

Floor 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 psychiatric facility.
4

5 Amend the bill by replacing all after the enacting clause with the following:
6

7 1 Statement of Findings.

8 I. The general court hereby finds that:

9 (a) A separate forensic psychiatric hospital would be the preferred solution for persons
10 who are violently psychotic.

11 (b) Placement of the secure psychiatric unit within the state prison causes problems for
12 civil patients and their families.

13 (c) Transferring patients to forensic facilities outside of New Hampshire is not a viable
14 option.

15 II. Therefore, the general court hereby seeks to have the secure psychiatric unit accredited
16 as a psychiatric facility. In this act, the department of corrections, in collaboration with the
17 department of health and human services, shall commence the process of accreditation of the secure
18 psychiatric unit by the Joint Commission on Accreditation of Hospitals as a psychiatric facility.

19 2 Department of Corrections; Duties of the Commissioner; Secure Psychiatric Unit. Amend
20 RSA 21-H:8, XI-a to read as follows:

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

25 [~~(a)~~] (1) Administer the unit;

26 [~~(b)~~] (2) [Repealed.]

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

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

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

32 [~~(f)~~] (6) Review, at least annually, the mental health programs with the commissioner of

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1 the department of health and human services to determine what policies, standards, or practices
2 should be revised to improve treatment;

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

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

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

7 **(b) The commissioner shall seek to have the secure psychiatric unit accredited**
8 **as a psychiatric facility.**

9 3 Reports Required. The commissioner shall submit an interim report, on or before January 1,
10 2019, and a final report, on or before January 1, 2020, relative to the steps taken to receive
11 accreditation as required under RSA 21-H:8, XI-a(b) as inserted by section 2 of this act and
12 identifying any barriers to securing such accreditation to the speaker of the house of
13 representatives, the president of the senate, and the chairpersons of the house and senate
14 committees having jurisdiction over criminal justice and health and human services.

15 4 Secure Psychiatric Unit; Treatment Standards. Amend RSA 622:46, I to read as follows:

16 I. The commissioner shall establish clinical and treatment standards for the operation of
17 the unit in consultation with the commissioner of the department of health and human services.
18 The commissioners shall review, at least ~~[annually]~~ biennially, any interagency agreements and the
19 mental health program at the unit to determine which provisions, standards, or practices should be
20 revised to improve treatment. ***The commissioner shall submit a report of its findings in each***
21 ***even-numbered year, commencing on or before November 1, 2020, to the speaker of the***
22 ***house of representatives, the senate president, the governor, and the chairpersons of the***
23 ***house committees having jurisdiction over criminal justice issues and health and human***
24 ***services issues, and the chairpersons of the senate committees having jurisdiction over***
25 ***judicial issues and health and human services issues.***

26 5 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

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