



**Anchorage**

3601 C Street, Suite 902  
Anchorage, Alaska 99503-5923  
Main: 907.269.7800  
Fax: 907.269.0060

**Juneau**

350 Main Street, Suite 404  
Juneau, Alaska 99801  
Main: 907.465.3030  
Fax: 907.465.3068

**House Bill 172**  
**Mental Health Facilities & Meds**  
**Explanation of Changes**

**Version A to Version O (HJUD)**

- Title Changes (Page 1, lines 1 – 4)
- Sections 1-8 (Page 1, line 5 – Page 3, line 9)
  - New sections which are conforming amendments to the Alternative to arrest statutes in AS 12.25.031 to add a “crisis residential center” as another facility a peace officer may deliver a person to as an alternative to arrest.
- Section 9 & 10 (Page 3, lines 10 – 24)
  - Adds new sections, which are conforming amendments to add “a crisis residential center” to the Mandatory arrest for Crimes for Domestic Violence, Violation of Protective Orders, and Violation of Conditions of Release statutes (AS 18.65.530).
- Section 11 (Page 3, line 25 – Page 4, line 16)
  - Adds the term “health officer” on Page 4, lines 5 and 12, which is a newly defined term found in Section 22. This change was required due to changing the definition of “peace officer” to be consistent with that definition found in other locations in statute.
  - Adds the term “crisis residential center” on Page 4, lines 5, 10, and 15 for additional clarity
  - Adds the term “treatment facility” on Page 4, line 7
  - Removes the term “subacute mental health facility” on Page 4, lines 10 & 15 and instead uses the specific subtypes of “crisis stabilization center” and “crisis residential center” for additional clarity
  - Adds “physician assistant” on Page 4, line 13 as an individual that can complete an application for examination of the person in custody along with “peace officer, health officer, and mental health professional.”
- Section 13 (Page 4, line 22 – Page 8, line 15)
  - Overall, amended section in order to have statutes specific to either crisis stabilization centers or crisis residential centers instead of using the umbrella term “subacute mental health facility.” Also adds a statute specific to rights of respondents.
  - Updated title to Sec. 47.30.707 to “Admission to and hold at a crisis stabilization center” on Page 4, line 23
  - Changed “shall” to “may” on Page 5, line 2
  - New Sec. 47.30.708 “Admission to and detention at a crisis residential center” on Page 5, line 8

- New subsection requiring the court to set a time for a hearing to be held if needed within 72 hours after the respondent's arrival at the crisis stabilization center or crisis residential center, whichever is earlier – Page 5, line 29 – Page 6, line 12.
- New subsections outlining the court petition and hearing processes for a 30-day commitment or seven-day detention at a crisis residential center – Page 6, line 13 – Page 7, line 20.
- New Sec. 47.30.709 “Rights of respondents at crisis stabilization centers and crisis residential centers; psychotropic medication; time.” – Page 7, line 21
- Amended and clarified which rights were applicable to adults and which rights are applicable to minors on Page 7, line 30 – Page 8, line 1
- Changed “subacute mental health facility” to be “crisis stabilization center” on Page 8, line 12
- Changed “120-hour detention” to “seven-day” detention on page 8, line 13 and made it specific to “crisis residential centers.
- Section 14 (Page 8, line 16 – Page 9, line 6)
  - Removes “admission to crisis residential center” from the statute title of Sec. 47.30.710 since it is now covered in Section 13 under Sec. 47.30.708.
  - Adds “the respondent” on Page 8, line 30 for additional clarity
  - Removed the option to “Hold the respondent at a crisis stabilization center” since that is now covered in Section 13 under Sec. 47.30.707.
  - Removed from Ver. A “readmit the respondent to a crisis residential center; if the readmission occurs within 24 hours of an admission under this paragraph, the crisis residential center shall obtain prior authorization from the department.”
- Section 15 (Page 9, lines 7 – 19)
  - Amended subsection (d) on lines 12 – 19 to be specific to a respondent being readmitted to an evaluation facility after discharge from a subacute mental health facility (either a crisis stabilization center or a crisis residential center) and the respondent is not willing to remain at evaluation facility on a voluntary basis. Removed from Ver. A the readmission hearing to be held within 48 hours since the mental health professional must apply for an ex parte order authorizing hospitalization for evaluation, which will start a new 72-hour evaluation period.
- Section 16 (Page 9, lines 20 – 31)
  - Removed “when it may safely do so” from line 22.
  - Adds “evaluation” to lines 23 and 26 for more clarity
  - Adds “the respondent’s guardian, if any” as someone the court must notify to the time and place of a 30-day commitment hearing on line 27
  - Changes “prosecuting” to “petitioner’s attorney, if any” on line 28
  - Adds “the attorney general” as someone the court must notify to the time and place of a 30-day commitment hearing on line 28
  - Adds “time and place of the” and removes “arrangements” specific to the hearing details on line 29
- Section 17 (Page 10, lines 1-26)
  - Adds “AS 47.30.708” to line 4 to account for 72-hour evaluations at crisis residential centers.
  - Removes “a 48-hour hearing deadline under AS 47.30.710, or a 24-hour readmission period under AS 47.30.710” from lines 4-9 since those elements were removed from Sections 14 & 15.
  - Removes “or crisis residential center” from line 9.

- Adds new time computation for a “seven-day detention” on lines 8-10.
- Renumbers to conform to changes
- Legislative drafter added in subsection (b) on lines 18-26 and changed “there is one” to “any” on line 22.
- Section 18 (Page 10, line 27 – Page 11, line 1)
  - Changed “subacute mental health facility” to “crisis stabilization center, crisis residential center” on Page 10, lines 29 & 30
  - Changed “no” to “not” on Page 10, line 31
  - Removed from Ver. A the language found in section 9, lines 22 – 31 that would have allowed a patient to give informed consent for more than three crisis periods at a time they were capable of giving informed consent. This change keeps the use and length of time for psychotropic medication as it is in statute today.
- Section 20 (Page 11, lines 5 – 10)
  - Adds back in language to the definition of “evaluation facility” and further clarifies it to read “or a medical facility operated by the federal government that performs evaluations” on lines 8-10. This will ensure tribally run facilities can be included in this definition.
- Section 21 (Page 11, lines 11-17)
  - Changes the definition of “peace officer” to have the meaning given in AS 01.10.060(a)
- Section 22 (Page 11, lines 18 – 26)
  - Updates the definition of “crisis residential center” to have the meaning given in AS 47.32.900. (line 19)
  - Updates the definition of “crisis stabilization center” to have the meaning given in AS 47.32.900. (lines 20-21)
  - Creates a new term and provides a definition for “health officer.” This definition removed “state, municipal, or other local health officers, public health nurse, or a person authorized by the court to carry out AS 47.30.700-AS 47.30.915” from the current definition of “peace officer” found in AS 47.30.915(7), and added emergency medical technician, paramedic, and firefighter to create a new term for all of these providers. (lines 22-24)
  - Renumbered definitions as a conforming change
- Section 24 (Page 12, lines 19 – 28)
  - Fixes typo in “recovery-oriented” on line 22
  - Removed word “inpatient” to describe “hospitalization” on line 22
  - Adds “including a crisis stabilization center and a crisis residential center” on lines 23 and 24 as a drafting style preference
  - Updates the definition of “crisis residential center” on lines 25 and 26 to mean a subacute mental health facility that has a maximum stay of seven days.
  - Updates the definition of “crisis stabilization center” on lines 27 and 28 to mean a subacute mental health facility that has a maximum stay of 23 hours and 59 minutes.
- Section 26 (Page 12, line 30 – Page 13, line 24)
  - Adds a new section directing the Department of Health and Social Services and the Alaska Mental Health Trust Authority to submit a report and recommendations to the Legislature regarding patient rights.