



Bill Number: S.B. 1405

Bolick Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Renames the Mental Health Transition Pilot Program as the Mental Health Transition Program.**
- 2. Makes technical and conforming changes.**

BOLICK FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1405
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.

[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 <<Section 1. Heading change

3 [The article heading of title 31, chapter 2, article 7, Arizona
4 Revised Statutes, is changed from "MENTAL HEALTH TRANSITION PILOT PROGRAM"
5 to "MENTAL HEALTH TRANSITION PROGRAM".]

6 Sec. 2. Section 31-291, Arizona Revised Statutes, is amended to
7 read:

8 31-291. Mental health transition program; contracted
9 entities; inmate eligibility; rules; study; report;
10 definition

11 A. The department shall establish the mental health transition
12 [pilot] program to provide eligible inmates with transition services in
13 the community. An inmate who is in the mental health transition [pilot]
14 program and who was not convicted of [am] [ANY] offense listed in section
15 31-281, subsection B, paragraph 1, subdivisions (a) and (b) shall be
16 released from confinement three months earlier than the inmate's earliest
17 release date based on the inmate's risk and need and rules adopted
18 pursuant to this section.

19 B. The department shall administer the mental health transition
20 [pilot] program and contract with private or nonprofit entities to provide
21 eligible inmates with mental health transition services and shall procure
22 mental health transition services pursuant to title 41, chapter 23. The
23 department may refer an inmate who has a mental health condition to be
24 placed in the mental health transition [pilot] program. The department
25 shall place up to five hundred eligible inmates in the mental health
26 transition [pilot] program each fiscal year.

27 C. The director shall adopt rules to implement this section. The
28 rules shall:

1 1. Include eligibility criteria for an inmate to receive a
2 contracted entity's mental health transition services. To be eligible, at
3 a minimum, an inmate must:

4 (a) Agree in writing to provide specific information. The
5 department shall use the information to prepare the report prescribed by
6 subsection E, paragraph 3 of this section.

7 (b) Be diagnosed as seriously mentally ill and, on release, be
8 eligible for Arizona health care cost containment system benefits.

9 2. Require that an eligible inmate be offered services, which may
10 include health care assistance to obtain Arizona health care cost
11 containment system-funded services, case management, housing, psychiatric
12 management, drug testing that includes a DNA match to the person and the
13 level of any prescription drugs and transportation.

14 3. Require that each eligible inmate receive services in the
15 program for at least ninety days or for the duration of the inmate's
16 release.

17 D. In awarding contracts under this section, the department shall
18 comply with section 41-3751.

19 E. The department shall:

20 1. Conduct an annual study to determine the recidivism rates of
21 inmates who receive a contracted entity's mental health transition
22 services pursuant to this section. The study shall include the recidivism
23 rates of inmates who have been released from incarceration for a minimum
24 of two years after release.

25 2. Evaluate each inmate and provide the information to the
26 contracted entity.

27 3. On or before December 31 of each year, submit a written report
28 to the governor, the president of the senate, the speaker of the house of
29 representatives and the joint legislative budget committee and provide a
30 copy of this report to the secretary of state. The report may be
31 submitted electronically. The report shall contain the following
32 information:

33 (a) The one-year, two-year and three-year rates of return to the
34 department's custody for an inmate who received services in the program
35 compared to a released inmate with a seriously mentally ill diagnosis
36 during the same period who did not receive services in the program.

37 (b) The number of inmates who participated in the program at any
38 point during the previous fiscal year.

39 (c) The number of inmates who completed ninety days of services in
40 the program during the previous fiscal year.

41 (d) The number of inmates who were still enrolled in the program on
42 the last day of the previous fiscal year.

43 (e) The number of inmates who were unsuccessfully discharged from
44 the program during the previous fiscal year.

45 (f) The number of inmates who were successfully connected to
46 Arizona health care cost containment system services during the previous
47 fiscal year as evidenced by the inmate both completing an intake for

1 services and using those services throughout the ninety-day period or
2 through the end of the fiscal year, whichever occurs first.

3 (g) Of the inmates who participated in the program at any point
4 during the previous fiscal year, the number of inmates who used Arizona
5 health care cost containment system-funded mental health services,
6 substance abuse services, psychiatric management services, case management
7 services and transportation or housing services, or both.

8 4. Provide information about the mental health transition ~~[pilot]~~
9 program to each inmate who has a mental health condition or mental health
10 co-occurring condition and who is not serving a life sentence on admission
11 to prison and to each inmate who is potentially eligible for the mental
12 health transition ~~[pilot]~~ program nine months before the inmate's earliest
13 release date. The information must include all of the admission
14 requirements to the mental health transition ~~[pilot]~~ program and the
15 disqualifying factors under this section.

16 F. For the purposes of this section, "recidivism" means
17 reincarceration in the department for any reason.>>

18 Sec. 3. Laws 2021, chapter 403, section 15 is amended to read:

19 Sec. 15. Delayed repeal

20 Title 31, chapter 2, article 7, Arizona Revised Statutes, as added
21 by ~~this act~~ LAWS 2021, CHAPTER 403, SECTION 14, is repealed from and after
22 June 30, ~~2026~~ 2031.

23 Enroll and engross to conform

24 Amend title to conform

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