

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 298
Committee Substitute Favorable 4/15/99
Committee Substitute #2 Favorable 6/15/99

Short Title: Inpatient Commit./Condt'l Release/AB.

(Public)

Sponsors:

Referred to:

March 4, 1999

A BILL TO BE ENTITLED

1 AN ACT TO DIRECT THE LEGISLATIVE STUDY COMMISSION ON MENTAL
2 HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE
3 SERVICES TO STUDY THE ISSUE OF CONDITIONAL RELEASE OF CERTAIN
4 PERSONS INVOLUNTARILY COMMITTED TO STATE PSYCHIATRIC
5 HOSPITALS.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. The Legislative Study Commission on Mental Health,
9 Developmental Disabilities, and Substance Abuse Services shall study whether and under
10 what circumstances certain persons committed involuntarily to State psychiatric hospitals
11 should be released under specific conditions. In conducting the study, the Commission
12 shall consider the following:

- 13 (1) The target population for whom conditional release may be appropriate
14 and necessary to protect public safety and enhance patient stability.
15 (2) The estimated number of persons who could qualify for conditional
16 release.

- 1 (3) Criteria for conditional release that are clearly and narrowly defined to
2 ensure that conditional release will apply only to the target population
3 and will not be susceptible to being applied in an overinclusive manner.
4 (4) Costs of implementing conditional release, including the need for such
5 additional resources at the area mental health authority level as
6 medication, transportation, case management, and administrative start-
7 up costs.
8 (5) The role, duties, and responsibilities of area mental health authorities,
9 24-hour facilities, courts, and law enforcement agencies. These roles,
10 duties, and responsibilities should be sufficiently and clearly defined to
11 ensure both efficient coordination and communication among these
12 entities and continuity of care for respondents on conditional release.
13 (6) The qualifications necessary for personnel monitoring and supervising
14 conditional release and providing treatment to respondents on
15 conditional release.
16 (7) The mental health system issues and patient disabilities that currently
17 contribute to patient noncompliance with recommended treatment, and
18 treatment approaches and systems designs that would enhance patient
19 compliance, mental health, and quality of life.
20 (8) Any other issues the Commission deems appropriate for the study.

21 The Commission shall report its findings and recommendations to the 1999
22 General Assembly, Regular Session 2000, not later than one week prior to its convening.
23 The Commission's report may include recommended legislation for consideration by the
24 1999 General Assembly, Regular Session 2000. In conducting its study, the Commission
25 may consider House Bill 298, 2nd Edition, 1999 General Assembly.

26 Section 2. This act is effective when it becomes law.