

Amendment to HB 1565-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT requiring the secure psychiatric unit to be accredited as a behavioral health facility.

4 Amend the bill by replacing all after the enacting clause with the following:

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6 1 Department of Corrections; Duties of the Commissioner; Secure Psychiatric Unit. Amend
7 RSA 21-H:8, XI-a to read as follows:

8 XI-a.(a) The commissioner shall be the principal administrator of the secure psychiatric
9 unit established pursuant to RSA 622:41. [He] **The commissioner** shall establish the treatment
10 standards for the unit after consultation with the commissioner of the department of health and
11 human services. The commissioner shall:

12 [(a)] (1) Administer the unit;

13 [(b)] (2) [Repealed.]

14 [(c)] (3) Consult with the commissioner of the department of health and human services
15 regarding transfers to the unit;

16 [(d)] (4) Transfer persons in his **or her** custody to the unit if treatment is needed for
17 mental disturbance;

18 [(e)] (5) Discharge persons pursuant to RSA 622:48;

19 [(f)] (6) Review, at least annually, the mental health programs with the commissioner of
20 the department of health and human services to determine what policies, standards, or practices
21 should be revised to improve treatment;

22 [(g)] (7) Appoint qualified persons to positions established in RSA 622:43, I;

23 [(h)] (8) Administer the unit in such a manner as to meet accreditation standards [~~and~~
24 ~~to seek accreditation~~]; and

25 [(i)] (9) Perform other tasks necessary to carry out the administration of RSA 622:40-48.

26 (b) **The commissioner shall seek accreditation from the National Commission**
27 **on Correctional Health Care to have the secure psychiatric unit accredited as a**
28 **behavioral health facility. The accreditation process shall commence before January 1,**
29 **2019. The commissioner shall make all reasonable and good faith efforts to achieve**
30 **accreditation in a timely manner.**

31 2 Reports Required. The commissioner shall submit an interim report, on or before January 1,
32 2019, relative to the steps taken to receive accreditation as required under RSA 21-H:8, XI-a(b) as

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1 inserted by section 1 of this act and identifying any barriers to securing such accreditation and a
2 final report on or before January 1, 2020 to the speaker of the house of representatives, the
3 president of the senate, and the chairpersons of the house and senate committees having
4 jurisdiction over criminal justice and health and human services.

5 3 Secure Psychiatric Unit; Treatment Standards. Amend RSA 622:46, I to read as follows:

6 I. The commissioner shall establish clinical and treatment standards for the operation of
7 the unit in consultation with the commissioner of the department of health and human services.
8 The commissioners shall review, at least [~~annually~~] biennially, any interagency agreements and the
9 mental health program at the unit to determine which provisions, standards, or practices should be
10 revised to improve treatment. ***The commissioner shall submit a report of its findings in each***
11 ***even-numbered year, commencing on or before November 1, 2020, to the speaker of the***
12 ***house of representatives, the senate president, the governor, and the chairpersons of the***
13 ***house committees having jurisdiction over criminal justice issues and health and human***
14 ***services issues, and the chairpersons of the senate committees having jurisdiction over***
15 ***judicial issues and health and human services issues.***

16 4 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill requires the commissioner of the department of corrections to apply to the National Commission on Correctional Health Care seeking that the secure psychiatric unit be accredited as a behavioral health facility. Under this bill, the commissioner of the department of corrections shall submit a biennial report in even-numbered years of its findings as to whether certain provisions, standards, or practices should be revised to improve treatment at the secure psychiatric unit.