

1 **FOR THE DEPARTMENT OF COMMERCE**

2 2021-23 Behavioral Health Community Capacity

3 The appropriations in this section (~~(is)~~) are subject to the  
4 following conditions and limitations:

5 (1) The appropriations in this section (~~(is)~~) are provided solely  
6 for the department to issue grants to community hospitals or other  
7 community providers to expand and establish new capacity for  
8 behavioral health services in communities. The department must  
9 consult an advisory group consisting of representatives from the  
10 department of social and health services, the health care authority,  
11 one representative from a managed care organization, one  
12 representative from an accountable care organization, and one  
13 representative from the association of county human services. Amounts  
14 provided in this section may be used for construction and equipment  
15 costs associated with establishment of the facilities. The department  
16 may approve funding for the acquisition of a facility if the project  
17 will result in increased behavioral health capacity. Amounts provided  
18 in this section may not be used for operating costs associated with  
19 the treatment of patients using these services.

20 (2) The department must establish criteria for the issuance of  
21 the grants, which must include:

22 (a) Evidence that the application was developed in collaboration  
23 with one or more regional behavioral health entities that administer  
24 the purchasing of services;

25 (b) Evidence that the applicant has assessed and would meet gaps  
26 in geographical behavioral health services needs in their region;

27 (c) Evidence that the applicant is able to meet applicable  
28 licensing and certification requirements in the facility that will be  
29 used to provide services;

30 (d) A commitment by applicants to serve persons who are publicly  
31 funded and persons detained under the involuntary treatment act under  
32 chapter 71.05 RCW;

33 (e) A commitment by the applicant to maintain and operate the  
34 beds or facility for a time period commensurate to the state  
35 investment, but for at least a 15-year period;

36 (f) The date upon which structural modifications or construction  
37 would begin and the anticipated date of completion of the project;

38 (g) A detailed estimate of the costs associated with opening the  
39 beds;

1 (h) A financial plan demonstrating the ability to maintain and  
2 operate the facility; and

3 (i) The applicant's commitment to work with local courts and  
4 prosecutors to ensure that prosecutors and courts in the area served  
5 by the hospital or facility will be available to conduct involuntary  
6 commitment hearings and proceedings under chapter 71.05 RCW.

7 (3) In awarding funding for projects in subsection (5) of this  
8 section, the department, in consultation with the advisory group  
9 established in subsection (1) of this section, must strive for  
10 geographic distribution and allocate funding based on population and  
11 service needs of an area. The department must consider current  
12 services available, anticipated services available based on projects  
13 underway, and the service delivery needs of an area.

14 (4) The department must prioritize projects that increase  
15 capacity in unserved and underserved areas of the state.

16 (5) \$71,400,000 of the state building construction account—state  
17 appropriation in this section is provided solely for a competitive  
18 process for each category listed and is subject to the criteria in  
19 subsections (1), (2), (3), and (4) of this section:

20 (a) \$11,600,000 of the state building construction account—state  
21 appropriation in this section is provided solely for at least six  
22 enhanced service facilities for long-term placement of patients  
23 discharged or diverted from the state psychiatric hospitals and that  
24 are not subject to federal funding restrictions that apply to  
25 institutions of mental diseases;

26 (b) \$10,000,000 of the state building construction account—state  
27 appropriation in this section is provided solely for enhanced adult  
28 residential care facilities for long-term placements of dementia  
29 discharged or diverted from the state psychiatric hospitals and are  
30 not subject to federal funding restrictions that apply to  
31 institutions of mental diseases;

32 (c) \$2,000,000 of the state building construction account—state  
33 appropriation in this section is provided solely for at least one  
34 facility with secure withdrawal management and stabilization  
35 treatment beds that are not subject to federal funding restrictions  
36 that apply to institutions of mental diseases;

37 (d) \$2,000,000 of the state building construction account—state  
38 appropriation in this section is provided solely for at least one  
39 crisis triage and stabilization facility that is not subject to

1 federal funding restrictions that apply to institutions of mental  
2 diseases;

3 (e) \$12,000,000 of the state building construction account—state  
4 appropriation in this section is provided solely for two 16-bed  
5 crisis triage and stabilization facilities in the King county  
6 region(~~(, one within the city of Seattle and one in south King~~  
7 ~~county,))~~ consistent with the settlement agreement in *A.B, by and*  
8 *through Trueblood, et al., v. DSHS, et al.*, No. 15-35462, and that  
9 are not subject to federal funding restrictions that apply to  
10 institutions of mental disease;

11 (f) \$2,000,000 of the state building construction account—state  
12 appropriation in this section is provided solely for at least two  
13 mental health peer respite centers that are not subject to federal  
14 funding restrictions that apply to institutions of mental diseases.  
15 No more than one mental health peer respite center should be funded  
16 in each of the nine regions;

17 (g) \$18,000,000 of the state building construction account—state  
18 appropriation in this section is provided solely for the department  
19 to provide grants to community hospitals, freestanding evaluation and  
20 treatment providers, or freestanding psychiatric hospitals to develop  
21 capacity for beds to serve individuals on 90-day or 180-day civil  
22 commitments as an alternative to treatment in the state hospitals. In  
23 awarding this funding, the department must coordinate with the  
24 department of social and health services, the health care authority,  
25 and the department of health and must only select facilities that  
26 meet the following conditions:

27 (i) The funding must be used to increase capacity related to  
28 serving individuals who will be transitioned from or diverted from  
29 the state hospitals;

30 (ii) The facility is not subject to federal funding restrictions  
31 that apply to institutions of mental diseases;

32 (iii) The provider has submitted a proposal for operating the  
33 facility to the health care authority;

34 (iv) The provider has demonstrated to the department of health  
35 and the health care authority that it is able to meet the applicable  
36 licensing and certification requirements for the facility that will  
37 be used to provide services; and

(v) The health care authority has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes;

(h) \$2,400,000 of the state building construction account—state appropriation in this section is provided solely for competitive community behavioral health grants to address regional needs;

(i) \$9,400,000 of the state building construction account—state appropriation in this section is provided solely for at least three intensive behavioral health treatment facilities for long-term placement of behavioral health patients with complex needs and that are not subject to federal funding restrictions that apply to institutions of mental diseases; and

(j) \$2,000,000 of the state building construction account—state appropriation in this section is provided solely for grants to community providers to increase behavioral health services and capacity for children and minor youth including, but not limited to, services for substance use disorder treatment, sexual assault and traumatic stress, anxiety, or depression, and interventions for children exhibiting aggressive or depressive behaviors in facilities that are not subject to federal funding restrictions. Consideration must be given to programs that incorporate outreach and treatment for youth dealing with mental health or social isolation issues.

(6)(a) \$15,648,000 of the state building construction account—state appropriation and \$8,748,000 of the capital community assistance account—state appropriation in this section (~~((is))~~) are provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section:

Astria Toppenish Hospital (Toppenish)	\$1,648,000
Compass Health Broadway (Everett)	\$14,000,000
<u>Evergreen Recovery Residential Treatment (Everett)</u>	<u>\$1,000,000</u>
<u>EvergreenHealth Monroe (Monroe)</u>	<u>\$4,275,000</u>
<u>NE Spokane Community Behavioral Health Center</u>	
<u>(Spokane)</u>	<u>\$700,000</u>
<u>Red Road Clean and Sober Housing (Renton)</u>	<u>\$773,000</u>
<u>Seattle Clinic at Evergreen Treatment (Seattle)</u>	<u>\$2,000,000</u>

(b) \$8,116,000 of the state building construction account—state appropriation and \$17,575,000 of the capital community assistance account—state appropriation in this section (~~((is))~~) are provided solely for the following list of projects and is subject to the

criteria in subsection (1) of this section, except that the following projects are not required to establish new capacity:

<u>Cascade Hall (Seattle)</u>	<u>\$6,000,000</u>
<u>Comprehensive Health Care - Goldendale Facility</u>	
<u>(Goldendale)</u>	<u>\$1,030,000</u>
<u>Jamestown S'Klallam (Sequim)</u>	<u>\$3,250,000</u>
<u>Lummi Nation Healing Wellness Center (Bellingham)</u>	<u>\$1,250,000</u>
<u>Maplewood Enhanced Services Facility (Bellingham)</u>	<u>\$1,500,000</u>
<u>SIHB Thunderbird Treatment Center (Seattle)</u>	<u>\$3,000,000</u>
Family Solutions (Vancouver)	\$2,050,000
Renovation Youth Evaluation & Treatment Facility	
(Bremerton)	\$316,000
Sound Enhanced Services Facility (Auburn)	\$3,000,000
Three Rivers Behavioral Health Recovery Center	
(Kennewick)	(( <del>\$2,750,000</del> ))
	<u>\$4,295,000</u>

(7) The department must notify all applicants that they may be required to have a construction review performed by the department of health.

(8) To accommodate the emergent need for behavioral health services, the department and the department of health, in collaboration with the health care authority and the department of social and health services, must establish a concurrent and expedited process to assist grant applicants in meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, freestanding evaluation and treatment facilities, enhanced services facilities, triage facilities, crisis stabilization facilities, or secure detoxification/secure withdrawal management and stabilization facilities.

(9) The department must strive to allocate all of the amounts appropriated within subsection (5) of this section in the manner prescribed. However, if upon review of applications, the department determines, in consultation with the advisory group established in subsection (1) of this section, that there are not adequate suitable projects in a category of projects under subsection (5) of this section, the department may allocate funds to other behavioral health capacity project categories within subsection (5) of this section, prioritizing projects under subsections (5)(a), (g), and (i) of this section. Underserved areas of the state may also be considered.

(10) The department must provide a progress report by November 1, 2022. The report must include:

(a) The total number of applications and amount of funding requested;

(b) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, bed capacity, and anticipated completion date; and

(c) A status report of projects that received funding in prior funding rounds, including details about the project completion and the date the facility began providing services.

**Appropriation:**

State Building Construction Account—State. . . . .	\$95,164,000
Capital Community Assistance Account—State. . . . .	\$26,323,000
<u>Subtotal Appropriation. . . . .</u>	<u>\$121,487,000</u>
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$120,000,000
TOTAL. . . . .	(( <del>\$215,164,000</del> ))
	<u>\$241,487,000</u>

**Sec. 1040.** 2021 c 332 s 1078 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Rapid Response Community Preservation Pilot Program (91001278)

**Reappropriation:**

State Building Construction Account—State. . . . .	\$1,518,000
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**Appropriation:**

Capital Community Assistance Account—State. . . . .	\$2,000,000
Prior Biennia (Expenditures). . . . .	\$482,000
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	(( <del>\$2,000,000</del> ))
	<u>\$4,000,000</u>

**Sec. 1041.** 2021 c 332 s 1086 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Broadband Office (92000953)