

FISCAL NOTE

STATE OF ALASKA
2014 LEGISLATIVE SESSION

Bill Version HB366
Fiscal Note Number _____
() Publish Date _____

Identifier (file name) HB366-DHSS-API-03-07-14 Dept. Affected Health & Social Services
Title Involuntary Commitment Appropriation Behavioral Health
Allocation Alaska Psychiatric Institute
Sponsor Representative Pruitt
Requester House State Affairs Committee OMB Component Number 311

Expenditures/Revenues (Thousands of Dollars)

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

	FY15 Appropriation Requested	Included in Governor's FY15 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY15	FY15	FY16	FY17	FY18	FY19	FY20
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1007	I/A Rcpts (Other)						
1156	Rcpt Svcs (DGF)						
		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS

Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES

Estimated SUPPLEMENTAL (FY14) operating costs 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY15) costs 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If yes, by what date are the regulations to be adopted, amended, or repealed? _____ Discuss details in analysis section.

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

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Division Health and Social Services

Phone 269-3410
Date/Time 3/7/14 3:00PM
Date 3/7/2014

FISCAL NOTE ANALYSIS

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Analysis

HB366 requires the State of Alaska to make a report to the FBI's National Instant Criminal Background Check System (NICBCS) when a person is adjudicated mentally ill or mentally incompetent (to stand trial). A report to the FBI database will effectively prohibit that person from owning or buying a gun or ammunition. It requires the report to the NICBCS to be made by the Department of Public Safety, based on information received from both the Alaska Court System and the Department of Health & Social Services.

This would require API medical records staff to inform DPS whenever a person was adjudicated mentally ill and involuntarily committed to API for up to 30 days or more. This could be efficiently handled by the development of a form by DPS (or DHSS) for the transmittal of the required information to DPS within a few days of the actual commitment. The form could be faxed to DPS.

The bill also creates provisions whereby a person adjudicated mentally ill or mentally incompetent may seek to have that information expunged or sealed by an Alaska superior court judge. If the record is sealed or expunged, it would effectively remove the prohibition of gun ownership from the individual.

If API receives notice that a superior court judge has sealed a record, or ordered that the adjudication of a commitment be expunged from a patient's record, then API will need to develop an internal process within its medical records department to ensure that a sealed record is, indeed, identified as sealed, and that the expunged parts of a patient record are indeed removed from the patient's record.

The financial impact of the legislation on DHSS/Division of Behavioral Health/API is limited, so long as the legislation is future oriented.