

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 55 – HB 933**

March 15, 2013

**SUMMARY OF BILL:** Extends an existing court ordered assisted outpatient treatment program pilot project in Knox County to the probate court of Shelby County, Tennessee. The pilot project will exist for up to two years for a maximum of 10 patients receiving treatment at any given time in each county. The pilot project authorizes a court of competent jurisdiction to order assisted outpatient treatment for a proposed patient as an alternative to other actions authorized for involuntary care and treatment if certain specified conditions are met. Prior to the order, the court must receive a written, proposed treatment plan by a qualified mental health professional or physician who has examined the proposed patient no more than 10 days prior to the entering of an order. If the court finds by clear and convincing evidence that the proposed patient meets the criteria for assisted outpatient treatment, then the court may order the proposed patient to receive assisted outpatient treatment for an initial period of no more than six months. However, if the court finds by clear and convincing evidence that there are not adequate community resources and a willing treatment provider available to provide the recommended treatment plan, then the court must state the findings of fact on the record and deny the treatment without prejudice. Within 30 days prior to the expiration of an order for assisted outpatient treatment, the authorized petitioner may apply to the court to order continued assisted outpatient treatment for a period not to exceed 6 months.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$125,000/FY13-14  
\$250,000/FY14-15**

Assumptions:

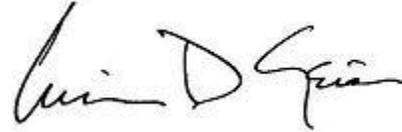
- The existing pilot project will continue in Knox County and will be extended to the probate court of Shelby County.
- Due to the reenactment of the current statute, the pilot project will be authorized for up to two years after this legislation takes effect.
- During the term of the pilot project, up to 10 patients in Knox County and 10 patients in Shelby County could receive the treatment authorized by the legislation at any given time.
- According to the Department of Mental Health and Substance Abuse Services (MHSAS), the FY13-14 allocation for the existing pilot project in Knox County is \$125,000 and an equal amount would be allocated for the pilot project in Shelby County.

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- According to MHSAS, \$125,000 has been allocated to the pilot program in Knox County for FY13-14 from funding reallocated in FY12-13 from Lakeshore Mental Health Institute to Community Mental Health Services.
- It is estimated that the total additional amount to be allocated for the pilot project would be \$375,000 [(\$125,000 x 2 counties x up to 2 years) - \$125,000 current allocation].

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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