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Senate Bill 124
Mental Health Facilities & Meds
Explanation of Changes

Version A to Version I (SHSS)

- Title Changes (Page 1, lines 1 – 5)
- Sections 1-8 (Page 1, line 7 – Page 3, line 14)
 - 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.
 - Adds requirement to make a reasonable effort to inform the arresting officer’s employing agency in Sections 4 & 6.
- Section 9 & 10 (Page 3, lines 15 – 30)
 - 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).
 - Adds the requirement to provide the center or facility with the peace officer’s employing agency’s contact information to be provided and if the officer or agency are notified of a planned release, to make a reasonable effort to inform the victim in Section 10.
- Section 11 (Page 3, line 31 – Page 4, line 7)
 - Adds new subsection to AS 47.30.700, *Initial involuntary commitment procedures*, to require a crisis stabilization center, crisis residential center, evaluation facility, or treatment facility to immediately notify the patient’s (respondent’s) immediate family or guardian, or, if the respondent is a minor, a parent or guardian, that the patient has been admitted unless the petition was filed by an immediate family member.
- Section 12 (Page 4, line 8 – line 29)
 - Adds the term “health officer” on Page 4, lines 9 and 19, which is a newly defined term found in Section 28. 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 19, 23, and 29 for additional clarity
 - Adds the term “treatment facility” on Page 4, line 21.
 - Removes the term “subacute mental health facility” on Page 4, lines 23 & 29 and instead uses the specific subtypes of “crisis stabilization center” and “crisis residential center” for additional clarity.
 - Adds “physician assistant” on Page 4, line 9-10 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 30 – Page 5, line 8)
 - (d) Adds a new subsection to AS 47.30.705, *Emergency detention for evaluation*, to require a crisis stabilization center, crisis residential center, evaluation facility, or treatment facility to immediately notify the patient’s (respondent’s) immediate family or guardian, or, if the respondent is a minor, a parent or guardian, that the patient has been admitted unless the petition was filed by an immediate family member.
- Section 14 (Page 5, line 9 – Page 9, line 5)
 - 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 5, line 10.
 - Changed “shall” to “may” on Page 5, line 21.
 - New Sec. 47.30.708 “Admission to and detention at a crisis residential center” on Page 5, line 29.
 - 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 6, line 19 – Page 7, line 2.
 - New subsections outlining the court petition and hearing processes for a 30-day commitment or seven-day detention at a crisis residential center – Page 7, line 3 – Page 8, line 10.
 - New Sec. 47.30.709 “Rights of respondents at crisis stabilization centers and crisis residential centers; psychotropic medication; time.” – Page 8, line 11.
 - Amended and clarified which rights were applicable to adults and which rights are applicable to minors on Page 8, line 20 – 22.
 - Changed “subacute mental health facility” to be “crisis stabilization center” on Page 8, line 28.
 - Changed “120-hour detention” to “seven-day” detention on page 9, line 3 and made it specific to “crisis residential centers.”
- Section 15 (Page 9, lines 6 – 27)
 - Removes “admission to crisis residential center” from the statute title of Sec. 47.30.710 since it is now covered in Section 14 under Sec. 47.30.708.
 - Adds “the respondent” on Page 9, line 20 for additional clarity.
 - Removed the option to “Hold the respondent at a crisis stabilization center” since that is now covered in Section 14 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 16 (Page 9, line 28 – Page 10, line 9)
 - Amended subsection (d) on Page 10, lines 2 – 9 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 17 (Page 10, lines 10 – 21)
 - Removed “when it may safely do so” from line 26.
 - Adds “evaluation” to lines 13 and 16 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 17.
 - Changes “prosecuting” to “petitioner’s attorney, if any” on line 18.
 - Adds “the attorney general” as someone the court must notify to the time and place of a 30-day commitment hearing on line 18.
 - Adds “time and place of the” and removes “arrangements” specific to the hearing details on line 19.
- Section 18 (Page 10, line 22 – Page 11, line 16)
 - Adds “AS 47.30.708” to line 25 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 26-27 since those elements were removed from Sections 15 & 16.
 - Removes “or crisis residential center” from Page 10, line 28.
 - Adds new time computation for a “seven-day detention” on Page 10, lines 29-31.
 - Renumbers to conform to changes.
 - Legislative drafter added in subsection (b) on Page 11, lines 8-16 and changed “there is one” to “any” on line 12.
- Section 19 (Page 11, lines 17 – 22)
 - Adds a new subsection to AS 47.30.836, *Psychotropic medication in non-crisis situations*, to require a mental health profession to consult with a parent, guardian, or other family member of a minor, evaluate the minor for drug withdrawal and medical psychosis caused by currently prescribed drugs or self-medication, and review the minor’s family history, diet, medication, triggers, and other contributing factors before administering psychotropic medication.
- Section 20 (Page 11, lines 23 – 28)
 - Changed “subacute mental health facility” to “crisis stabilization center, crisis residential center” on lines 25 & 26.
 - 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 21 (Page 11, line 29 – Page 12, line 3)
 - Adds a new subsection to AS 47.30.838, *Psychotropic medication in crisis situations*, to require a mental health profession to consult with a parent, guardian, or other family member of a minor, evaluate the minor for drug withdrawal and medical psychosis caused by currently prescribed drugs or self-medication, and review the minor’s family history, diet, medication, triggers, and other contributing factors before administering psychotropic medication in a crisis situation.

- Sections 22 & 23 (Page 12, lines 4 – 23)
 - New sections amending AS 47.30.839(b) & (g) regarding court-ordered administration of medication to update statutes declared unconstitutional by the Alaska Supreme Court and to align the language with the court decision.
- Section 25 (Page 12, line 27 – Page 13, line1)
 - 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 26 (Page 13, lines 2 – 16)
 - New section amending AS 47.30.915(9) to update the definition of “gravely disabled” to address a statute declared unconstitutional by the Alaska Supreme Court and insert language that was used in the court decision.
- Section 27 (Page 13, lines 17-23)
 - Changes the definition of “peace officer” to have the meaning given in AS 01.10.060(a).
- Section 28 (Page 13, line 24 – Page 14, line 1)
 - Updates the definition of “crisis residential center” to have the meaning given in AS 47.32.900. (Page 13, line 25)
 - Updates the definition of “crisis stabilization center” to have the meaning given in AS 47.32.900. (Page 13, lines 26-27)
 - 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. (Page 13, lines 28-30)
 - Renumbered definitions as a conforming change.
- Section 30 (Page 14, line 23 – Page 15, line1)
 - Fixes typo in “recovery-oriented” on line 26.
 - Removed word “inpatient” to describe “hospitalization” on line 26
 - Adds “including a crisis stabilization center and a crisis residential center” on lines 27 and 28 as a drafting style preference.
 - Updates the definition of “crisis residential center” on lines 29 and 30 to mean a subacute mental health facility that has a maximum stay of seven days for an involuntary admission.
 - Updates the definition of “crisis stabilization center” on lines 31 and Page 15, line 1 to mean a subacute mental health facility that has a maximum stay of 23 hours and 59 minutes.
- Section 32 (Page 15, lines 3–31)
 - 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.