

# Fiscal Note

State of Alaska  
2018 Legislative Session

Bill Version: HB 312  
Fiscal Note Number:  
() Publish Date:

Identifier: HB312-DHSS-API-2-2-18  
Title: CRIMES AGAINST MEDICAL PROFESSIONALS  
Sponsor: CLAMAN  
Requester: House JUD

Department: Department of Health and Social Services  
Appropriation: Behavioral Health  
Allocation: Alaska Psychiatric Institute  
OMB Component Number: 311

## Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2019 Appropriation Requested	Included in Governor's FY2019 Request	Out-Year Cost Estimates				
			FY 2019	FY 2019	FY 2020	FY 2021	FY 2022
Personal Services	***			***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	<b>0.0</b>	***	***	***	***	***

## Fund Source (Operating Only)

None							
<b>Total</b>	***	<b>0.0</b>	***	***	***	***	***

## Positions

Full-time							
Part-time							
Temporary							

## Change in Revenues

None							
<b>Total</b>	0.0	<b>0.0</b>	0.0	0.0	0.0	0.0	0.0

**Estimated SUPPLEMENTAL (FY2018) cost:** 0.0 *(separate supplemental appropriation required)*  
(discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY2019) cost:** 0.0 *(separate capital appropriation required)*  
(discuss reasons and fund source(s) in analysis section)

## ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed? N/A

## Why this fiscal note differs from previous version/comments:

Not applicable; initial version.
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Agency:

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Phone: (907)269-5948  
Date: 02/02/2018  
Date: 02/02/18

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2018 LEGISLATIVE SESSION

BILL NO. HB312

### Analysis

HB 312, version O, as written may present an unintended consequence. It raises a concern that arrests based on probable cause without a warrant for Assault in the 4th degree in a healthcare facility by someone not seeking medical treatment or stable for discharge will generate questions regarding the competency of the individuals subject to arrest. This may lead to more requests for competency evaluations and the potential need for additional court-ordered restorations.

The Alaska Psychiatric Institute's forensic staff and its 10 bed forensic unit are already under a great deal of pressure handling both the waitlists for necessary competency determinations and the need for beds on the forensic unit for persons found incompetent to stand trial and referred to the Alaska Psychiatric Institute for restoration to competency.

#### Indeterminate costs:

While unable to evaluate the potential demand this new category of arrest may create, the Division raises it as a serious concern for an already inadequately staffed program dealing with the existing forensic population.