

March 12, 2015

The Honorable John Barker, Chairperson  
House Committee on Judiciary  
Statehouse, Room 149-S  
Topeka, Kansas 66612

Dear Representative Barker:

**SUBJECT:** Fiscal Note for HB 2290 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2290 is respectfully submitted to your committee.

HB 2290 would allow any person to be admitted and detained for emergency observation and treatment in a 24-hour crisis center by a law enforcement officer if the officer believes the person is mentally ill, poses a substantial risk of serious or imminent harm to him or herself or to others. A 24-hour crisis center would be defined to mean any facility open 24-hours a day, 365-days a year, serving persons in crisis due to alcohol, substance abuse or mental illness. Admittance would be considered upon completion of a written application from the officer. The application form would be developed by the Judicial Council in consultation with the Kansas Commission on Peace Officers' Standards and Training. The person may not be detained in the 24-hour crisis center for more than 72 hours. If no 24-hour crisis center exists within the officer's jurisdiction, the officer must follow procedures in existing law relating to placement in a treatment facility. A jail or other detention facility would not be considered suitable except in circumstances of extreme emergency.

According to the Department for Aging and Disability Services, HB 2290 could result in decreased jail costs for local governments and decreased emergency room visits at local hospitals because law enforcement officer could bring individuals to crisis centers for observation and treatment rather than to emergency rooms or jails. However, the precise decrease in costs for local governments and hospitals is unknown. The Department notes that the bill's provisions are partially in practice with Johnson and Wyandotte counties using Rainbow Services Inc. (RSI), a 24-hour crisis stabilization center located in the former Rainbow Mental Health Facility. Currently, admission to RSI is voluntary. HB 2290 would permit involuntary admissions to RSI. The Department estimates that using RSI has diverted 571 individuals from local emergency rooms, 115 individuals from jail, and 118 admissions from the state psychiatric hospitals.

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The Judicial Council indicates that one-time expenditures of \$2,200 would be required to hold two meetings of the advisory committee to discuss and create the form to be used by law enforcement personnel. The expenses could be funded from existing resources. Any fiscal effect associated with HB 2290 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,  
Director of the Budget

cc: Brad Ridley, Aging & Disability Services  
Melissa Wangemann, Association of Counties  
Mary Rinehart, Judiciary  
Jackie Aubert, Children & Families  
Janelle Williams, Judicial Council  
Gary Steed, Peace Officers