

Multiple Agency Fiscal Note Summary

Bill Number: 1275 HB	Title: Involuntary commitment proc
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Estimated Cash Receipts

Agency Name	2009-11		2011-13		2013-15	
	GF- State	Total	GF- State	Total	GF- State	Total
Department of Social and Health Services	0	460,000	0	460,000	0	460,000
Total \$	0	460,000	0	460,000	0	460,000

Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

Estimated Expenditures

Agency Name	2009-11			2011-13			2013-15		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	15.6	1,844,000	2,304,000	15.6	1,844,000	2,304,000	15.6	1,844,000	2,304,000
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total	15.6	\$1,844,000	\$2,304,000	15.6	\$1,844,000	\$2,304,000	15.6	\$1,844,000	\$2,304,000

Local Gov. Courts *									
Local Gov. Other **									
Local Gov. Total									

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Prepared by: Tammy Hay, OFM	Phone: 360-902-0553	Date Published: Final
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

Judicial Impact Fiscal Note

Bill Number: 1275 HB	Title: Involuntary commitment proc	Agency: 055-Admin Office of the Courts
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Part I: Estimates

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No Fiscal Impact

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.

Legislative Contact: Linda Merelle	Phone: 360-786-7092	Date: 01/16/2009
Agency Preparation: Gil Austin	Phone: 360-705-5271	Date: 01/21/2009
Agency Approval: Dirk Marler	Phone: 360-705-5211	Date: 01/21/2009
OFM Review: Cheri Keller	Phone: 360-902-9817	Date: 01/21/2009

Request #

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Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

Section 2

Directs a mental health professional or other professional person conducting an evaluation under RCW 71.05.212 to consider other available treatment records.

Section 3

Redefines what acts are considered recent for the court to consider and sets out how past behavior of the respondent may be associated with a likelihood of serious harm.

Section 4

Requires the Department of Corrections to provide additional records on high risk or high needs offenders.

II. B - Cash Receipts Impact

II. C - Expenditures

The provisions in this bill are not expected to have a measurable fiscal impact on the courts.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Bill Number: 1275 HB	Title: Involuntary commitment proc	Agency: 300-Dept of Social and Health Services
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Part I: Estimates

☐

No Fiscal Impact

Estimated Cash Receipts to:

FUND	FY 2010	FY 2011	2009-11	2011-13	2013-15
General Fund-Federal 001-2	57,000	57,000	114,000	114,000	114,000
General Fund-Private/Local 001-7	173,000	173,000	346,000	346,000	346,000
Total \$	230,000	230,000	460,000	460,000	460,000

Estimated Expenditures from:

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	15.6	15.6	15.6	15.6	15.6
Fund					
General Fund-State 001-1	922,000	922,000	1,844,000	1,844,000	1,844,000
General Fund-Federal 001-2	57,000	57,000	114,000	114,000	114,000
General Fund-Private/Local 001-7	173,000	173,000	346,000	346,000	346,000
Total \$	1,152,000	1,152,000	2,304,000	2,304,000	2,304,000

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐ Capital budget impact, complete Part IV.

☐ Requires new rule making, complete Part V.

Legislative Contact: Linda Merelle	Phone: 360-786-7092	Date: 01/16/2009
Agency Preparation: Janet Crader	Phone: 360-902-8068	Date: 02/02/2009
Agency Approval: Mariann Schols	Phone: 360-902-8255	Date: 02/02/2009
OFM Review: Tammy Hay	Phone: 360-902-0553	Date: 02/04/2009

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 3 (1) - a trier of fact must consider prior recent acts that would indicate a likelihood of serious harm. Recent is clarified as meaning within the past three years. This will increase civil commitments to evaluation and treatment facilities or state hospitals.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Federal funds are Title XIX and local funds.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The following assumptions were used to arrive at the expenditure impacts:

In 2007, Western State Hospital (WSH) catchment area had 6,519 involuntary detentions. Of those involuntary detentions, 7.61% turned into 90 day commitment admissions at WSH. In 2008, 7.34% of involuntary detentions turned into 90 day commitments. To calculate the projected number of 90 day commitments from 2009 through 2015, an average of the percentages from those 2 years (7.48%) is used.

In 2007, Eastern State Hospital (ESH) catchment area had 1,850 involuntary detentions. Of those involuntary detentions, 12.76% turned into 90 day commitment admissions at ESH. In 2008, 12.67% of involuntary detentions turned into 90 day commitments. To calculate the projected number of 90 day commitments from 2009 through 2015, an average of the percentages from those 2 years (12.72%) is used.

In 2008, admissions for 90 day commitments at Western State Hospital were 486 and admissions for 90 day commitments at Eastern State Hospital were 238.

With the implementation of HB 1275, the assumption is there will be an expected growth rate of 5% of 90 day commitments for the first year, 2.5% the second year, and flatten out thereafter. This will increase the 90 day commitments in 2010 at Western State Hospital by 26 and at Eastern State Hospital by 12, for a total of 38.

The attachments include spreadsheets calculating 90 day commitment admission projections for each hospital, and staffing levels to accommodate increases in patients. The staffing levels are projected based on a model that identifies costs associated with opening a ward. The total cost of a ward (\$4.608M) equates to 62.4 FTE (which includes support staff) annually.

Fiscal Impact:

Western State Hospital (WSH) – When applying the 5% increase in 90 day commitments, there is a need for an

additional 26 beds which equates to 2,304 bed days in FY 2010. The effective date of the bill is January 2010. For 6 months of FY 2010, an assumption is made that only half of the 2,304 bed days are needed. Since 10,950 bed days equates to a full ward for an entire year, the additional bed days of 1,152 is approximately 1/8 the cost of a ward. Applying the 2.5% increase in subsequent years, the assumption is the additional bed days are also equal to approximately 1/8 of the cost of a ward. Certain staff and other operating costs are necessary regardless of how full or vacant a ward is. The estimated cost for each fiscal year is \$1,152,000.

Eastern State Hospital (ESH) – Applying the 5% increase in 90 commitments, there is a need for an additional 12 beds which equates to 1,105 bed days in FY 2010. For 6 months of FY 2010, an assumption is made that only half of those bed days, or 552, are needed. This increase equates to approximately 5% of a full ward in FY 10 and 10% of a full ward in subsequent years. It is assumed that ESH can serve the additional clients within current capacity.

See the attachment for detail of staffing costs.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	15.6	15.6	15.6	15.6	15.6
A-Salaries and Wages	685,500	685,500	1,371,000	1,371,000	1,371,000
B-Employee Benefits	246,000	246,000	492,000	492,000	492,000
C-Personal Service Contracts					
E-Goods and Services	200,250	200,250	400,500	400,500	400,500
G-Travel	3,250	3,250	6,500	6,500	6,500
J-Capital Outlays	10,500	10,500	21,000	21,000	21,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	6,500	6,500	13,000	13,000	13,000
9-					
Total:	\$1,152,000	\$1,152,000	\$2,304,000	\$2,304,000	\$2,304,000

III. B - Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2010	FY 2011	2009-11	2011-13	2013-15
Hospital Ward Staff	43,925	15.6	15.6	15.6	15.6	15.6
Total FTE's		15.6	15.6	15.6	15.6	15.6

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

WEST

Year	WA General Population ¹	Western WA General Population ²	Involuntary Detention ³	Number of 90 Day Commitments ⁴	Number of 90 Day Commitments w/ HB 1275 ⁵	90 Day Commitment Variance ⁶	Additional # of Bed Days Needed	Percentage of a Full Ward for an Entire Year (10,950 bed days in one year)
2007	6,488,000	5,053,800	6,519	496				
2008	6,587,600	5,131,200	6,619	486				
2009	6,694,451	5,221,672	6,736	504				
2010	6,803,035	5,306,367	6,845	512	538	26	2,304	21.04%
2011	6,913,380	5,392,436	6,956	520	533	13	1,171	10.69%
2012	7,025,515	5,479,902	7,069	529	542	13	1,190	10.87%
2013	7,139,469	5,568,786	7,184	537	551	13	1,209	11.04%
2014	7,255,271	5,659,111	7,300	546	560	14	1,229	11.22%
2015	7,372,951	5,750,902	7,419	555	569	14	1,249	11.40%

¹ There 1.732% growth from 2006 to 2007 and 1.512% growth from 2007 to 2008. An average growth rate of 1.622% was used for years 2009

² Western Washington has approximately 78% of Washington State's general population.

³ There was 1.26 involuntary detentions per 1000 of population in 2007 and 1.31 in 2008. An average rate of 1.29 was used to project through

⁴ 7.61% of involuntary detentions in 2007 and 7.34% of involuntary detentions in 2008 turned into 90 day commitments. An average of 7.48% was used to project the number of 90 day commitments was used for years 2009 through 2015.

⁵ An expected growth rate of 5% is expected after HB 1275 in 2010 and 2.5% growth is expected each year from 2011 to 2015.

⁶ Actual length of stay may be less than 90 days (rounded to the nearest whole number).

EAST

Year	WA General Population ¹	Eastern WA General Population ²	Involuntary Detention ³	Number of 90 Day Commitments ⁴	Number of 90 Day Commitments w/ HB 1275 ⁵	90 Day Commitment Variance ⁶	Additional # of Bed Days Needed	Percentage of a Full Ward for an Entire Year (10,950 bed days in one year)
2007	6,488,000	1,434,200	1,850	236				
2008	6,587,600	1,456,400	1,879	238				
2009	6,694,451	1,472,779	1,900	242				
2010	6,803,035	1,496,668	1,931	246	258	12	1,105	10.09%
2011	6,913,380	1,520,944	1,962	250	256	6	562	5.13%
2012	7,025,515	1,545,613	1,994	254	260	6	571	5.21%
2013	7,139,469	1,570,683	2,026	258	264	6	580	5.30%
2014	7,255,271	1,596,160	2,059	262	268	7	589	5.38%
2015	7,372,951	1,622,049	2,092	266	273	7	599	5.47%

¹ There 1.732% growth from 2006 to 2007 and 1.512% growth from 2007 to 2008. An average growth rate of 1.622% was used for years 2009

² Eastern Washington has approximately 22% of Washington State's general population.

³ There was 1.26 involuntary detentions per 1000 of population in 2007 and 1.31 in 2008. An average rate of 1.29 was used to project through

⁴ 12.76% of involuntary detentions in 2007 and 12.67% of involuntary detentions in 2008 turned into 90 day commitments. An average of 12.72% was used to project the number of 90 day commitments was used for years 2009 through 2015.

⁵ An expected growth rate of 5% is expected after HB 1275 in 2010 and 2.5% growth is expected each year from 2011 to 2015.

⁶ Actual length of stay may be less than 90 days (rounded to the nearest whole number).

Full Year Costs for One Ward

Annual Costs Per One APU Ward			
FTEs			55.3
A	Salaries	\$	2,421,000
B	Benefits	\$	893,000
E	Goods & Svcs	\$	751,000
G	Travel	\$	9,000
J	Equipment	\$	36,000
TZ	ISSD	\$	23,000
Total		\$	4,133,000

Total Annual Costs for One Ward (Includes Support Staff)			
FTEs			62.4
A	Salaries	\$	2,742,000
B	Benefits	\$	984,000
E	Goods & Svcs	\$	801,000
G	Travel	\$	13,000
J	Equipment	\$	42,000
TZ	ISSD	\$	26,000
Total		\$	4,608,000

60%
21%
17%
0%
1%
1%
100%

Total all Objects		\$	-
Fund Splits			
GF-S	80%	\$	3,686,000
GF-F	5%	\$	231,000
GF-L	15%	\$	691,000
		\$	4,608,000

43,942.31 Avg. salary for ward staff

1/2 Year Costs for One Ward

Annual Costs Per 1/2 APU Ward			
FTEs			27.7
A	Salaries	\$	1,210,500
B	Benefits	\$	446,500
E	Goods & Svcs	\$	375,500
G	Travel	\$	4,500
J	Equipment	\$	18,000
TZ	ISSD	\$	11,500
Total		\$	2,066,500

Total Annual Costs for 1/2 Ward (Includes Support Staff)			
FTEs			31.2
A	Salaries	\$	1,371,000
B	Benefits	\$	492,000
E	Goods & Svcs	\$	400,500
G	Travel	\$	6,500
J	Equipment	\$	21,000
TZ	ISSD	\$	13,000
Total		\$	2,304,000

60%
21%
17%
0%
1%
1%
100%

Total all Objects		\$	-
Fund Splits			
GF-S	80%	\$	1,843,000
GF-F	5%	\$	115,000
GF-L	15%	\$	346,000
		\$	2,304,000

43,942.31 Avg. salary for ward staff

1/4 Year Costs for One Ward

Annual Costs Per 1/4 APU Ward			
FTEs			13.8
A	Salaries	\$	605,250
B	Benefits	\$	223,250
E	Goods & Svcs	\$	187,750
G	Travel	\$	2,250
J	Equipment	\$	9,000
TZ	ISSD	\$	5,750
Total		\$	1,033,250

Total Annual Costs for 1/4 Ward (Includes Support Staff)			
FTEs			15.6
A	Salaries	\$	685,500
B	Benefits	\$	246,000
E	Goods & Svcs	\$	200,250
G	Travel	\$	3,250
J	Equipment	\$	10,500
TZ	ISSD	\$	6,500
Total		\$	1,152,000

60%
21%
17%
0%
1%
1%
100%

Total all Objects		\$	-
Fund Splits			
GF-S	80%	\$	922,000
GF-F	5%	\$	57,000
GF-L	15%	\$	173,000
		\$	1,152,000

43,942.31 Avg. salary for ward staff

Individual State Agency Fiscal Note

Revised

Bill Number: 1275 HB	Title: Involuntary commitment proc	Agency: 310-Department of Corrections
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND					
Total \$					

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.
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The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Linda Merelle	Phone: 360-786-7092	Date: 01/16/2009
Agency Preparation:	Ronna Cole	Phone: 360-725-8263	Date: 01/26/2009
Agency Approval:	Susan Lucas	Phone: (360) 725-8277	Date: 01/26/2009
OFM Review:	Adam Aaseby	Phone: 360-902-0659	Date: 01/26/2009

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 1 Provides that, to effectuate the legislature's goal of protecting public safety, as provided in RCW 71.05.010, within the context of the Washington state supreme court's holding in *In re Harris*, 98 Wn.2d 276 (1982), the legislature intends that a trier of fact determining whether a person presents a likelihood of serious harm has the ability to consider a respondent's recent and past acts where such act would indicate a substantial risk to public safety.

Section 2 amends RCW 71.05.212 whenever a designated mental health professional or professional person is conducting an evaluation, other available treatment records shall be provided.

Section 3 In determination whether a person presents a likelihood of serious harm under RCW 71.05.020(23) the legislature recognizes based on the case of *In re Harris*, 98 Wn.2d 276 (1982), it is necessary for a trier of fact to find a substantial risk of physical harm as evidenced by a recent overt act prior to ordering a civil commitment. An act is deemed to be recent if it has occurred within three years prior to the current evaluation by a designated mental health professional, or the current court hearing, excluding any time spent, but not acts committed, in a mental health facility or in confinement as a result of a criminal conviction.

Additionally, recent history of an act, based upon the past behavior of the respondent, may be associated with a likelihood of serious harm.

Section 4 amends RCW 71.05.157 for offenders confined in a state correctional facility or is under supervision by the Department and is subject to a petition for involuntary treatment, the petitioner shall notify the Department. If the offender is classified as a high risk or high needs offender, the Department shall provide records of the offender's compliance with any conditions of his or her sentence or community supervision related to participation in mental health treatment.

Section 6 requires the act to take effect January 1, 2010.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The proposed legislation requires the Department for offenders classified as a high risk or high needs offender to provide records of offenders compliance with any conditions of his/her sentence or community supervision related to participation in mental health treatment if a petition for involuntary treatment was filed.

Once contacted by the petitioner, the Department would verify level of risk through the Department's offender data

system. If the offender is found to be high risk or high needs, the Department would then be required to access data system information as well as manually audit medical records to retrieve documentation of compliance of conditions related to participation in mental health treatment. The Department estimates it will take 4 hours per offender to access data systems and audit case files to retrieve the required information.

Department of Social and Health Services is unable to estimate how many offenders currently under the jurisdiction of the Department is subject to a petition for involuntary treatment.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.