

Senate Engrossed

Arizona state hospital; admission; governance.

State of Arizona  
Senate  
Fifty-fifth Legislature  
First Regular Session  
2021

**CHAPTER 402**  
**SENATE BILL 1851**

AN ACT

AMENDING SECTION 36-217, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA STATE HOSPITAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-217, Arizona Revised Statutes, is amended to  
3 read:

4 36-217. State hospital; annual report

5 A. On or before January 1 of each year, the director shall submit  
6 to the governor, the speaker of the house of representatives and the  
7 president of the senate a financial and programmatic report on the state  
8 hospital for the preceding fiscal year. **IN ADDITION TO INFORMATION THAT**  
9 **THE DEPARTMENT DEEMS RELEVANT**, this report shall include **ALL OF THE**  
10 **FOLLOWING INFORMATION:**

11 1. All revenues and expenditures of the state hospital, including  
12 specific identification of administrative costs for and the number of  
13 ~~persons~~ **PATIENTS** served at the state hospital.

14 2. **A BREAKDOWN OF THE PATIENTS SERVED AT EACH FACILITY AT THE STATE**  
15 **HOSPITAL, INCLUDING INFORMATION ON THE FOLLOWING:**

16 (a) **GENDER.**

17 (b) **RACE.**

18 (c) **AGE.**

19 (d) **LEGAL STATUS.**

20 (e) **COUNTY OF ORIGIN.**

21 (f) **PROGRAM TYPE.**

22 (g) **CENSUS BY UNIT.**

23 (h) **PRIMARY DIAGNOSIS OF EACH BY CATEGORY.**

24 (i) **LENGTH OF STAY.**

25 3. **ADMISSIONS BY CIVIL COMMITMENT, INCLUDING THE NUMBER OF**  
26 **ADMISSIONS AND DISCHARGES, THE TIME BETWEEN THE REQUEST FOR EACH ADMISSION**  
27 **AND THE DATE OF THE ADMISSION OR DENIAL OF THE ADMISSION AND AGGREGATE**  
28 **DATA FOR REASON OF DENIAL BY CATEGORY.**

29 4. **DATA COLLECTED FROM THE STATE HOSPITAL'S SAFETY PLAN, INCLUDING**  
30 **ALL OF THE FOLLOWING:**

31 (a) **THE NUMBER AND TYPE OF ALL ASSAULTS BY CATEGORY, WITH SEXUAL**  
32 **ASSAULTS REPORTED AS A SEPARATE CATEGORY.**

33 (b) **THE NUMBER OF ASSAULTS REPORTED TO LAW ENFORCEMENT, REGULATORY**  
34 **AGENCIES AND ACCREDITATION AGENCIES.**

35 (c) **THE NUMBER OF TIMES LAW ENFORCEMENT WAS CALLED TO THE STATE**  
36 **HOSPITAL IN RESPONSE TO AN ASSAULT.**

37 5. **AN UPDATE ON THE ESTABLISHMENT OF A PSYCHIATRIC CENTER OF**  
38 **EXCELLENCE.**

39 B. **THIS SECTION DOES NOT REQUIRE THE RELEASE OF INDIVIDUALLY**  
40 **IDENTIFIABLE HEALTH INFORMATION OF ANY SPECIFIC PATIENT.**

41 Sec. 2. Request for information; Arizona state hospital  
42 surveillance system

43 On or before October 1, 2021, the department of health services in  
44 coordination with the department of administration shall issue a request  
45 for information for a surveillance system for the state hospital that

1 includes both audio and video capability and adequate storage of the audio  
2 and visual files. The storage requirements should be consistent with  
3 other hospitals serving similar populations. The request for information  
4 may include the requirements for the civil and forensic units separately.

5 Sec. 3. Joint legislative psychiatric hospital review  
6 council; members; duties; reports; delayed repeal

7 A. The joint legislative psychiatric hospital review council is  
8 established consisting of the following members:

9 1. Two members of the house of representatives who are not members  
10 of the same political party and who are appointed by the speaker of the  
11 house of representatives. The speaker of the house of representatives  
12 shall designate one of these members to serve as cochairperson of the  
13 committee.

14 2. Two members of the senate who are not members of the same  
15 political party and who are appointed by the president of the senate. The  
16 president of the senate shall designate one of these members to serve as  
17 cochairperson of the committee.

18 3. The director of the Arizona health care cost containment system  
19 or the director's designee.

20 4. The director of the department of health services or the  
21 director's designee.

22 5. A judge of a superior court in which cases involving persons  
23 with serious mental illness are routinely adjudicated who is appointed by  
24 the speaker of the house of representatives.

25 6. A person who provides legal representation to and advocates on  
26 behalf of persons with serious mental illness who is appointed by the  
27 president of the senate.

28 7. A family member of a person with serious mental illness who is  
29 appointed by the speaker of the house of representatives.

30 8. A psychiatrist who specializes in treating persons with serious  
31 mental illness and who is appointed by the president of the senate.

32 B. Review council members are not eligible to receive compensation  
33 but are eligible for reimbursement of expenses under title 38, chapter 4,  
34 article 2, Arizona Revised Statutes.

35 C. The review council shall review, analyze and make  
36 recommendations regarding at least the following:

37 1. Psychiatric hospital capacity in this state, including the bed  
38 capacity at the Arizona state hospital and other public facilities.

39 2. The role of private facilities in addressing psychiatric  
40 treatment needs.

41 3. Innovative programs to ensure public safety while providing  
42 clinically appropriate treatment in the most integrated setting.

43 4. Legal barriers.

44 5. Current waiting lists.

45 6. Barriers to accessing appropriate inpatient care.

1           7. Licensing barriers.

2           8. Any other issues related to inpatient psychiatric treatment.

3           D. The cochairpersons of the review council shall invite subject  
4 matter experts from the fields of law, behavioral health and behavioral  
5 health system development to advise the review council.

6           E. On or before December 31, 2021 and December 31, 2022, the review  
7 council shall submit a report of its findings and recommendations to the  
8 speaker of the house of representatives, the president of the senate and  
9 the governor and shall provide a copy of the reports to the secretary of  
10 state.

11          F. This section is repealed from and after August 31, 2023.

APPROVED BY THE GOVERNOR JUNE 30, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 30, 2021.