

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5690 E S SB	<b>Title:</b> Conditional release teams
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## Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Health Care Authority	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Social and Health Services	1.5	702,000	702,000	702,000	3.0	1,404,000	1,404,000	1,404,000	3.0	1,404,000	1,404,000	1,404,000
Department of Corrections	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>1.5</b>	<b>702,000</b>	<b>702,000</b>	<b>702,000</b>	<b>3.0</b>	<b>1,404,000</b>	<b>1,404,000</b>	<b>1,404,000</b>	<b>3.0</b>	<b>1,404,000</b>	<b>1,404,000</b>	<b>1,404,000</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Washington State Health Care Authority	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Arnel Blancas, OFM	<b>Phone:</b> (360) 000-0000	<b>Date Published:</b> Final 2/28/2024
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 5690 E S SB	<b>Title:</b> Conditional release teams	<b>Agency:</b> 055-Administrative Office of the Courts
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**Part I: Estimates**

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*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 for 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.

Contact	Phone:	Date: 02/09/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 02/13/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/13/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/13/2024

194,517.00

Request # 207-1

## Part II: Narrative Explanation

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

The substitute would not make any changes affecting the fiscal impact to the Administrative Office of the Courts or the courts.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

No or minimal fiscal impact to the Administrative Office of the Courts.

## Part III: Expenditure Detail

### III. A - Expenditure By Object or Purpose (State)

NONE

### III. B - Expenditure By Object or Purpose (County)

NONE

### III. C - Expenditure By Object or Purpose (City)

NONE

### III. D - FTE Detail

NONE

### III. E - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B1 - Expenditures by Object Or Purpose (State)

NONE

### IV. B2 - Expenditures by Object Or Purpose (County)

NONE

### IV. B3 - Expenditures by Object Or Purpose (City)

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

None

194,517.00

Form FN (Rev 1/00)

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5690 E S SB	<b>Title:</b> Conditional release teams	<b>Agency:</b> 107-Washington State Health Care Authority
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*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:	Phone:	Date: 02/09/2024
Agency Preparation: Sue Eckroth	Phone: 360-725-1899	Date: 02/14/2024
Agency Approval: Madina Cavendish	Phone: 360-725-0902	Date: 02/14/2024
OFM Review: Arnel Blancas	Phone: (360) 000-0000	Date: 02/14/2024

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Please see attached.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# HCA Fiscal Note

Bill Number: **5690 ESSB**

HCA Request #: 24-150

Title: **Conditional Release Teams**

## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

NONE

### Estimated Capital Budget Impact:

NONE

*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.



# HCA Fiscal Note

Bill Number: **5690 ESSB**

HCA Request #: 24-150

Title: **Conditional Release Teams**

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

An act relating to conditional release transition teams with updates to Revised Code of Washington 10.77 Criminally Insane – Procedures.

This bill:

- Updates and clarifies person-first and gender-affirming language.
- Expands the definition of conditional release to include partial conditional release and conditional release to a less restrictive alternative (LRA) for persons civilly committed pursuant to criminal insanity laws.
- Requires the court to consider the recommendations of Department of Corrections (DOC) community corrections officers and the Independent Public Safety Review Panel before ordering conditional release to a proposed LRA.
- Requires a recommendation for partial conditional release to be informed by advisement of a DOC community corrections officer.
- Specifies that the Department of Social and Health Services care coordinators must submit an individualized treatment plan to the court in collaboration with and on behalf of a transition team.

### II. B - Cash Receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

**NONE**

### II. C – Expenditures

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

No fiscal impact. Passage of this bill would not create a fiscal impact for the Washington State Health Care Authority (HCA) because this bill does not alter or expand any of HCA's current operations or services.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditure

**NONE**

# HCA Fiscal Note

Bill Number: **5690 ESSB**

HCA Request #: 24-150

Title: **Conditional Release Teams**

## III. B - Expenditures by Object Or Purpose

**NONE**

**III. C - Operating FTE Detail:** FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

**NONE**

## III. D - Expenditures By Program (optional)

**NONE**

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

**NONE**

### IV. B - Expenditures by Object Or Purpose

**NONE**

**IV. C - Capital Budget Breakout:** Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

**NONE**

**IV. D - Capital FTE Detail:** FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

**NONE**

## Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

**NONE**

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5690 E S SB	<b>Title:</b> Conditional release teams	<b>Agency:</b> 300-Department of Social and Health Services
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	3.0	1.5	3.0	3.0
<b>Account</b>					
General Fund-State 001-1	0	702,000	702,000	1,404,000	1,404,000
<b>Total \$</b>	0	702,000	702,000	1,404,000	1,404,000

### Estimated Capital Budget Impact:

NONE

*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:	Phone:	Date: 02/09/2024
Agency Preparation: Sara Corbin	Phone: 360-902-8194	Date: 02/13/2024
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 02/13/2024
OFM Review: Arnel Blancas	Phone: (360) 000-0000	Date: 02/14/2024

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Section 3(3)(a) States the court will schedule a hearing upon receipt of recommendation from the Department of Social and Health Services (DSHS) for terms and conditions upon which DSHS reasonably believes the person can be conditionally released for partial conditional release or that meet the minimum statutory requirements in RCW 10.77.160 and 10.77.175 for conditional release to a less restrictive alternative.

Section 3(5)(b) The court must consider the report from CCO (community correction officer) and Public Safety Review Panel (PSRP) recommendation before ordering conditional release to less restrictive alternative setting. The court may not order conditional release to a less restrictive alternative setting unless it satisfies the minimum requirements of 10.77.175.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

ESSB 5690 will have a fiscal impact to the Department of Social and Health Services (DSHS), Behavioral Health Administration (BHA).

Currently, Transition Team and services in the community do not occur until conditional release to a community living/less restrictive alternative (LRA) setting occurs. Implementation of Section 3(3)(a) would require Transition Team pre-planning prior to conditional release to a community living/LRA setting occurs and would require additional staffing resources starting in Fiscal Year 2025.

Transition Team efforts in connecting Not Guilty by Reason of Insanity (NGRI) patients to community resources and care coordinators prior to a court order for community living/LRA setting represent an additional staff workload. It is estimated that the Transition Team workload would increase by an additional thirteen NGRI patients. The estimate is based on a three-year average of data from Eastern State Hospital (ESH) and Western State Hospital (WSH) of patients reviewed and not approved for a conditional release. For the purposes of this fiscal note, the increased workload does not create an additional caseload increase for individuals placed on LRA.

Transition Team planning activities prior to acquiring a community placement will create a new workload and require 1.0 FTE Psychiatrist and 2.0 FTE Psychiatric Social Workers 3 (PSW3) staff to implement this legislation. In FY 2025 and ongoing, 3.0 FTE and \$702,000 GF-State is requested.

Potential Fiscal Impact: Section 3(5)(b) Delays in receipt of a court order for conditional release to the community could result in the loss of beds in the community, some of which are few and meet specialized needs of the person. The loss of community beds could mean even longer delays in finding an open and comparable suitable community living/LRA setting to ensure adequate care and needs for public safety, thus creating a backlog in the state hospitals.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	702,000	702,000	1,404,000	1,404,000
<b>Total \$</b>			0	702,000	702,000	1,404,000	1,404,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		3.0	1.5	3.0	3.0
A-Salaries and Wages		514,000	514,000	1,028,000	1,028,000
B-Employee Benefits		152,000	152,000	304,000	304,000
C-Professional Service Contracts					
E-Goods and Other Services		21,000	21,000	42,000	42,000
G-Travel		1,000	1,000	2,000	2,000
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service		1,000	1,000	2,000	2,000
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		13,000	13,000	26,000	26,000
9-					
<b>Total \$</b>	0	702,000	702,000	1,404,000	1,404,000

### III. C - Operating FTE 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 2024	FY 2025	2023-25	2025-27	2027-29
PSYCHIATRIC SOCIAL WORKER	116,489		2.0	1.0	2.0	2.0
PSYCHIATRIST	280,583		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			3.0	1.5	3.0	3.0

### III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Behavioral Health Administration (BHA) (030)		702,000	702,000	1,404,000	1,404,000
<b>Total \$</b>		702,000	702,000	1,404,000	1,404,000

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

### IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5690 E S SB	<b>Title:</b> Conditional release teams	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*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:	Phone:	Date: 02/09/2024
Agency Preparation: John Ching	Phone: (360) 725-8428	Date: 02/15/2024
Agency Approval: Trisha Newport	Phone: (360) 725-8428	Date: 02/15/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/15/2024

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

5690 ES SB differs from previous versions of this bill by expanding the definition of conditional release to include partial conditional release to a less restrictive alternative (LRA) for persons civilly committed and meets the minimum requirements of RCW 10.77.175 where a person resides in the community.

Section 3(4) amends RCW 10.77.150 to allow a Department of Corrections (DOC) community corrections officer to advise the Department of Social and Health Services review and recommendation of partial conditional release that allows for unsupervised community access off the grounds of the state hospital.

Effective date is assumed 90 days after adjournment of session in which this bill is passed.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

We assume this bill will have no fiscal impact to DOC.

This proposed agency request legislation is related to the effective and efficient transition of patients from state hospitals. Changes to this law have been identified because of the implementation of E2SSB 5071 – Conditional Release Transitions and could not have been anticipated prior to implementation.

The proposed language allows DOC to be involved in the pre-transition at the patient treatment planning phase when they are being prepared for transitions. These duties can be absorbed into existing Community Correctional Officers positions; therefore, there would be no fiscal impact to DOC.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE



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

### **IV. A - Capital Budget Expenditures**

NONE

### **IV. B - Expenditures by Object Or Purpose**

NONE

### **IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

### **IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*