Legislative Study Committee on Secure State Mental Health Facilities

PURPOSE:
1. Identify sustainable and long-term funding sources for people determined to be dangerous, incompetent and nonrestorable, including the feasibility of federal Medicaid reimbursement models.
2. Determine the appropriate per diem rates to incentivize private providers to build and operate secure state mental-health facilities.
3. Evaluate the feasibility of privately operated secure state mental health facilities versus separate and specialized facilities operated directly by the Arizona State Hospital.
4. Research whether defendants determined as dangerous, incompetent and nonrestorable remains the most appropriate legal pathway or whether a modified civil commitment process gives better clinical outcome and federal funding eligibility.
5. Review literature and data to project growth of the population of defendants determined to be dangerous, incompetent and nonrestorable over the next 10 years.
6. Evaluate the costs and logistics associated with entering into an interstate compact or multistate agreement to establish an out of state placement for a defendant determined to be dangerous, incompetent and nonrestorable, if a bed in a secure state mental health facility in Arizona is unavailable.
7. Hold hearings, conduct site visits to existing secure facilities and request data from DHS, AHCCCS and the Administrative Office of the Courts.

MEMBERSHIP:

House — Three members of the House of Representatives, not more than two of whom are members of the same political party, appointed by the Speaker of the House of Representatives.
Leo Biasiucci, Patty Contreras, Julie Willoughby

Senate — Three members of the Senate, not more than two of whom are members of the same political party, appointed by the President of the Senate.
Hildy Angius (Co-Chair), Carine Werner, Vacant

Other — ASH Superintendent or the superintendent's designee:
Mr. Mike Sheldon

At least two private sector providers with experience in operating behavioral health facilities, one appointed by the Speaker, and one appointed by the President of the Senate:
Mr. John Rogoveanu, HOPESS
Mr. Steven Sheets, Southwest Behavioral and Health Services

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Director of AHCCCS or the director's designee.
Ms. Roberta Harrison, Director, Arizona Health Care Cost Containment System

One member from a county attorney's office in a county with a population of at least 1.5 million people, appointed by the Speaker.
Ms. Juli Warzynski, Maricopa County Attorney's Office

One member from a county attorney's office in a county with a population of less than 1.5 million persons, appointed by the President of the Senate:
Mr. James Schoppmann, Mohave County Attorney's Office

One member from a nonprofit federally mandated protection and advocacy agency for Arizona, appointed by the President of the Senate:
Mr. Asim Dietrich, Arizona Center on Disability Law

One member from the Administrative Office of the Courts.
Vacant

One member of a statewide association representing county supervisors who represents a county population of at least 1 million people, appointed by the Speaker.
Ms. Marcy Flanagan, Maricopa County

One member of a statewide association representing county supervisors who represents a county population of less than 1 million people, appointed by the President of the Senate:
Mr. Craig Sullivan, County Supervisors Association

One public defender in a county with a population of at least 1.5 million people, appointed by the President of the Senate:
Mr. David Hintze, Maricopa County Public Defender Legal Services

One public defender in a county with a population of less than 1.5 million, appointed by the Speaker.
Ms. Cathryn Whalen, Public Defense Services

The attorney general or a member of the attorney general's staff with experience in civil and criminal commitment procedures under titles 36 and 13, respectively:
Amy Bocks

Notes:

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CONTACT: Ahjahna Graham, House Research Staff; Michael Madden, Senate Research Staff
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