

February 15, 2023

The Honorable Stephen Owens, Chairperson  
House Committee on Corrections and Juvenile Justice  
300 SW 10th Avenue, Room 546-S  
Topeka, Kansas 66612

Dear Representative Owens:

**SUBJECT:** Fiscal Note for HB 2353 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2353 is respectfully submitted to your committee.

HB 2353 would extend the ex parte emergency custody hold from 48 to 72 hours. The bill would add deterioration standards to the outpatient treatment order criteria allowing for an outpatient treatment order to be entered. The bill would require the treatment facility provide a written copy of the treatment plan to the court within ten business days to ensure judges and court staff are more aware of the progress and ability to see the services provided. The bill would remove the requirement that revokes an outpatient treatment order when a patient is taken into ex parte custody. Finally, the bill would change the initial outpatient treatment from three to six months.

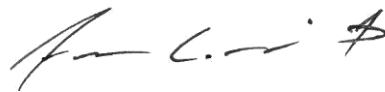
The Kansas Department for Aging and Disability Services indicates that HB 2353 would not have a fiscal effect on agency operations. The agency states that a 72-hour hold period is a more realistic time needed to stabilize the patient and, if the individual is not admitted, to discharge them with a long-term care plan. Ample research indicates that adequate stabilization and long-term care planning reduces the risk of suicide after discharge. The increase to a 72-hour hold would increase treatment facility costs, but in the long term those costs would be offset by alleviating pressure on the State Hospitals and providers.

The Office of Judicial Administration indicates that HB 2353 could have a fiscal effect on expenditures of the Judicial Branch. The bill's provisions change time periods for hearings to be held, addresses information that must be included in court orders and additional information that must be filed with the court. Nevertheless, until the courts have had an opportunity to operate

under the provisions of HB 2353, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be given. Any fiscal effect associated with HB 2353 is not reflected in *The FY 2024 Governor's Budget Report*.

The Kansas Association of Counties indicates that HB 2353 would have a fiscal effect on counties if there are higher costs for transporting individuals to and from treatment.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt". The signature is fluid and cursive, with a distinct flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Vicki Jacobsen, Judiciary  
Leigh Keck, Department for Aging & Disability Services  
Jay Hall, Kansas Association of Counties