

HCS HBs 1082 & 1094 -- MENTAL HEALTH CARE (Thompson)

COMMITTEE OF ORIGIN: Standing Committee on Health and Mental Health Policy

This bill designates October 2nd of each year as "Premenstrual Dysphoric Disorder (PMDD) Awareness Day" in the State.

This bill specifies that "student special education records" as defined in the bill are to be retained by school districts as part of the student's permanent record, and such records may not be destroyed by the district.

Currently, a judge may order a pretrial examination of an accused person whom the judge has reasonable cause to believe lacks mental fitness to proceed. The psychiatrist, psychologist, or physician performing the examination shall submit a report with findings, opinions, and recommendations on treatment in suitable hospitals. This bill requires the examination report to contain recommendations as to whether the accused, if found to lack mental fitness to proceed, should be committed to a suitable hospital for treatment or if the treatment can be provided in a county jail or other detention facility approved by the Director of the Department of Mental Health. Additionally, the report shall contain a recommendation as to whether the accused, if found to lack mental fitness to proceed and if not charged with a dangerous felony, murder in the first degree, or rape in the second degree, should be committed to a suitable hospital facility or may be appropriately treated in the community, and whether the accused can comply with bond conditions and treatment conditions. The Director, or his or her designee, shall determine the locations and conditions under which treatment shall be provided to the accused.

Additionally, this bill repeals all references to a "mental health coordinator", currently defined in statute as a mental health professional who has knowledge of the laws relating to hospital admissions and civil commitment, and who is authorized by the Director of the Department of Mental Health or their designee to serve a designated geographic area or mental health facility. Associated duties, responsibilities, and powers of mental health coordinators are also repealed.

Also, regarding applications for detention for evaluation and treatment, this bill removes the notarization requirement for any affidavits, declarations, or other documents supporting such application. The application for detention for evaluation and treatment, as well as any affidavits, declarations, or other supporting documents shall be subject to the provisions established

in Section 492.060, RSMo, allowing for declaration under penalty of perjury.

For any respondent arriving at a mental health facility, this bill shortens the allotted time frame for designated facility staff to meet with the respondent and explain the respondent's statutory rights from four days to 48 hours.

This bill is similar to SB 387 (2023).