



DISABILITY LAW CENTER

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May 3, 2021

by scan and e-mail

The Honorable David Wilson
Chair, Senate Health and Social Services Committee
Alaska State Capitol
120 Fourth Street, M/S 3100
Juneau, Alaska 99811

Re: SB 124

Dear Senator Wilson:

The Disability Law Center of Alaska endorses SB 124, and believes that modifications will improve it.

It would be a good idea to modify the bill to make it clear that if someone is being held involuntarily at a crisis residential center, the court that issues the order to that effect will be appointing an attorney to represent the person. The bill is not as clear as it might be about this.

Another potential improvement is additional language clarifying how crisis residential centers that have been designated as "evaluation facilities" conduct the 72-hour evaluations that determine whether or not a civil commitment petition will be filed. The bill as introduced implies that a person might need to be transferred to a hospital for an evaluation to take place, which is contrary to the provision in the bill that redefines "evaluation facility" to include Department-designated crisis residential centers.

Additionally, the bill could be modified to specify what happens, procedurally, when a person is released from a crisis stabilization center or a crisis residential center but immediately needs readmission.

Finally, it would be a good idea to replace the provision that an evaluation facility may admit a person "when it is safe to do so" with language that recognizes that the main reason for non-admission is that the facility is at capacity and lacks the staffing safely to admit the person. That was the theme of Ms. Carpenter's testimony on that provision last week.

If the Committee would be interested in draft language that would implement these four suggestions, we would be glad to supply it.

Thank you very much.

Sincerely,

Mark Regan

Patrick Stocks

Disability Law Center of Alaska

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