Department of Plannind and Budget
2017 Fiscal Impact Statement

1. **Bill Number:** HB 1996

House of Origin	☒	Introduced	☐	Substitute	☐ Engrossed
Second House	☐	In Committee	☐	Substitute	☐ Enrolled

2. **Patron:** Hope

3. **Committee:** Courts of Justice

4. **Title:** Incompetent defendants; psychiatric treatment.

5. **Summary:** Requires that a defendant who is found incompetent to stand trial for a crime and who is ordered to receive treatment to restore his competency at an inpatient hospital be transferred to the hospital as soon as practicable, but no later than 10 days, from the issuance of the court order for restoration treatment.

6. **Budget Amendment Necessary**: No

7. **Fiscal Impact Estimates:** See 8 below.

8. **Fiscal Implications:** The proposed legislation requires the Department of Behavioral Health and Developmental Services (DBHDS) to admit within 10 days any individuals found incompetent of standing trial and thus ordered to receive treatment at a state facility to restore competency.

   This legislation should result in no additional admissions to DBHDS mental health facilities. However, expedited admissions may increase overall census numbers, which in the absence of getting individuals out of state facilities who no longer need that level of care, may require resources at state facilities or an increase in community capacity to increase facility discharges and free up beds.

   In FY 2016 there were 610 admissions to state facilities for the purpose of restoring competency to stand trial, an increase of 83 admissions over FY 2015. In most cases, the agency is able to admit individuals to a state facility within a few days, however there are occasional periods where historically the wait time has extend to several weeks/months. In the last year DBHDS has significantly decreased both the number of people waiting for admission and the length of time before admission, with a goal of 7 days of receipt of an order. Once admitted, the average length of stay for a person admitted for restoration of competency is approximately 70 days.

9. **Specific Agency or Political Subdivisions Affected:** Department of Behavioral Health and Developmental Services, Courts of Justice

10. **Technical Amendment Necessary:** No

11. Other Comments: None