

33RD ALASKA STATE LEGISLATURE

Session

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House Military and Veterans
Affairs Committee

House Judiciary Committee

House Ways and Means Committee

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REPRESENTATIVE ANDREW GRAY

CS for House Bill 363 Sectional Analysis

Section 1

AS 47.10.087 Placement in secure residential psychiatric treatment centers.

Amends AS 47.10.087(b) to conform to subsequent changes.

Section 2

AS 47.10.087(d) Definitions

Adds two definitions to AS 47.10.087(d) and renumbers the section to conform to these changes.

The first defines an “acute psychiatric hospital” as a facility that primarily provides diagnosis and short-term treatment of mental, emotional, and behavioral disorders.

The second defines a “contemporaneous two-way video conference”.

Section 3

AS 47.10.087 Child in need of aid procedures

Adds new subsections to AS 47.10.087 that do the following:

(e) Allows OCS to place a child in its custody into an acute psychiatric hospital if it is the least restrictive placement available, and the person in charge of admittance to the facility finds that acute psychiatric care is the best course of action for the child.

(f) Within 24 hours after placing a child in an acute psychiatric hospital under OCS shall notify the court, the child’s parents, and any other parties to an ongoing child-in-need-of-aid case involving the child of the placement. It also requires OCS to immediately begin to search for a less restrictive placement for the child.

(g) A court shall review a placement made under (e) of this section within 48 hours after receiving notification of the child's placement in an acute psychiatric hospital. The court shall notify the child, the child's attorney, the child's parents, the department, and any parties to a child-in-need-of aid case involving the child of the time and place of the hearing once the hearing is scheduled.

Additional language defines the 48-hour period to allow for weekends and holidays, and allows the court an additional two days continuance if the concerned parties cannot meet earlier. To make the hearing easier, it may be held via teleconference.

The hearing will determine whether continued placement in an acute psychiatric hospital is in the best interest of the child. If the child remains in the acute psychiatric hospital, there will be review hearings held every 30 days or at the request of the child or another party after showing good cause.