person, or cause by oral or written order such person to be  
15 taken into emergency custody in an evaluation and treatment facility  
16 for not more than seventy-two hours as described in RCW 71.05.180.

17 (2) A peace officer may take or cause such person to be taken  
18 into custody and immediately delivered to a triage facility, crisis  
19 stabilization unit, evaluation and treatment facility, or the  
20 emergency department of a local hospital under the following  
21 circumstances:

1 (a) Pursuant to subsection (1) of this section; or

2 (b) When he or she has reasonable cause to believe that such  
3 person is suffering from a mental disorder and presents an imminent  
4 likelihood of serious harm or is in imminent danger because of being  
5 gravely disabled.

6 (3) Persons delivered to a crisis stabilization unit, evaluation  
7 and treatment facility, emergency department of a local hospital, or  
8 triage facility that has elected to operate as an involuntary  
9 facility by peace officers pursuant to subsection (2) of this section  
10 may be held by the facility for a period of up to twelve hours from  
11 the time of medical clearance.

12 (4) Within three hours of arrival, the person must be examined by  
13 a mental health professional. Within twelve hours of (~~arrival~~) the  
14 person being medically cleared, the designated mental health  
15 professional must determine whether the individual meets detention  
16 criteria. If the individual is detained, the designated mental health  
17 professional shall file a petition for detention or a supplemental  
18 petition as appropriate and commence service on the designated  
19 attorney for the detained person. If the individual is released to  
20 the community, the mental health provider shall inform the peace  
21 officer of the release within a reasonable period of time after the  
22 release if the peace officer has specifically requested notification  
23 and provided contact information to the provider.

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