

SB 5397: Improving Access to Behavioral Health Treatment in Certified Treatment Facilities.

WDA and WACDL oppose the legislation in SB 5397 as the bill does not improve access to certified treatment facilities and violates the rights of those under involuntary commitment.

WDA and WACDL are especially troubled by the extension of the initial detention period for an additional 24 hours. Passage of this bill could lead to a patient winding up in a never-ending cycle of 24 holds until a placement could be established. Section 3, subsection 2, of the bill allows a 24 hour extension for evaluation under RCW 71.05.150 and RCW 71.05.153 if placement in a certified treatment facility cannot immediately be located. As a state, we continue to fail our most vulnerable citizens. To allow an extra 24 hours of detention because a person has the misfortune of being held on a single-bed certification is unwarranted and delays access to justice. Of additional concern is the fact that having a hold “dissolve” if placement cannot be found within 24 hours does not provide for the immediate discharge of the person.

WDA and WACDL oppose mandating that facilities provide treatment without appropriate training. We are concerned for the safety of patients. Washington State prides itself in the quality of services it expects from health care providers for its residents. It fails to meet those standards when it mandates that a vulnerable individual is to receive treatment in a facility that does not have the capability or expertise.

The reality of our behavioral health system is that we fail to provide what is needed. Until the state has funded the necessary number of mental health facilities, the necessary number of detox beds, and enough trained counselors and social workers on the ground, we will not appropriately address the needs of the most vulnerable citizens. Putting a Bandaid on this wound only maintains the problems with the mental health system and does nothing to address the underlying cause of insufficient funding.

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