

<b>Document Type:</b> <sup>1</sup>	<input checked="" type="checkbox"/> Policy & Procedure	<input type="checkbox"/> Process Guideline	Adopted: 12/10/09
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**Document Scope:** (applies to Policy & Procedure only)

- The requirements herein apply only to the GCBH Central Office and its functions.
- X - The requirements herein apply, verbatim, to GCBH and its network providers<sup>2</sup>.
- The requirements herein apply both to GCBH and its network providers<sup>2</sup>. Additionally, network providers must have internal documents outlining their processes for implementing the requirements, insofar as they relate to actions for which network providers are responsible.

**PURPOSE:** To address the procedure for the receipt and processing of billings for reimbursement of court related services related to ITA hearings from Member Counties.

## DEFINITIONS

- I. **ITA Judicial Services/Costs:** Services set forth to be administered by the RSN under RCW 71.24.300(6)(b) for services related to mental health civil ITA Judicial Hearings pursuant to RCW 71.05 and RCW 71.34.
  
- II. **Allowable Costs:** Costs associated with ITA Judicial Services including services performed by a County Prosecutor's Office, Court Commissioner and/or Judge through a Superior Court, County Clerk, Department of Assigned Counsel, Office of Public Defense, and/or Defense Counsel. "Allowable Costs" shall not include reimbursement for a Member County's Defense Counsel Services that are provided to indigent patients who were detained in the Member County where the ITA Judicial Services are occurring.
  
- III. **Involuntary Treatment Act (ITA) Hearings:** Hearings regarding mental health civil involuntary commitment proceedings for persons suffering from mental disorders including the following:
  - a. Probable Cause hearings to detain an individual for a 14-day involuntary commitment or for up to 90 days for a less restrictive alternative pursuant to RCW 71.05.240, now or as hereafter amended;
  - b. Hearing to commit an individual for 90 days or to a less restrictive alternative pursuant to RCW 71.05.300 – 310, now or as hereafter amended;
  - c. Hearing for the involuntary commitment of an individual for up to 180 days pursuant to RCW 71.05.320(3), now or as hereafter amended;
  - d. A hearing to modify, revoke, amend or convert any of the foregoing, a less restrictive alternative, or a conditional release;
  - e. Any of the foregoing hearings if conducted on a petition to detain a juvenile pursuant to Chapter 71.34 RCW.

<sup>1</sup>See definitions of document types in AD100, "Development, Approval & Review of Formal RSN Documents"

<sup>2</sup>"Network Provider" – An organization with which GCBH is contracted for the provision of direct services.

IV. **Member County:** All Counties who are members of the Greater Columbia Behavioral Health Regional (GCBH) Support Network.

#### **POLICY**

- A. GCBH is responsible for the administration of these ITA Judicial Services/Costs pursuant to RCW 71.24.300(6)(b), RCW 71.05 and RCW 71.34.
- B. The County where an individual is detained determines the responsibility for the ITA Judicial Services/Costs related to ITA hearings for that individual.
- C. GCBH shall reimburse any Member County for all allowable costs for ITA Judicial Services pursuant to RCW 71.05 and RCW 71.34 for detentions initiated within Greater Columbia Behavioral Health RSN.
- D. GCBH will assess its Member Counties for all allowable costs, except those for Department of Assigned Counsel, Office of Public Defense, and/or Defense Counsel through its funding formula. Allowable costs for Department of Assigned Counsel, Office of Public Defense, and/or Defense Counsel will be billed directly to the responsible county.
- E. Member Counties will, if they so choose, directly bill Non-Member Counties for ITA Judicial Services/Costs provided by a Member County for detentions arising in those Non-Member Counties.
- F. In the event of a legislative change modifying the statutory obligations to fund these ITA Judicial/Costs, GCBH shall amend this policy to be compliant with any change in the law.

#### **PROCEDURE**

- 1. Member Counties who provide ITA Judicial Services will submit a monthly invoice to GCBH calculated on a cost per hearing basis for the ITA Judicial Services that they provide for other Member Counties. The County Clerk, for each jurisdiction, will submit an invoice to GCBH monthly for State Filing Fees and Change of Venue Fees incurred for other Member Counties.
- 2. ITA Judicial Service invoices will be calculated on a cost per hearing basis. Such costs per hearing will be set at a fixed amount agreed upon between GCBH and all Member Counties who provide ITA Judicial Services. The agreed cost per hearing will be renegotiated every two years to reflect adjustments for actual costs incurred. This adjustment is to occur in time so as to coincide with the renewal of the State Medicaid and Non-Medicaid contracts. At the inception of this policy, agreed upon costs are as follows:

- *\$170.79 per hearing for residents of the county providing ITA Judicial Services*
- *\$268.06 per hearing for out-of-county residents*
- *Clerk's fee: As defined in statute*
- *Change of venue fee: As defined in statute*

3. ITA Judicial Service invoices will contain the name of the individual for which the ITA Judicial Services were provided, type of hearing, as well as the county in which the individual was first detained.

**APPROVAL**

/S/ Ken Roughton

Kenneth Roughton, Ph.D

Director

02/03/11

Date