

HOUSE BILL NO. 366

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE DIBERT

Introduced: 2/20/24

Referred: Health and Social Services, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to residential psychiatric treatment centers; and providing for an**
2 **effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 47.30.840 is amended by adding a new subsection to read:

5 (c) A minor undergoing evaluation or inpatient treatment under AS 47.30.660
6 - 47.30.915 at a residential psychiatric treatment center has the right, unless otherwise
7 prohibited by law or court order, to have confidential video communication at least
8 once each week for at least one hour with the minor's parent or legal guardian. The
9 residential psychiatric treatment center shall facilitate the communication. In this
10 subsection, "residential psychiatric treatment center" has the meaning given in
11 AS 47.32.900.

12 * **Sec. 2.** AS 47.32.110(c) is amended to read:

13 (c) Upon petition of the department with licensing authority for the entity
14 under AS 47.32.010 and after a hearing held upon reasonable notice to the entity, the

1 court shall issue an order to an officer or employee of that department authorizing the
2 officer or employee to enter for any of the purposes described in (a) or (d) of this
3 section.

4 * **Sec. 3.** AS 47.32.110 is amended by adding a new subsection to read:

5 (d) A designated agent or employee of the Department of Health shall
6 conduct, at least twice each year, an unannounced inspection of each residential
7 psychiatric treatment center. In conducting an inspection under this subsection, the
8 Department of Health shall interview at least 50 percent of the patients of the
9 residential psychiatric treatment center. Staff of the residential psychiatric treatment
10 center may not be present during an interview conducted under this subsection.

11 * **Sec. 4.** AS 47.32.200 is amended by adding a new subsection to read:

12 (g) A residential psychiatric treatment center shall notify the Department of
13 Health in writing of each use of seclusion or restraint, including the use of a chemical,
14 mechanical, or physical restraint, on a person. The residential psychiatric treatment
15 center shall notify the Department of Health and the parent or guardian of the person
16 not later than one business day after the use of seclusion or restraint.

17 * **Sec. 5.** This Act takes effect July 1, 2024.