

Fiscal Note

BILL # SB 1309

TITLE: mental health evaluations; information; consent.

SPONSOR: Miranda

STATUS: Senate Engrossed

PREPARED BY: Mitch Wenzel

Description

The bill outlines additional requirements for applications for court-ordered mental health evaluations (COE), instructs screening entities to promptly log receipt of applications, and requires screening to entities to consider past behavioral health history of proposed patients. In addition, the bill outlines individuals who can provide informed consent on behalf of the proposed patient for voluntary evaluations.

Estimated Impact

We anticipate that the bill will not generate costs at the state level. Based on our initial analysis, the counties may bear some costs associated with their contracts with screening entities for the COE. While we do not anticipate this local cost to be substantial, we have contacted the counties for their perspective on the bill. We have not yet received a response.

Analysis

Under current law, the Superior Court may order a behavioral health evaluation of a person who is alleged to be a danger to self or to others and is unable to undergo a voluntary evaluation. The application process for a COE may be filed either as a non-emergent or emergent, depending on the severity of symptoms of the proposed patient and immediate danger to the patient and/or others. Before the application is reviewed by a judge in a non-emergent COE, a pre-petition screening is conducted at a healthcare entity to determine if the proposed patient meets reasonable cause and that the filing is appropriate to be reviewed with a court. An admitting officer determines if detention is necessary in an emergent COE prior to review with a court.

The cost of screenings and court-ordered evaluations are the financial responsibility of counties until a petition for court-ordered treatment (COT) is filed. Some counties contract with AHCCCS to have their health plans cover costs of screening, court-ordered evaluation, or both. The bill may impact workload associated with court-ordered evaluations and treatment, which would potentially increase costs to the counties.

Local Government Impact

See above.

4/9/24

