CONNECTICUT
HOSPITAL
ASSOCIATION

TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
JUDICIARY COMMITTEE
Friday, April 8, 2011

HB 6648, An Act Concerning A Clinical Assessment Of First-Time Offenders

The Connecticut Hospital Association (CHA) appreciates the opportunity to submit testimony concerning **HB 6648, An Act Concerning A Clinical Assessment Of First-Time Offenders**. CHA opposes the bill because it is unnecessary, and will cause substantial confusion concerning the rights and safety procedures for appropriate examination, care, and treatment of persons in need of assistance for mental health or substance abuse treatment.

Under Chapter 319i of the general statutes, entitled "Persons With Psychiatric Disabilities," a police officer already has the authority to take any person who he or she believes suffers from a psychiatric disability to a hospital for an emergency examination. This chapter dictates elaborate procedures that must be used in such presentations, providing specificity on a range of issues, including: due process notification and review steps where there may be possible commitment of the person; the delivery of appropriate care and treatment; and procedures for circumstances where probate court intervention is needed. These laws are designed to protect the rights and safety of the patient, as well as the safety of the general public.

Other portions of Chapter 319i detail the processes that must be used when seeking examination, assessment, and treatment of persons suspected to have a mental illness who are already in the corrections system. These laws differ from those that apply to the general public, because those who have already been convicted of a crime have decreased liberty interests.

Additionally, pursuant to Chapter 319j of the general statutes, entitled "Addiction Services," police officers already have express statutory authority to escort a person who appears to be intoxicated to a facility or hospital for evaluation and treatment. Existing laws in this Chapter provide specific details (regarding intoxicated and detained persons) that serve to protect the police, healthcare workers, and patients.

HB 6648 would not only cause confusion, but it would also conflict with these long-standing laws on police authority to assist persons in need or who may have mental and behavioral health issues and require an examination. Unless coordinated with numerous existing laws, HB 6648 could also jeopardize the rights of mental health and substance abuse patients with respect to privacy, choice of care, commitment proceedings, and the type of care they receive. (Coordination of the bill with existing laws would benefit from input and discussion between various stakeholders and interested parties, a task which may need additional time to accomplish.) For these reasons, we oppose HB 6648.

Thank you for your consideration of our position.

For additional information, contact CHA Government Relations at (203) 294-7310.

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