

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2022 Regular Session**

Part I: Measure Information

Bill Request #: 2200

Bill #: HB 730- as
introduced

Document ID #: 6701

Bill Subject/Title: AN ACT relating to medical transports and admissions.

Sponsor: Representative Josh Bray

Unit of Government: City County Urban-County
Unified Local
 Charter County Consolidated Local Government

Office(s) Impacted: Local Law Enforcement

Requirement: Mandatory Optional

Effect on
Powers & Duties: Modifies Existing Adds New Eliminates Existing

**Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local
Government**

HB 730 pertains to involuntary hospitalization and emergency holds for persons determined to meet established conditions.

Section 1 amends KRS 202A.011 to include definitions for "emergency medical services" (EMS) and "medical clearance".

Sections 2-6 amend KRS 202A.028, 202A.041, 202A.051, 202A.0813, and 202A.101, respectively, to designate who may transport respondents under this chapter and the responsibility for the costs associated with transport. Sections 4, 5, and 7 add language requiring payment of transportation costs by the Cabinet for Health and Family Services in accordance with administrative regulations promulgated by the cabinet under KRS Chapter 13A.

Section 3 also amends KRS 202A.041 to permit a peace officer to contact emergency medical services or a private agency on contract with the cabinet to transport a person the officer believes is mentally ill and presents a danger or threat of danger to themselves, family or others, to a hospital or psychiatric facility designated by the cabinet. It also decreases the period of time a person may be held pending certification by a qualified mental health profession from 18 hours to 12 hours.

Sections 4 and 5 amend KRS 202A.051 and 202A.0831, respectively, to establish that a sheriff or certified peace officer shall not be required to stay at a facility accepting a patient under this chapter unless the person is charged with a criminal offense.

Section 7 amends KRS 202A.202 to establish protocols for the transfer of a patient between facilities within the same network. It provides that neither a sheriff nor any other certified peace officer shall be required to transport the patient between facilities unless the patient has been charged with a criminal offense.

Section 8 amends KRS 210.300 regarding factors the cabinet must consider while promulgating administrative regulations designating hospital districts.

The fiscal impact of this legislation is indeterminable but expected to be beneficial and positive to local law enforcement. The impact of HB 730 stems primarily from not requiring a peace officer to remain at a facility after transporting an individual unless that person has committed a criminal offense. This will permit the officer to return to their other duties and would potentially reduce overtime costs or the need for another officer to cover for the transporting officer.

The Kentucky Association of Chiefs of Police sees this legislation as beneficial to local law enforcement agencies with regards to staffing issues, especially since officers will no longer have to remain with a respondent that has not committed a crime but has a mental health issue.

The Kentucky League of Cities indicates that any impact would be minimal and positive on city police agencies and EMS personnel.

The Kentucky Sheriffs' Association and the Kentucky Fraternal Order of Police sees this legislation as having a positive impact on their members especially in the hopes overtime costs are reduced. There is also a concern about outdated reimbursement rates and the potential for excessive travel due to the requirement the sheriff of the county in which the patient resides is responsible for transporting the patient.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II, above, pertains to the bill as introduced.

Data Source(s): Kentucky League of Cities, Kentucky Association of Chiefs of Police, Kentucky Sheriffs Association, Fraternal Order of Police

Preparer: MJO/ms **Reviewer:** KHC **Date:** 3/3/22