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MEMORANDUM

To: House Committee on Corrections and Juvenile Justice

From: Office of Revisor of Statutes

Date: January 23, 2023

Subject: Bill Brief on HB 2033

HB 2033 changes the criteria used to refer and admit juveniles to a juvenile crisis intervention center. Section 6 amends K.S.A. 65-536, which is the statute that creates juvenile crisis intervention centers. Current law in this statute allows juveniles who are experiencing a mental health crisis and are likely to cause harm to themselves or other to be admitted to a juvenile crisis intervention center for short-term observation, assessment, treatment and case planning. This section is amended to change the reference to mental health crisis to behavioral health crisis. The section later defines “behavioral health crisis” which would mean behavioral and conduct issues that impact the safety or health of a child, members of the child’s household or family or members of the community, including, but not limited to, non-life-threatening mental health and substance abuse concerns. The section is also amended to add substance abuse related issues to the list of services that juveniles can receive services to address.

Section 1 amends K.S.A 38-2202, the definition section in the child in need of care code, to add the same definition of “behavioral health crisis”. Section 2 amends K.S.A. 38-2231 and section 3 amends K.S.A. 38-2243, which are statutes relating to law enforcement taking children into custody and the court directing temporary custody in the child in need of care code. The sections are amended to change the references to a mental health crisis to a behavioral health crisis.

Section 4 amends K.S.A. 38-2302, the definition section in the juvenile justice code, to add the same definition of “behavioral health crisis”. Section 5 amends K.S.A. 38-2330, which is the statute relating to law enforcement taking juveniles into custody under the juvenile justice code to change the reference to a mental health crisis to a behavioral health crisis.

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Section 7 amends K.S.A. 75-52,164, which is the statute that creates the evidence-based programs account in the state general fund. Current law allows the money in the fund to be used for juveniles experiencing mental health crisis and this would change the reference to behavioral health crisis.