



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

Senate: HHS DP 7-0-0-0 | 3rd Read 18-11-1-0

SB 1682: state hospital; bed availability

Sponsor: Senator Gowan, LD 19

Committee on Health & Human Services

Overview

Directs the Arizona State Hospital (ASH) to admit patients based on clinical need for treatment and forbids any limit on admission based on a patient's county of residence.

History

[ASH](#), a division of the Arizona Department of Health Services, is a 260-bed facility that provides long-term inpatient psychiatric treatment to individuals with mental illnesses, personality disorders or emotional conditions who are under a court order to receive treatment. ASH is divided into three separate facilities: 1) the Civil Hospital; 2) the Forensic Hospital; and 3) the Arizona Community Protection and Treatment Center (ACPTC).

Patients receiving treatment at the Civil Hospital have been court-ordered to receive involuntary treatment as a result of having been determined to be a danger to themselves or others, gravely disabled or persistently and acutely disabled. Patients receiving treatment at the Forensic Hospital are court-ordered for either pre-trial or post-trial treatment as a result of involvement with the criminal justice system due to a mental health issue. ACPTC supervises and treats persons classified as sexually violent persons ([A.R.S. Title 36, Chapter 2, Article 1](#)).

A patient ordered by a court to undergo treatment and is not hospitalized in ASH at the time of the order must be treated for at least 25 days in a local mental health treatment agency that is geographically convenient for the patient before being hospitalized in ASH. A patient who is ordered by a court to undergo treatment may be admitted for treatment if the patient is accepted by the ASH Superintendent or if the court orders placement.

After a hearing, if the court finds that the patient's present condition and history demonstrate that the patient will not benefit from a continued period of treatment in or by a local mental health treatment agency either as an inpatient or an outpatient or that ASH provides a program that is specific to the needs of the patient and is unavailable in a local mental health treatment agency, is the least restrictive placement to meet the needs of the patient for the foreseeable future and there is a legally funded bed in ASH the court can amend the original treatment order authorizing the placement of the patient at ASH. The ASH Superintendent must notify the court whether a bed is available at ASH ([A.R.S. § 36-541](#)).

Provisions

1. Requires ASH to admit patients based on clinical need for treatment. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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2. Prohibits ASH from placing a limit on admission based on a patient's county of residence. (Sec. 1)
3. Removes the requirement that there must be a legally available funded bed at ASH for a patient to be placed there if the court finds that ASH provides a program that is specific to the needs of the patient that is unavailable in a local mental health treatment agency and is the least restrictive placement to meet the needs of the patient for the foreseeable future. (Sec. 2)