

FINAL BILL REPORT

HB 1589

C 322 L 09
Synopsis as Enacted

Brief Description: Addressing venue for hearings to modify or revoke an order for conditional release.

Sponsors: Representatives Green, Dickerson and O'Brien.

House Committee on Human Services
Senate Committee on Human Services & Corrections

Background:

Under the Involuntary Treatment Act, a court may order a person to be civilly committed if there is sufficient evidence that they are gravely disabled or have a likelihood to cause serious harm to themselves or others. In some circumstances, rather than involuntarily confining a person to a facility for inpatient treatment, the court may decide that it is in the best interest of a person to be released to a less restrictive alternative (LRA), which is effectively involuntary outpatient treatment.

The hospital or facility which provides the involuntary outpatient care may petition to revoke the LRA if it determines that the person ordered by the court to complete the outpatient treatment: (1) is failing to adhere to the terms and conditions of that order; (2) is showing evidence of substantial decompensation which may be reversed by further inpatient treatment; (3) has had substantial deterioration of functioning; or (4) poses a likelihood of serious harm. The designated mental health professional or the Secretary of the Department of Social and Health Services may order that the conditionally released person be apprehended and taken into custody. Pending a hearing for a revocation of a LRA order, the person must be temporarily detained, for not more than five days, in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment. Proceedings for revocation of a LRA may be initiated without detaining the person prior to the hearing. In that case, a court hearing must take place not less than five days from the date of service of the petition upon the conditionally released person.

Summary:

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.

As an alternative to filing a petition for revocation of a LRA in the court that originally ordered the LRA, a petition may be filed in a county court in the county in which the respondent is present.

Votes on Final Passage:

House	97	0	
Senate	47	0	(Senate amended)
House	98	0	(House concurred)

Effective: July 26, 2009