

REFERENCE TITLE: **secure behavioral health residential facilities**

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1617

Introduced by
Senator Wadsack

AN ACT

AMENDING SECTION 36-425.06, ARIZONA REVISED STATUTES; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 36-425.06, Arizona Revised Statutes, is amended
3 to read:

4 36-425.06. Secure behavioral health residential facilities;
5 license; annual reports; definition

6 A. The department shall license secure behavioral health
7 residential facilities to provide secure twenty-four-hour on-site
8 supportive treatment and supervision by staff with behavioral health
9 training for persons who have been determined to be seriously mentally
10 ill, who are chronically resistant to treatment for a mental disorder and
11 who are placed in the facility pursuant to a court order issued pursuant
12 to section 36-550.09 or who have been committed pursuant to a court order
13 issued pursuant to section 13-4521. ~~A secure behavioral health~~

14 ~~residential facility may provide services only to persons placed in or~~
15 ~~committed to the facility pursuant to a court order issued pursuant to~~
16 ~~section 36-550.09 or 13-4521 and may not provide services to any other~~
17 ~~persons on that facility's premises.~~ A secure behavioral health

18 residential facility may not have more than sixteen beds. A **SECURE**
19 **BEHAVIORAL HEALTH RESIDENTIAL FACILITY THAT PROVIDES SERVICES TO PERSONS**
20 **WHO ARE:**

21 1. **PLACED IN THE SECURE BEHAVIORAL HEALTH RESIDENTIAL FACILITY**
22 **PURSUANT TO A COURT ORDER ISSUED PURSUANT TO SECTION 36-550.09 MAY NOT**
23 **PROVIDE SERVICES TO ANY OTHER PERSONS ON THAT FACILITY'S PREMISES.**

24 2. **COMMITTED TO THE SECURE BEHAVIORAL HEALTH RESIDENTIAL FACILITY**
25 **PURSUANT TO A COURT ORDER ISSUED PURSUANT TO SECTION 13-4521 MAY NOT**
26 **PROVIDE SERVICES TO ANY OTHER PERSONS ON THAT FACILITY'S PREMISES.**

27 B. On or before September 1 of each year: ~~;~~

28 1. The director of the Arizona health care cost containment system
29 administration shall submit a report to the governor, the legislature and
30 the supreme court that includes ~~all of~~ the following information:

31 ~~1.~~ (a) An accounting of where the monies appropriated to the
32 Arizona health care cost containment system administration for secure
33 behavioral health residential facilities were used during the previous
34 year.

35 ~~2.~~ (b) The number of available beds in each secure behavioral
36 health residential facility **FOR PERSONS WHO ARE PLACED PURSUANT TO SECTION**
37 **36-550.09.**

38 2. **THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL SUBMIT A REPORT TO**
39 **THE GOVERNOR, THE LEGISLATURE AND THE SUPREME COURT ON THE NUMBER OF**
40 **AVAILABLE BEDS IN EACH SECURE BEHAVIORAL HEALTH RESIDENTIAL FACILITY FOR**
41 **PERSONS WHO ARE COMMITTED PURSUANT TO SECTION 13-4521.**

42 C. For the purposes of this section, "secure" means premises that
43 limit a patient's egress in the least restrictive manner consistent with
44 the patient's court-ordered treatment plan.