

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: HB2410

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Watts

3. Committee: Engrossed

4. Title: Duration of involuntary temporary detention.

5. Summary: Includes the termination of a period of involuntary temporary detention on any day or part of a day on which the clerk's office is lawfully closed as a reason to extend the duration of the period of involuntary temporary detention for adults and juveniles who have been admitted to a facility of temporary detention. Current law allows the period to extend past 72 hours for an adult only if the detention would terminate on a Saturday, Sunday, legal holiday, or day on which the court is closed and allows the period to extend past 96 hours for a juvenile only if the detention terminates on a Saturday, Sunday, or legal holiday.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate.

8. Fiscal Implications: This legislation may increase the number of days an individual may be held under a temporary detention order if the release date would otherwise be on a day the clerk's office is closed, excepting legal holidays and weekends which are already included in code. This would cover days such as when a clerk's office is closed due to inclement weather, power outage, or some other type of emergency. The Department of Behavioral Health and Developmental Services is not aware of how frequently this issue arises but does not believe it to be a common occurrence and does not project any significant fiscal impact on state facilities.

It is unclear what the impact will be on reimbursements from the Department of Medical Assistance Services for additional days of involuntary mental commitment, however, currently DMAS reimburses \$863.13 per person, per day for individuals under a temporary detention order without another payer.

9. Specific Agency or Political Subdivisions Affected: Department of Behavioral Health and Developmental Services, Department of Medical Assistance Services.

10. Technical Amendment Necessary: No.

11. Other Comments: None.