



ARIZONA HOUSE OF REPRESENTATIVES

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First Regular Session

Senate: HHS DP 7-0-0-0 | 3rd Read DP 29-0-1-0

House: MAPS DP 15-0-0-0

SB 1077: jails; mental health; evaluations; treatment

Sponsor: Senator Shope, LD 16

Caucus & COW

Overview

Extends the definition of certain mental healthcare agencies to include facilities that are exempt from licensure by the Arizona Department of Health Services (DHS) if they are accredited by either a national commission on correctional health care or an American correctional association.

History

DHS broadly governs and licenses healthcare institutions in Arizona, but pursuant to [A.R.S. § 36-402](#), some healthcare institutions are exempt from DHS licensure. Among the exempt institutions are facilities that provide medical and health services to inmates who are confined in a county jail. Such facilities must be annually evaluated by the county sheriff to ensure they meet applicable standards that are adopted by either a national corrections commission on health care or an American correctional association.

Pursuant to [A.R.S. Title 36, Chapter 5, Articles 4-5](#), involuntary mental health evaluations and treatments may be imposed upon an allegedly mentally disordered person. If a person is exhibiting signs of being a danger to self or others, and he is unable or unwilling to seek treatment, he may be subjected first to a Court ordered evaluation (COE) and then, depending on the COE's results, to Court ordered treatment (COT).

COEs and COTs may only be carried out by *evaluation agencies* and *mental health treatment agencies*, which statute requires to be either state operated or licensed by DHS ([A.R.S. § 36-501](#)).

Provisions

1. Broadens the definition of *evaluation agency* and *mental health treatment agency* to include facilities that are exempt from DHS licensure and accredited by either a national commission on correctional health care or an American correctional association. (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1)