

ALASKA STATE LEGISLATURE

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Explanation of Changes

SENATE CS for CS for HOUSE BILL NO. 172(FIN)

Version 32-GH1730\D.A to 32- GH1730\E

Updated Title

New Section 12

Page 4, lines 15-23

Adds new section that amends AS 47.30.693, *Notification to a parent or guardian*, to make the statute applicable to notifying guardians of adult patients who are admitted to a treatment facility and the facility is aware of the appointment of a guardian.

New Section 13

Page 4, line 24 – Page 5, line 1

Adds a 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 notify the minor patient's (respondent's) parent or guardian of the location of the minor as soon as possible after the arrival of the minor at the facility. Also requires the center or facility to notify a guardian of the adult patient's location as soon as possible after the arrival of the patient if the center or facility is aware of an adult patient having an appointment of a guardian.

Section 15

Page 5, line 29 – Page 6, line 5

Adds a new subsection (d) to AS 47.30.705, *Emergency detention for evaluation*, to require a crisis stabilization center, crisis residential center, evaluation facility, or treatment facility to notify the patient's (respondent's) parent or guardian as soon as possible after the arrival of the minor. Also requires the center or facility to notify a guardian of the adult patient's location as soon as possible after the arrival of the patient if the center or facility is aware of an adult patient having an appointment of a guardian.

Section 16

Page 6, line 6 – Page 10, line 13

Adopted changes from the CSSB (JUD) 124 ver. G through the section including:

- Inserted "has a mental illness and" on Page 6, lines 14-15
- Inserts the word "serious" before "harm" throughout the section to align with Alaska Supreme Court rulings and interpretation and request of Mr. Jim Gottstein
- Clarified what the court has to find on page 6, lines 22-27 to ensure it is the same findings and process for when someone is at a crisis stabilization center or crisis

residential center.

- Amended page 7, lines 7-9 to have the findings of the mental health professional to be consistent and read “the respondent has a mental illness and is suffering an acute behavioral health crisis and, as a result, is likely to cause serious harm to self or others or is gravely disabled;”
- Inserts “has a mental illness and” on page 7, line 16
- Amended the span cite for rights of adults to include all of AS 47.30.817 – 47.30.865 (Page 9, line 28)
- Inserts the term “evaluation facility” following “crisis residential center” throughout the section to ensure a patient can be admitted directly to a higher-level facility if appropriate and the court will make the determination in the same allotted time as if they were going to a “crisis residential center.”

New Section 21

Page 12, line 29 – Page 13, line 3

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 or guardian of the minor, evaluate the minor for drug withdrawal and medical psychosis caused by currently prescribed drugs or self-medication, and review all available information regarding the minor’s family history, diet, medication, and other contributing factors before administering psychotropics.

New Section 23

Page 13, lines 10-16

Adds a new subsection to AS 47.30.838, *Psychotropic medication in crisis situations*, to require a mental health professional, to the extent time and the nature of the crisis permit, to consult with a parent or guardian of a minor, evaluate the minor for drug withdrawal and medical psychosis caused by currently prescribed drugs or self-medication, and review all available information regarding the minor’s family history, diet, medication, and other possibly relevant factors before administering psychotropic medication in a crisis situation.

New Section 26

Page 14, line 6 – Page 15, line 12

Adds a new section that amends AS 47.30.840(a), *Right to privacy and personal possessions*, to add a requirement that a minor or adult patient with a guardian may not be transferred from a crisis stabilization center, evaluation facility, or treatment facility to a different evaluation facility or treatment facility before the facility makes a good faith attempt to notify the parent or guardian of the person, as applicable, of the proposed transfer.

Section 28

Page 15, lines 16-22

Deleted the term “by the federal government” and inserted “under 25. U.S.C. 5301 – 5423 (Indian Self-Determination and Education Assistance Act), as amended” to more precisely describe tribal health organizations.

Section 31

Page 16, lines 18-20

Deleted “state, municipal, or other local health officer” and inserted “federally certified health care provider” to align the definition of “health officer” with the changes from the CSSB (JUD) 124 ver. G

Section 32

Page 16, lines 25-26

Drafting preference change to read “The following entities are subject to this chapter and regulations adopted under this chapter by the Department of Health.”

New Section 35

Page 17, lines 24-29

New section that provides for an Indirect Court Rules Amendment to conform with Sections 16 and 20.

Section 36

Page 17, line 30 – Page 19, line 5

- Inserted “, and make the report available to the public” on page 18, line 5
- Inserted “including items that could be added to AS 47.30.825,” on page 18, line 12
- Inserted “and provide recommendations for making this information available to the public” on page 18, lines 17-18
- Amend to be “the number, type, and cause” on page 18, line 24

Section 38

Page 19, line 15-16

Extends the transition regulation authority to the Department of Health and Social Services.

New Section 39

Page 19, lines 20-25

Conditional effect for the Indirect Court Rules Amendment for the amended computation of time found in Sections 16 and 20.