

# Fiscal Note

State of Alaska  
2022 Legislative Session

|                     |                   |
|---------------------|-------------------|
| Bill Version:       | SCS CSHB 172(FIN) |
| Fiscal Note Number: | 9                 |
| (S) Publish Date:   | 5/15/2022         |

Identifier: CSHB172(JUD)-DOA-PDA-04-09-22  
 Title: MENTAL HEALTH FACILITIES & MEDS  
 Sponsor: RLS BY REQUEST OF THE GOVERNOR  
 Requester: (H) FINANCE

Department: Department of Administration  
 Appropriation: Legal and Advocacy Services  
 Allocation: Public Defender Agency  
 OMB Component Number: 1631

## Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

|                               | FY2023<br>Appropriation<br>Requested | Included in<br>Governor's<br>FY2023<br>Request | Out-Year Cost Estimates |              |              |              |              |              |
|-------------------------------|--------------------------------------|--|-------------------------|--------------|--------------|--------------|--------------|--------------|
|                               |                                      |  | FY 2023                 | FY 2024      | FY 2025      | FY 2026      | FY 2027      | FY 2028      |
| <b>OPERATING EXPENDITURES</b> |                                      |  |                         |              |              |              |              |              |
| Personal Services             | 415.4                                |  | 415.4                   | 415.4        | 415.4        | 415.4        | 415.4        | 415.4        |
| Travel                        | 2.6                                  |  | 2.6                     | 2.6          | 2.6          | 2.6          | 2.6          | 2.6          |
| Services                      | 60.2                                 |  | 60.2                    | 60.2         | 60.2         | 60.2         | 60.2         | 60.2         |
| Commodities                   | 4.4                                  |  | 4.4                     | 4.4          | 4.4          | 4.4          | 4.4          | 4.4          |
| Capital Outlay                |                                      |  |                         |              |              |              |              |              |
| Grants & Benefits             |                                      |  |                         |              |              |              |              |              |
| Miscellaneous                 |                                      |  |                         |              |              |              |              |              |
| <b>Total Operating</b>        | <b>482.6</b>                         | <b>0.0</b>                                     | <b>482.6</b>            | <b>482.6</b> | <b>482.6</b> | <b>482.6</b> | <b>482.6</b> | <b>482.6</b> |

## Fund Source (Operating Only)

|                  |              |            |              |              |              |              |              |              |
|------------------|--------------|------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 1037 GF/MH (UGF) | 482.6        |            | 482.6        | 482.6        | 482.6        | 482.6        | 482.6        | 482.6        |
| <b>Total</b>     | <b>482.6</b> | <b>0.0</b> | <b>482.6</b> | <b>482.6</b> | <b>482.6</b> | <b>482.6</b> | <b>482.6</b> | <b>482.6</b> |

## Positions

|           |     |  |     |     |     |     |     |     |
|-----------|-----|--|-----|-----|-----|-----|-----|-----|
| Full-time | 4.0 |  | 4.0 | 4.0 | 4.0 | 4.0 | 4.0 | 4.0 |
| Part-time |     |  |     |     |     |     |     |     |
| Temporary |     |  |     |     |     |     |     |     |

## Change in Revenues

|              |            |            |            |            |            |            |            |            |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None         |            |            |            |            |            |            |            |            |
| <b>Total</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

**Estimated SUPPLEMENTAL (FY2022) cost:** 0.0 (separate supplemental appropriation required)

**Estimated CAPITAL (FY2023) cost:** 0.0 (separate capital appropriation required)

**Does the bill create or modify a new fund or account?** No  
 (Supplemental/Capital/New Fund - 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:

Revised to correct fund source to mental health general fund.

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 Agency: Department of Administration

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 Date: 04/09/2022  
 Date: 04/15/2022

REPORTED OUT OF  
SFC 05/15/2022

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2022 LEGISLATIVE SESSION

## Analysis

This bill allows non-hospital facilities to be designated as “evaluation facilities” for involuntary commitment, expanding capacity for psychiatric stabilization and treatment. Establishing crisis residential centers for providing short term treatment and evaluation for those experiencing a mental health crisis should alleviate some burdens on public safety and current facilities with limited capacity.

Patients subject to psychiatric holds have a right to legal representation in some circumstances and this would continue for those utilizing these centers. The Public Defender Agency would continue representing people who are facing involuntary commitment proceedings or determinations in these facilities, as it does presently for those in hospital facilities throughout Alaska. With the creation of more facilities where clients may be located, and these holds litigated, the Agency will need increased attorney and staff capacity for client representation. The hearing schedules for these types of hearings are often in conflict with other court calendars, and these clients often need immediate and in person contact to best communicate with their attorneys. Additionally, commitment proceedings require extensive staff time spent tracking and monitoring orders and release dates on behalf of clients as these vulnerable Alaskans may not be able to effectively monitor these on their own.

The Agency will need the following positions to address the increased workload:

Add Attorney 1-4 (range 24, Anchorage)

Personal Services - \$152.0

Indirect rates- \$13.7

Case costs (experts, transcripts, etc.) -\$5.4

Travel -\$2.6

Commodities - \$1.1

Add Paralegal 2 (range 16, Anchorage)

Personal Services - \$95.6

Indirect rates- \$13.7

Commodities - \$1.1

Add Paralegal 2 (range 16, Palmer)

Personal Services - \$95.6

Indirect rates- \$13.7

Commodities - \$1.1

Add Law Office Assistant 1 (range 11, Fairbanks)

Personal Services - \$72.2

Indirect rates- \$13.7

Commodities - \$1.1