

HB 2088 -- ASSISTED OUTPATIENT TREATMENT

SPONSOR: Crossley

This bill allows a petition for an order authorizing involuntary outpatient treatment to be filed by the director, administrator or treating physician of a mental health program or of an emergency receiving center or by the Department of Health and Senior Services, Department of Mental Health, or any local public health agency located within the jurisdiction where the petition is filed. A petition can also be filed by the appointed guardian or limited guardian when the respondent is a ward. The bill provides the procedures for the hearing to determine if the respondent should be required to participate in assisted outpatient treatment and the circumstances under which a court can issue an order. Prior to issuing an order, the court or the jury must consider a number of factors related to the respondent, as specified in the bill.

If the respondent requests that an available licensed physician or licensed psychologist examine the respondent and testify at the hearing, the court must make the appointment, but the court must not appoint a licensed physician or licensed psychologist who is an employee of an entity where the respondent is hospitalized or receiving services or of an entity that filed the petition, if the respondent or the respondent's attorney so requests. The court must also assign a case manager from a certified community behavioral health clinic to each respondent ordered to participate in assisted outpatient treatment, and the case manager must report to the court at least once every 90 days.

The mental health program or mental health professional who is providing the respondent's treatment must notify the court immediately if the program or professional determines that the respondent is not complying with the court order, and the bill specifies what the court can require of the respondent if the court receives this notice. Extensions for the court order will be obtained in the same manner as the original order, with some exceptions, as provided in the bill.

The bill requires the Office of State Courts Administrator to submit an annual report to the General Assembly summarizing information related to assisted outpatient treatment.

This bill is similar to HB 1154 (2025).