


MEMORANDUM

DATE	August 31, 2017
TO	Board of Psychology
FROM	 Jason Glasspiegel Central Services Coordinator
SUBJECT	Agenda Item #16(b)(2)(X) – AB 720 (Eggman) Inmates: Psychiatric Medication: Informed Consent

Background:

This bill would extend to an inmate confined in a county jail the protection from being administered any psychiatric medication without his or her prior informed consent, with certain exceptions. The bill would impose additional criteria that must be satisfied before a county department of mental health or other designated county department may administer involuntary medication. This criteria include that the jail first make a documented attempt to locate an available bed for the inmate in a community-based treatment facility, under certain conditions, in lieu of seeking involuntary administration of psychiatric medication, and, if the inmate is awaiting resolution of a criminal case, that a hearing to administer involuntary medication on a nonemergency basis be held before, and any requests for ex parte orders be submitted to, a judge in the superior court where the criminal case is pending. The bill would also set limits on the amount of time such orders are valid and require any court-ordered psychiatric medicine to be administered in consultation with a psychiatrist who is not involved in the treatment of the inmate at the jail. This bill would also require a county that administers involuntary psychiatric medication to file a report with prescribed information to certain committees of the Legislature. The bill would sunset these provisions on January 1, 2022.

Location: Senate Committee on Appropriations

Status: 8/21/2017 In committee: Referred to Appropriations suspense file.

Votes: 7/11/2017 Senate Committee on Public Safety (7-0-0)
 5/22/2017 Assembly Floor (75-0-5)
 5/9/2017 Assembly Committee on Judiciary (10-0-1)
 4/4/2017 Assembly Committee on Public Safety (7-0-0)

Action Requested:

No action is required at this time. Staff will continue to watch AB 720 (Eggman) due to its potential impact on psychologists practicing in these institutions.