



House of Representatives

General Assembly

File No. 740

January Session, 2009

House Bill No. 6343

House of Representatives, April 20, 2009

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING TEMPORARY LEAVE ORDERS ISSUED BY THE PSYCHIATRIC SECURITY REVIEW BOARD.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-587 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) If at any time after the confinement of an acquittee in a hospital
4 for psychiatric disabilities or the placement of an acquittee with the
5 Commissioner of Developmental Services pursuant to order of the
6 board, the superintendent of such hospital or said commissioner is of
7 the opinion that the acquittee's psychiatric supervision and treatment
8 would be advanced by permitting the acquittee to leave such hospital
9 or the custody of said commissioner temporarily, the superintendent
10 or said commissioner shall apply to the board for an order authorizing
11 temporary leaves. The application shall include a statement of reasons
12 in support thereof. The board shall send a copy of the application to
13 the state's attorney. The board may order a hearing on the application
14 and shall order such a hearing if the state's attorney files with the

15 board a request therefor within ten days of his receipt of the
 16 application. The board shall grant the application, subject to such
 17 conditions and supervision as the board may set in the order for
 18 temporary leave, if it concludes that the acquittee's temporary leave,
 19 under the conditions specified, would not constitute a danger to
 20 himself or others. If such application is granted, the acquittee may be
 21 permitted to leave such hospital or the custody of said commissioner
 22 temporarily, under the charge of his guardian, relatives or friends, or
 23 by himself, at such times and under such conditions as the
 24 superintendent or said commissioner deems appropriate, unless the
 25 order of the board provides otherwise. The provisions of section 17a-
 26 521 not inconsistent with this section shall be applicable to temporary
 27 leaves authorized by this section.

28 (b) The board may designate any capable person or appropriate
 29 public or private agency to supervise the acquittee on temporary leave
 30 pursuant to subsection (a) of this section. Prior to any designation, the
 31 board shall notify the person or agency that the board contemplates
 32 designating to supervise the acquittee's temporary leave and provide
 33 the person or agency with an opportunity to be heard before the board.
 34 Any person or agency designated by the board to supervise the
 35 acquittee's temporary leave shall comply with such conditions as the
 36 board sets in the order for temporary leave.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	17a-587

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill permits the Psychiatric Security Review Board to grant temporary leave to people in the Connecticut Valley Hospital or in the custody of the Department of Developmental Services if they have been acquitted of crimes due to a mental disease. This will not result in a fiscal impact.

The Out Years

There is no fiscal impact in the out years.

OLR Bill Analysis**HB 6343*****AN ACT CONCERNING TEMPORARY LEAVE ORDERS ISSUED BY THE PSYCHIATRIC SECURITY REVIEW BOARD.*****SUMMARY:**

The law gives the superintendent of Connecticut Valley Hospital (CVH) or the commissioner of the Department of Developmental Services (DSS), respectively, authority to request that the Psychiatric Security Review Board (PSRB) grant temporary leave to people in CVH's or DDS' custody because they have been acquitted of crimes due to a mental disease or defect ("acquittee"). The bill gives PSRB express authority to set conditions and order supervision during the leave.

The bill also permits PSRB to designate a capable person or agency to supervise the acquittee during the leave. Prior to any designation, the board must notify the person or agency and give him or her an opportunity for a hearing before the board. Any designee must comply with the conditions the board sets in its order for temporary leave.

EFFECTIVE DATE: Upon passage

BACKGROUND***Psychiatric Security Review Board***

PSRB is a state agency to which the Superior Court commits persons found not guilty of a crime by reason of mental disease or mental defect. PSRB's responsibility is to review the status of acquittees through an administrative hearing process and order the level of supervision and treatment for the acquittee necessary to protect the public.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 40 Nay 0 (03/31/2009)