

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE
ABUSE SERVICES
CHAPTER 30. STANDARDS AND CRITERIA FOR STATE-OPERATED
INPATIENT SERVICES**

RULE IMPACT STATEMENT

PROPOSED RULES:

SUBCHAPTER 9. ROLE OF STATE-OPERATED INPATIENT PSYCHIATRIC
UNITS

450:30-9-3.1 Voluntary formal and informal admissions to a state-operated
inpatient psychiatric unit [AMENDED]

1. **THE PURPOSE OF THE PROPOSED RULES.** In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 30 are part of the Department's review of Title 450. The proposed rules clarify existing rules and are intended to comply with statutory changes.
2. **THE CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULES, INCLUDING CLASSES THAT WILL BEAR THE COSTS OF THE PROPOSED RULE, AND ANY INFORMATION ON COST IMPACTS RECEIVED FROM PRIVATE OR PUBLIC ENTITIES.** Individuals ordered to the custody of the ODMHSAS through a "not guilty by reason of insanity" verdict. The Department has determined these rules to be cost and revenue neutral.
3. **THE CLASSES OF PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULES.** Individuals ordered to the custody of the ODMHSAS through a "not guilty by reason of insanity" verdict.
4. **THE PROBABLE ECONOMIC IMPACT OF THE PROPOSED RULES UPON THE AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS, INCLUDE A LISTING OF ALL FEE CHANGES AND WHENEVER POSSIBLE, JUSTIFICATION FOR EACH.** ODMHSAS does not anticipate these rules to increase the costs of this Department or other affected parties.
5. **THE PROBABLE COSTS AND BENEFITS TO ODMHSAS AND TO ANY OTHER AGENCY FOR IMPLEMENTING AND ENFORCING THE PROPOSED RULES AS WELL AS, ANY ANTICIPATED EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES, IF SUCH CAN BE PROJECTED.** The proposed revisions are revenue and expense neutral.
6. **DETERMINATION WHETHER IMPLEMENTATION OF THE PROPOSED RULES WILL HAVE AN ECONOMIC IMPACT UPON ANY POLITICAL SUBDIVISIONS OR REQUIRE THEIR COOPERATION IN IMPLEMENTING AND ENFORCING THE PROPOSED RULES.**

ODMHSAS does not anticipate the implementation of these proposed revisions will have an economic impact upon any political subdivision or parties required to implement or enforce such.

7. **DETERMINATION IF IMPLEMENTATION OF THE PROPOSED RULES MAY HAVE AN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES.** ODMHSAS has determined these rules will not have an adverse effect on small businesses.
8. **THE MEASURES ODMHSAS HAS TAKEN TO MINIMIZE COMPLIANCE COSTS AND A DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY METHODS OR LESS INTRUSIVE METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES.** ODMHSAS staff have met throughout the year with relevant stakeholders, and has refined procedures that incorporates thoughtful implementation of this legislative policy.
9. **DETERMINATION OF THE EFFECT OF THE PROPOSED RULES ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND, IF THE PROPOSED RULES ARE DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT. EXPLAIN THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULES WILL REDUCE THE RISK.** ODMHSAS anticipates these rules to enhance the quality of life of those individuals ordered to the Department as a result of a “not guilty by reason of insanity” verdict.
10. **DETERMINATION IF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULES ARE NOT IMPLEMENTED.** ODMHSAS will not be in compliance with the directives of the Legislature, which in this case, safeguards the civil liberties of affected parties and the public’s safety.

DATE PREPARED:

October 13, 2009

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