

Fiscal Estimate Narratives

DHFS 6/10/2005

LRB Number	05-1179/1	Introduction Number	SB-226	Estimate Type	Original
Subject					
Informed consent by minors for treatment for mental illness					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, the mental health laws distinguish between minors under 14 years of age and minors 14 years of age or older with regard to giving informed consent for outpatient treatment for mental illness or developmental disability; voluntary admission to and discharge from an inpatient facility for treatment and rehabilitation for mental illness or developmental disability; reexamination under, or modification or cancellation of, an involuntary commitment order for treatment for mental illness or developmental disability; transfer from a juvenile secured correctional facility to an inpatient facility for treatment for mental illness or developmental disability, access and consent to the release of court records and treatment records, and informed consent for medication and treatment.

This bill limits the ability of minors 14 years of age or older to make decisions with regard to giving informed consent for treatment for mental illness and developmental disability, alcoholism or drug abuse; the administration of psychotropic medications; admission, transfer and discharge from inpatient/outpatient facilities; and the access to records for both inpatient and outpatient treatment and admissions.

The bill could have a fiscal impact on the mental health service system at both the state and local level based on possible increases in county-funded adolescent commitments at the Department's mental health institutions or at local treatment facilities. The number of additional minors admitted into inpatient or outpatient mental health treatment as a result of these provisions is expected to be minimal, but the exact number of additional commitments and the resulting cost to the Department or county human services or social services departments, cannot be estimated.

Long-Range Fiscal Implications