

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1287 HB	<b>Title:</b> Involuntary treatment
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## Estimated Cash Receipts

NONE

## Estimated Expenditures

Agency Name	2015-17			2017-19			2019-21		
	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	13.6	2,874,000	2,874,000	21.8	4,310,000	4,310,000	21.8	4,310,000	4,310,000
<b>Total</b>	<b>13.6</b>	<b>\$2,874,000</b>	<b>\$2,874,000</b>	<b>21.8</b>	<b>\$4,310,000</b>	<b>\$4,310,000</b>	<b>21.8</b>	<b>\$4,310,000</b>	<b>\$4,310,000</b>

Local Gov. Courts *									
Loc School dist-SPI									
Local Gov. Other **	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Impact

Agency Name	2015-17		2017-19		2019-21	
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Department of Social and Health Services						
Acquisition	0	0	0	0	0	0
Construction	1,750,000	0	0	0	0	0
Other	0	0	0	0	0	0
<b>Total \$</b>	<b>\$1,750,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>Prepared by:</b> Danielle Cruver, OFM	<b>Phone:</b> (360) 902-0575	<b>Date Published:</b> Pending Distribution
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\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

ENPID: 39799

FNS029 Multi Agency rollout

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1287 HB	<b>Title:</b> Involuntary treatment	<b>Agency:</b> 055-Admin Office of the Courts
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## Part I: Estimates

☒ 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: Omeara Harrington	Phone: 360-786-7136	Date: 01/22/2015
Agency Preparation: Susan Arb	Phone: 509-453-8135	Date: 01/27/2015
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date: 01/27/2015
OFM Review: Cheri Keller	Phone: 360-902-0563	Date: 01/27/2015

Request # 1287 HB-1

## **Part II: Narrative Explanation**

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

Summary:

This bill would allow courts to order less restrictive mental health treatment for one year where the previous treatment was for intensive inpatient treatment in a state hospital.

Sections with potential court impact:

Section 1 would amend RCW 71.05.320 to allow the court to order less restrictive mental health treatment for one year where the previous treatment was for intensive inpatient treatment in a state hospital. Current law allows the court to order less restrictive mental health treatment for either 90 or 180 days only.

Section 2 would amend RCW 71.05.340 to require the court to consider particular criteria and make particular findings when deciding whether to modify the terms of an order which allowed treatment to be at a less restrictive alternative to treatment in a state hospital.

Anticipated Fiscal Impact:

Based upon information provided, it is assumed that there would be minimal financial impact to the superior courts statewide from the amendments/provisions in this bill.

### **II. B - Cash Receipts Impact**

### **II. C - Expenditures**

## **Part III: Expenditure Detail**

## **Part IV: Capital Budget Impact**

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1287 HB	<b>Title:</b> Involuntary treatment	<b>Agency:</b> 300-Dept of Social and Health Services
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	5.3	21.8	13.6	21.8	21.8
<b>Account</b>					
General Fund-State 001-1	719,000	2,155,000	2,874,000	4,310,000	4,310,000
<b>Total \$</b>	719,000	2,155,000	2,874,000	4,310,000	4,310,000

### Estimated Capital Budget Impact:

	2015-17		2017-19		2019-21	
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Acquisition	0	0	0	0	0	0
Construction	1,750,000	0	0	0	0	0
Other	0	0	0	0	0	0
<b>Total \$</b>	<b>\$1,750,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

*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: Omeara Harrington	Phone: 360-786-7136	Date: 01/22/2015
Agency Preparation: Bryan Way	Phone: 360-902-7769	Date: 02/13/2015
Agency Approval: Kelci Karl-Robinson	Phone: 360-902-8174	Date: 02/13/2015
OFM Review: Danielle Cruver	Phone: (360) 902-0575	Date: 02/17/2015

## 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.*

This bill amends RCW 71.05.320 and 71.05.340, relating to less restrictive alternative orders and conditional releases under the involuntary treatment act.

Section 1(7). A court may order an individual to be remanded for an additional time not exceeding 180 days if an individual's less restrictive order is revoked unless the individual's previous commitment was for intensive treatment in a state hospital then the individual could be remanded for up to one year.

Section 2(1)(e). In determining whether to modify the terms of the conditional release or return the person to the facility, the court must consider the symptoms and behavior of the person in light of all available evidence concerning the person's historical behavior, which may include information provided by credible witnesses and, if the petition is based on the person's failure to adhere to the terms or conditions of his or release, the court must give great weight to information regarding symptoms or behavior that: are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration, or one or more violent acts; represents a marked and concerning change in the baseline behavior of the person; and, indicates that without modified terms or return of the person to the facility, continued deterioration is probable.

### 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.*

It is assumed that no expenditures reported in this analysis would be matched under Medicaid Title XIX.

### 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 average number of individuals under a less restrictive alternative that were not reinstated to the hospital was 213 between 2012 through 2014, the department estimates that five percent, eleven people, would revoke back to the state hospitals each year under the conditions outlined in this bill. The department assumes they would need an additional 15 bed civil ward at Western State Hospital to accommodate these individuals.

Approximately 21.9 FTE would be needed to staff the new ward based on the ratios used historically to staff a conditional release ward. Positions are assumed to begin on April 1, 2016 to allow for ward renovations and enough time for staff to be trained before patients begin admission. Patient ancillary costs for each individual are estimated to be about \$9,100 per person. The total fiscal impact for the operating budget is estimated to be \$719,000 GF-State in Fiscal Year 2016 and \$2,155,000 GF-State in each Fiscal Year thereafter.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	5.3	21.8	13.6	21.8	21.8
A-Salaries and Wages	309,000	1,238,000	1,547,000	2,476,000	2,476,000
B-Employee Benefits	155,000	622,000	777,000	1,244,000	1,244,000
C-Professional Service Contracts					
E-Goods and Other Services	41,000	163,000	204,000	326,000	326,000
G-Travel					
J-Capital Outlays	200,000		200,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		100,000	100,000	200,000	200,000
P-Debt Service	6,000		6,000		
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	8,000	32,000	40,000	64,000	64,000
9-					
<b>Total:</b>	<b>\$719,000</b>	<b>\$2,155,000</b>	<b>\$2,874,000</b>	<b>\$4,310,000</b>	<b>\$4,310,000</b>

### 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 2016	FY 2017	2015-17	2017-19	2019-21
Administrative Assistant 3	41,508	0.2	0.7	0.5	0.7	0.7
Institutional Counselor 2	41,508	0.2	0.8	0.5	0.8	0.8
Licensed Practical Nurse 2	43,572	1.3	5.2	3.3	5.2	5.2
Mental Health Technician 2	38,556	1.6	6.5	4.1	6.5	6.5
Occupational Therapist 2	57,240	0.2	1.0	0.6	1.0	1.0
Psychiatric Social Worker 3	54,504	0.3	1.3	0.8	1.3	1.3
Psychiatrist 4	165,528	0.2	1.0	0.6	1.0	1.0
Psychologist 4	82,896	0.2	0.7	0.5	0.7	0.7
Registered Nurse 2	78,252	1.1	4.6	2.9	4.6	4.6
<b>Total FTE's</b>	<b>603,564</b>	<b>5.3</b>	<b>21.8</b>	<b>13.6</b>	<b>21.8</b>	<b>21.8</b>

## Part IV: Capital Budget Impact

An additional 15 bed civil ward would be needed at Western State Hospital to support the number of individuals that are anticipated to revoke back to the hospitals as outlined in this bill. It is assumed that an existing day treatment facility would be renovated. The department estimates that it would cost \$250,000 to design and plan for renovation and that renovation itself would cost \$1,500,000 in Fiscal Year 2016 only. No other capital costs are estimated for this project.

## 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.*

No new rule changes or amendments are anticipated to comply with the requirements of this bill.

HB 1287 - Less Restrictive Alternative Orders Under the Involuntary Treatment Act

Percentage of Revocation back to State

Hospitals of LRA clients not reinstated

5%  
11.0

Operating Budget	2015-17	2017-19	2019-21
Ward Staff Costs - Staff 3 month training begins 4/1/16; with ward open for patients on 7/1/16.			
5% Revocation back to St. Hospitals			
Ward Staff Costs	\$ 1,232,463	\$ 4,109,300	\$ 4,109,300
Patient Ancillary Costs	\$ 99,725	\$ 199,451	\$ 199,451
State General Funds	\$ 1,332,188	\$ 4,308,751	\$ 4,308,751

Capital Budget	2015-17
WSH Center for additional 15 Bed Civil Ward (renovation of existing Day Treatment facility)	
This plan will require renovation of existing space for a replacement Day Treatment Facility.	
Design and Planning Effort	\$ 250,000
Renovation Costs	\$ 1,500,000
Grand Total - Capital Budget	\$ 1,750,000

Patient Ancillary Cost
Per Patient
Food 3.58 <---food cost per patient per meal
Personal Supplies 34.56 <---includes resident clothing, patient incentives & household supplies per month
Medical Supplies 394.52 <---includes lab supplies, medical supplies, prescriptions, and dental supplies per month
432.65

Avg Daily Census 815.9 <---for June 2014

	Per Patient Per Year	Per Ward Per Year
Food	\$ 3,917	\$ 58,755
Personal Supplies	\$ 415	\$ 6,220
Medical Supplies	\$ 4,734	\$ 71,014
Total E	\$ 9,066	\$ 135,989

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

<b>Bill Number:</b> 1287 HB	<b>Title:</b> Involuntary treatment
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## Part I: Jurisdiction

Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☒ Special Districts: Costs for the 11 Regional Support Networks due to increased caseload for persons ordered for less restrictive mental health treatment
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

## Part II: Estimates

- ☐ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☒ Key variables cannot be estimated with certainty at this time: Number of persons ordered for less restrictive treatment

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

Indeterminate Impact
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## Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 01/29/2015
Leg. Committee Contact: Omeara Harrington	Phone: 360-786-7136	Date: 01/22/2015
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 01/29/2015
OFM Review: Danielle Cruver	Phone: (360) 902-0575	Date: 01/30/2015



## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.*

Section 1 amends RCW 71.05.320 to establish that an order for less restrictive treatment may be for up to one year when the person's previous commitment term was for intensive inpatient treatment in a state hospital.

Section 2 amends RCW 71.05.340. In determining whether or not to modify the terms of conditional release or return the person to the facility, the court must consider the symptoms and behavior of the person in light of all available evidence concerning the person's historical behavior. If the petition is based on the person's failure to adhere to the terms or conditions of his or her release, the court must give great weight to information regarding symptoms that are closely associated with behavior which led to a past incident of involuntary hospitalization or violent acts; represent a marked change in the baseline behavior of the person; and indicate that continued deterioration is probable.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.*

The legislation would result in increased costs for the 11 regional support networks (RSNs), which would likely see an increased caseload of persons referred for less restrictive treatment under the bill. Total costs are indeterminate.

Less restrictive treatment requires a person has to enter outpatient treatment as the court order dictates. Most often the court order will specify that the person has to participate in treatment at a mental health center and must take such medication as is recommended by it.

RSNs would therefore see increased costs for treatment for persons ordered to attend counseling or receive other services at a RSN. These costs would include time for a designated mental health professional (DMHP) to provide case management for the person.

#### **BACKGROUND:**

Counties administer, and in many cases deliver, out-patient and community in-patient mental health services for adults and children. Mental health services are currently funded through a combination of federal, state, local government, public and private hospital, and private insurance funds. Counties, mostly through joint service agreements (11 Regional Service Networks or RSNs) manage a service system through pre-paid health plans for out-patient and in-patient mental health treatment paid for by the state (approximately 80 percent state and federal sources) and local funds (approximately 20 percent from earmarked county property taxes, sales tax and user fees). The state and hospitals primarily provide in-patient treatment in the mental health arena. The state contracts with RSNs to provide a range of community-based programs using a funding formula that is based on the size of the county's Medicaid population. RSNs in turn contract with and oversee providers or provide services themselves.

### **C. SUMMARY OF REVENUE IMPACTS**

*Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.*

The legislation would have no revenue impact for local government.

#### **SOURCES:**

King County Regional Support Network  
Peninsula Regional Support Network  
North Sound Mental Health Administration  
Department of Social and Health Services