

# ARIZONA STATE SENATE

## RESEARCH STAFF



TO: MEMBERS OF THE JOINT  
LEGISLATIVE PSYCHIATRIC  
HOSPITAL REVIEW COUNCIL

**MICHAEL MADDEN**  
LEGISLATIVE RESEARCH ANALYST  
HEALTH & HUMAN SERVICES COMMITTEE  
Telephone: (602) 926 -3171

DATE: January 18, 2024

SUBJECT: 2023 Joint Legislative Psychiatric Hospital Review Council Final Report

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Attached is the 2023 final report of the Joint Legislative Psychiatric Hospital Review Council, required pursuant to [Laws 2022, Chapter 359](#). This report has been distributed to the following individuals:

Governor of the State of Arizona  
The Honorable Katie Hobbs

President of the Senate  
Senator Warren Petersen

Speaker of the House of Representatives  
Representative Ben Toma

Legislative Members of the Council  
Senator Justine Wadsack, Co-Chair  
Senator Catherine Miranda  
Representative Barbara Parker, Co-Chair  
Representative Consuelo Hernandez

Non-Legislative Members of the Council  
Vacant, Arizona Department of Health Services Director  
Deborah Geesling, Family member of person with a serious mental illness  
Josh Mozell, Mental health and guardianship attorney  
Dr. Carol Olson, Psychiatry Department Chair, Valleywise Health  
Dr. Sara Salek, Chief Medical Officer, Arizona Health Care Cost Containment System (Designee)  
Judge Lisa VandenBerg, State of Arizona Superior Court, Maricopa County  
Ryan Thornell, Arizona Department of Corrections Director  
Sheriff David Rhodes, Law enforcement member  
Steven Scott, Hospital chief executive officer or chief operating officer

Secretary of State  
The Honorable Adrian Fontes

CC: Senate Republican Staff  
Senate Democratic Staff  
Senate Research Staff  
Senate Resource Center

House Republican Staff  
House Democratic Staff  
House Research Staff  
House Chief Clerk

# Joint Legislative Psychiatric Hospital Review Council Final Report

## *Background*

[Laws 2021, Chapter 402](#) established the Joint Legislative Psychiatric Hospital Review Council (Council), originally consisting of the following 10 members: 1) 2 members of the House of Representatives representing different political parties, appointed by the Speaker of the House of Representatives; 2) 2 members of the Senate representing different political parties, appointed by the Senate President; 3) the Director of the Arizona Health Care Cost Containment System (AHCCCS) or their designee; 4) the Director of the Arizona Department of Health Services or their designee; 5) a judge of a superior court in which cases involving persons with serious mental illness (SMI) are routinely adjudicated, appointed by the Speaker of the House of Representatives; 6) a person who provides legal representation to and advocates on behalf of persons with SMI, appointed by the Senate President; 7) a family member of a person with SMI who is appointed by the Speaker of the House of Representatives; and 8) a psychiatrist who specializes in treating persons with SMI, appointed by the Senate President. [Laws 2022, Chapter 359](#) expanded council membership to additionally include the Director of the Department of Corrections or their designee, a law enforcement member appointed by the Senate President and a hospital chief executive officer or chief operating officer appointed by the Speaker of the House of Representatives.

The Council is charged with reviewing, analyzing and making recommendations regarding at least the following: 1) psychiatric hospital capacity in this state, including the bed capacity at the Arizona State Hospital (ASH) and other public facilities; 2) the role of private facilities in addressing psychiatric treatment needs; 3) innovative programs to ensure public safety while providing clinically appropriate treatment in the most integrated setting; 4) legal barriers; 5) current waiting lists; 6) barriers to accessing appropriate inpatient care; 7) licensing barriers; 8) any other issues related to inpatient psychiatric treatment; and 9) the feasibility of transferring ASH to AHCCCS or an alternative oversight entity. The Council is required to submit annual reports of its findings by December 31, 2022, and December 31, 2023, before it is repealed on September 1, 2026.

## *Council Activity*

### January 3, 2024

The Council met, engaged in discussion, received public testimony, and heard the following presentations:

- Overview of Sub-continuum of Care – Josh Mozell
- Family Testimony
  - i. Seetha DeMarco Family
  - ii. Art and Jeanine Simkins Family
  - iii. Crystal Fox
- County Law Enforcement Perspective – Sheriff David Rhodes, Yavapai County
- Fire Department Perspective – Assistant Fire Chief Forrest Smith, Mesa Fire and Medical Department
- Crisis Intervention and 911 Crisis Integration – Matt Moody
- Mental Illness, Substance Abuse, and the Negative Impacts on Southern Arizona – Tucson Crime Free Coalition: Josh Jacobson, Kevin Daily, Monica Carlson, and Oliver Swan

- Taking People from Homeless to Wholeness – Gospel Rescue Mission: Lisa Chastain, CEO and Bruce Briekman, Director of Public Relations
- Solutions: Clinical Experience – Dr. Carol Olson

### ***Council Recommendations***

The Council did not adopt any recommendations in 2023.

### ***Appendices***

- A. January 3<sup>rd</sup>, 2023, meeting agenda
- B. January 3<sup>rd</sup>, 2023, meeting minutes
- C. Power Point Presentation - Overview of Sub-continuum of Care
- D. Power Point Presentation - Mental Illness, Substance Abuse, and the Negative Impacts on Southern Arizona

Interim agendas can be obtained via the Internet at <http://www.azleg.gov/Interim-Committees>

## ARIZONA STATE LEGISLATURE

### INTERIM MEETING NOTICE OPEN TO THE PUBLIC

#### JOINT LEGISLATIVE PSYCHIATRIC HOSPITAL REVIEW COUNCIL

**Date:** Wednesday, January 3, 2024

**Time:** 2:00 P.M. or Upon adjournment of Senate and House Health and Human Services Committee of Reference

**Place:** SHR 1

**Members of the public may access a livestream of the meeting here:**

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2024011003>

#### AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Member Introductions
5. Opening Remarks
6. Presentations
  - Overview of Sub-continuum of Care – Josh Mozell
  - Family Testimony
    - i. Seetha DeMarco Family
    - ii. Art and Jeanine Simkins Family
    - iii. Crystal Fox
  - ~~Barriers to Appropriate Levels of Care: Community Resources to Move Patients Through the Behavioral Health Continuum of Care – Steven Scott, CEO, Phoenix Medical Psychiatric Hospital~~
  - County Law Enforcement Perspective – Sheriff David Rhodes, Yavapai County
  - ~~Interaction with SMI – Sabrina Taylor, City of Phoenix~~
  - Fire Department Perspective – Assistant Chief Forrest Smith, Mesa Fire and Medical Department
  - Crisis system & 911 Crisis Integration – Matt Moody
  - Mental Illness, Substance Abuse, and the Negative Impacts on Southern Arizona – Tucson Crime Free Coalition: Josh Jacobson, Kevin Daily, Monica Carlson, Oliver Swan
  - Taking People from Homeless to Wholeness – Gospel Rescue Mission: Lisa Chastain, CEO & Bruce Briekman, Director of Public Relations
  - Solutions: Clinical Experience – Dr. Carol Olson
7. Discussion
8. Public Testimony
9. Adjourn



**Members:**

Senator Justine Wadsack, Co-Chair  
Senator Catherine Miranda  
Deborah Geesling  
Josh Mozell  
Dr. Carol Olson  
Sheriff David Rhodes  
Dr. Sara Salek

~~Representative Beverly Pingerelli, Co-Chair~~  
Representative Barbara Parker, Co-Chair  
Representative Consuelo Hernandez  
Steven Scott  
Ryan Thornell  
Judge Lisa Vandenberg  
~~Vacant~~  
Vacant

~~12/26/2023~~  
01/02/2024  
hf

For questions regarding this agenda, please contact Senate Research Department.  
Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

# ARIZONA STATE LEGISLATURE

## JOINT LEGISLATIVE PSYCHIATRIC HOSPITAL REVIEW COUNCIL

### Minutes of the Meeting

January 3, 2024

2:00 P.M., SHR 1

**Members of the public may access a livestream of the meeting here:**

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2024011003>

#### **Members Present:**

Senator Justine Wadsack, Co-Chair

Senator Catherine Miranda

Deborah Geesling

Josh Mozell

Sheriff David Rhodes

Dr. Carol Olson

Representative Barbara Parker, Co-Chair

Representative Consuelo Hernandez

Dr. Bobbie Pennington (Ryan Thornell Designee)

Steven Scott

#### **Members Absent:**

Dr. Sara Salek

Judge Lisa Vandenberg

#### **Staff:**

Michael Madden, Senate Research Analyst

Kaytie Sherman, Senate Assistant Research Analyst

Ahjahna Graham, House Research Analyst

Co-Chair Wadsack called the meeting to order at 2:40 p.m. and attendance was taken.

#### **APPROVAL OF MINUTES**

**Senator Wadsack stated that if there are no corrections without objection, the Committee minutes of January 4, 2023 are approved as distributed.**

#### **MEMBER INTRODUCTIONS**

Senator Wadsack asked the members to introduce themselves.

Senator Miranda requested a moment of silence for the Fox family.

#### **OPENING REMARKS**

Senator Wadsack made opening remarks about the issues of SMI (Seriously Mentally Ill) and CMI (Chronically Mentally Ill).

## **PRESENTATIONS**

### **Overview of Sub-continuum of Care – Josh Mozell**

**Josh Mozell**, distributed and explained a PowerPoint presentation entitled "Joint Legislative Psychiatric Hospital Review Council" (Attachment A) and answered questions posed by the Committee.

### **Family Testimony**

#### **i. Seetha DeMarco Family**

**Seetha DeMarco, representing self**, distributed and explained a PowerPoint presentation entitled "Seetha DeMarco Mother and Guardian to Arizona SMI Patient" (Attachment B) and answered questions posed by the Committee.

**Holly Gieszl, representing self**, at the request of Representative Hernandez, answered questions posed by the Committee.

**Will Humble, Former Director of the Department of Health Services**, at the request of Representative Hernandez, answered questions posed by the committee.

#### **ii. Art and Jeanine Simkins Family**

**Jeanine Simkins, representing self**, recounted her daughter's struggle with SMI and answered questions posed by the Committee.

#### **iii. Crystal Fox**

**Crystal Fox, representing self**, recounted her family and son's struggle with SMI.

### **County Law Enforcement Perspective – Sheriff David Rhodes, Yavapai County**

**David Rhodes, Sheriff, Yavapai County**, explained issues of law enforcement dealing with social behaviors, mental illness and lack of funding for treatment.

Sheriff Rhodes answered questions posed by the Committee.

The Committee offered comments.

### **Fire Department Perspective – Assistant Chief Forrest Smith, Mesa Fire and Medical Department**

**Forrest Smith, Assistant Fire Chief, Mesa Fire and Medical Department**, explained the response process on 911 calls and dealing with mentally ill issues. Mr. Smith answered questions posed by the Committee.

### **Crisis system & 911 Crisis Integration – Matt Moody**

**Matthew Moody, Board President, Mental Health America of Arizona**, explained the process of 911 calls, the crisis integration system and first responders dealing with individuals with mental illness. Mr. Moody answered questions posed by the Committee.

The Committee offered comments.

**Rachel A. Streiff, Organizer, Mad Moms**, answered questions posed by the Committee and shared a mother's story of her child with mental issues and lack of services.

**Sommer Walter**, at the request of Senator Miranda, recounted her brother's journey with SMI, the lack of services and answered questions posed by the Committee.

The Committee offered comments.

### **Mental Illness, Substance Abuse, and the Negative Impacts on Southern Arizona – Tucson Crime Free Coalition: Josh Jacobson, Kevin Daily, Monica Carlson, Oliver Swan**

**Josh Jacobson, Tucson Crime Free Coalition (TCFC)**, introduced the Coalition team, Kevin Daily, Monica Carlson and Oliver Swan. Mr. Jacobson distributed and explained a PowerPoint presentation entitled "Tucson Crime Free Coalition" (Attachment C) and answered questions posed by the Committee.

The Committee offered comments.

Kevin Daily and Josh Jacobson answered questions posed by the Committee.

### **Taking People from Homeless to Wholeness – Gospel Rescue Mission: Lisa Chastain, CEO & Bruce Briekman, Director of Public Relations**

**Lisa Chastain, CEO, Gospel Rescue Mission**, played a video on the Gospel Rescue Mission, explained the purpose and successes of the Mission in helping those in need and answered questions posed by the Committee.

The Committee offered comments.

### **Solutions: Clinical Experience – Dr. Carol Olson**

**Dr. Carol Olson, Chairman, Department of Psychiatry, Valleywise Health**, discussed solutions and expectations of getting help for the SMI and answered questions posed by the Committee.

## **DISCUSSION**

The Committee offered comments.

**Josh Jacobson, Tucson Crime Free Coalition**, answered questions posed by the Committee.

The Committee offered comments.

## **PUBLIC TESTIMONY**

**Rachel Strife, Organizer, Mad Moms**, testified in support of further help for the SMI.

**Amanda Stamps, representing self**, explained her experience working in law enforcement and dealing with the mentally ill issues.

Mrs. Fox offered comments.

The Committee offered closing comments.

Attached is a list noting the individuals who registered their positions on the agenda items (Attachment D).

There being no further business, the meeting was adjourned at 7:32 p.m.

Respectfully submitted,

Tracey Gardner  
Committee Secretary

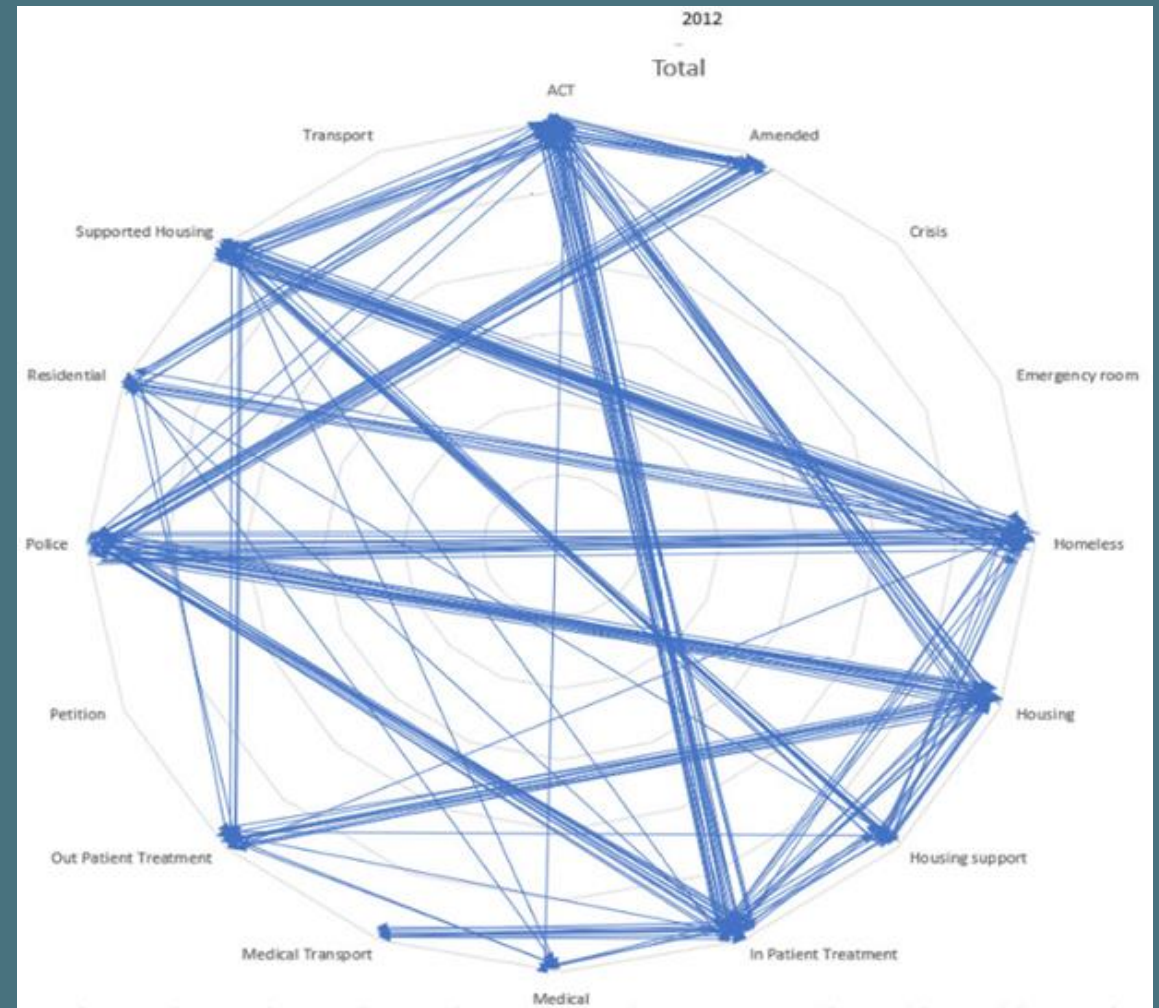
(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)



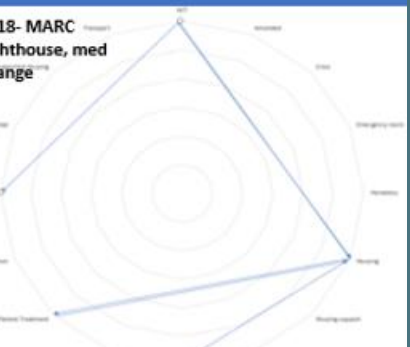
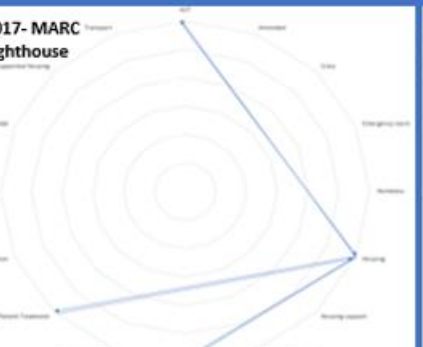
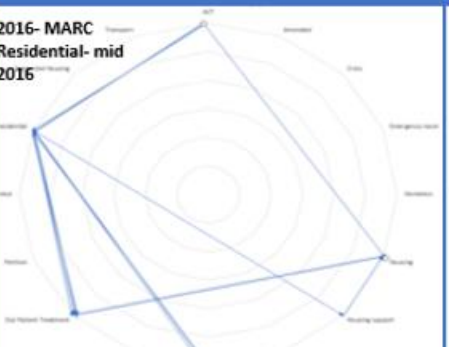
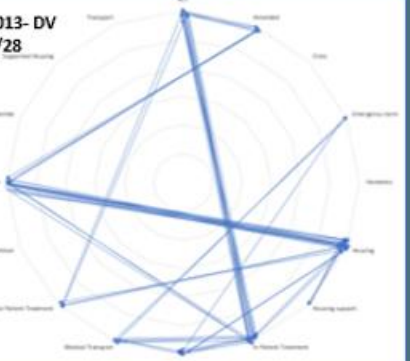
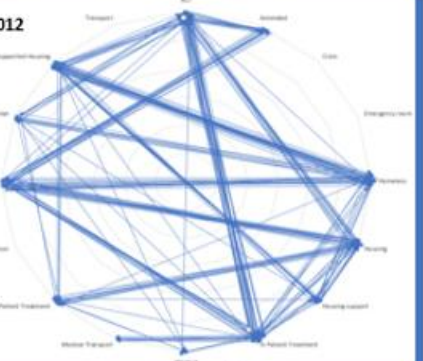
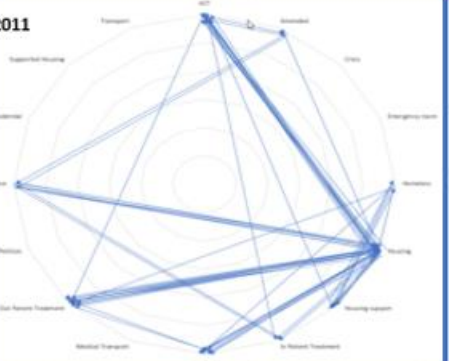
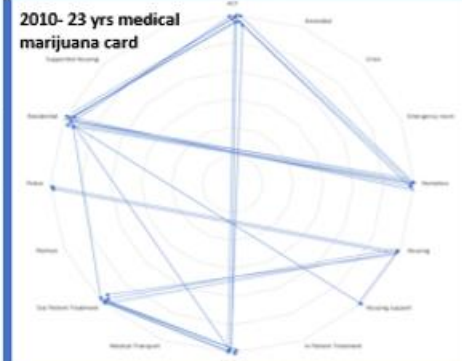
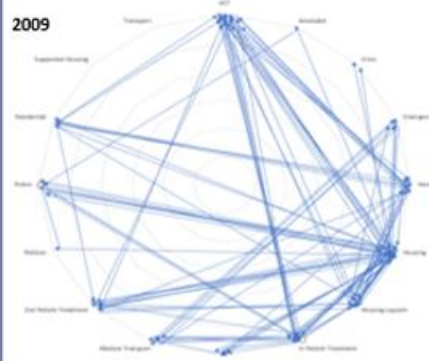
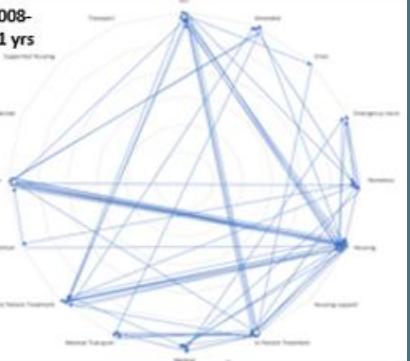
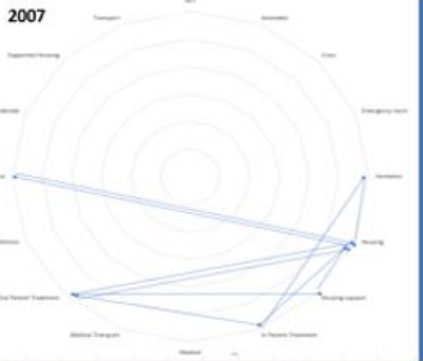
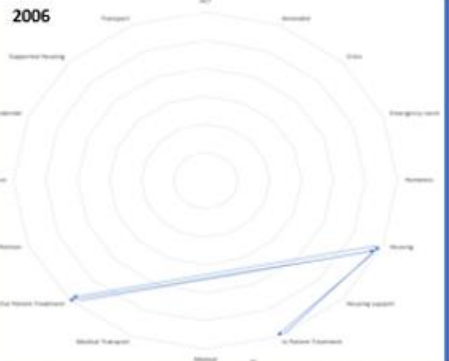
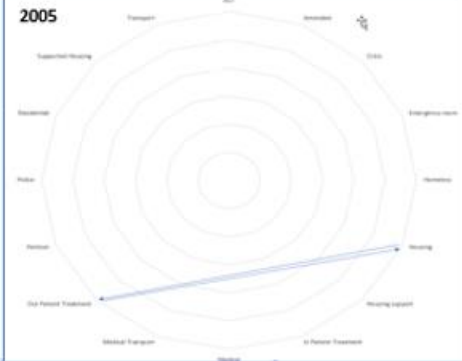
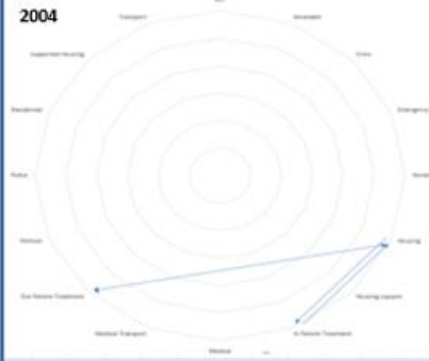
JOINT LEGISLATIVE  
PSYCHIATRIC  
HOSPITAL REVIEW  
COUNSEL

*Wednesday, January 3*  
*2024*

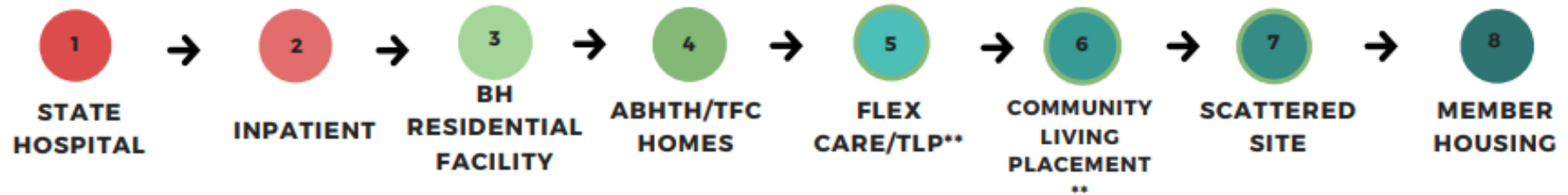
# WHAT IS CMI? CMI CYCLE











GOAL: CONTINUUM OF CARE

# REALITY



## REALITY: SUB-CONTINUUM OF CARE

POLICE

EMERGENCY ROOM

FAMILIES

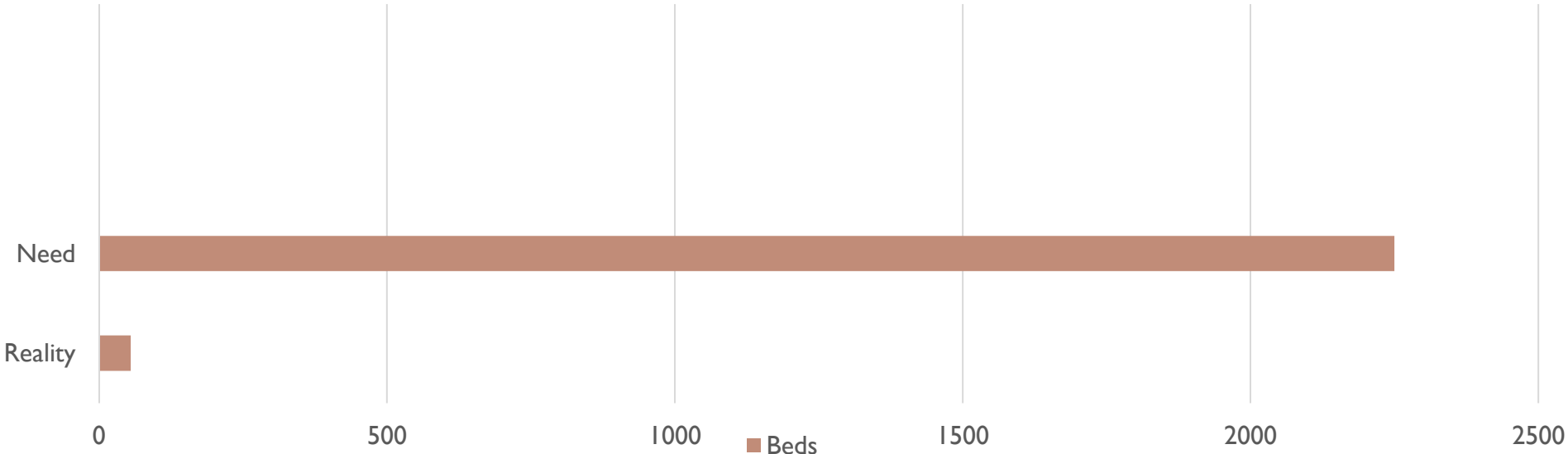
FIRE

JAIL

CRIMINAL JUSTICE

HOMELESSNESS

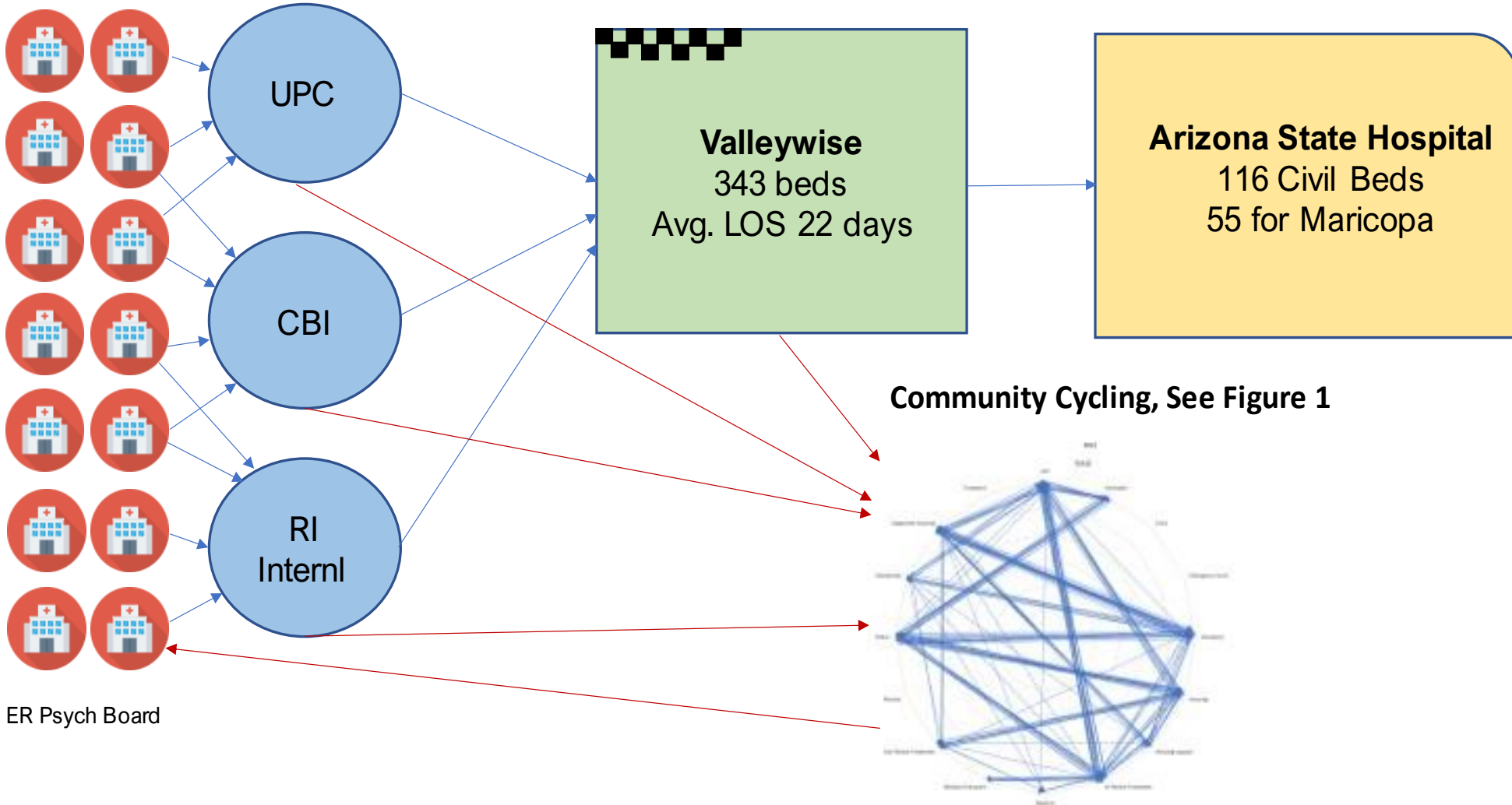
# ASH: WHAT WE HAVE VS. WHAT WE NEED



Screening Agencies

Evaluation Agency

Long Term Care



ER Psych Board



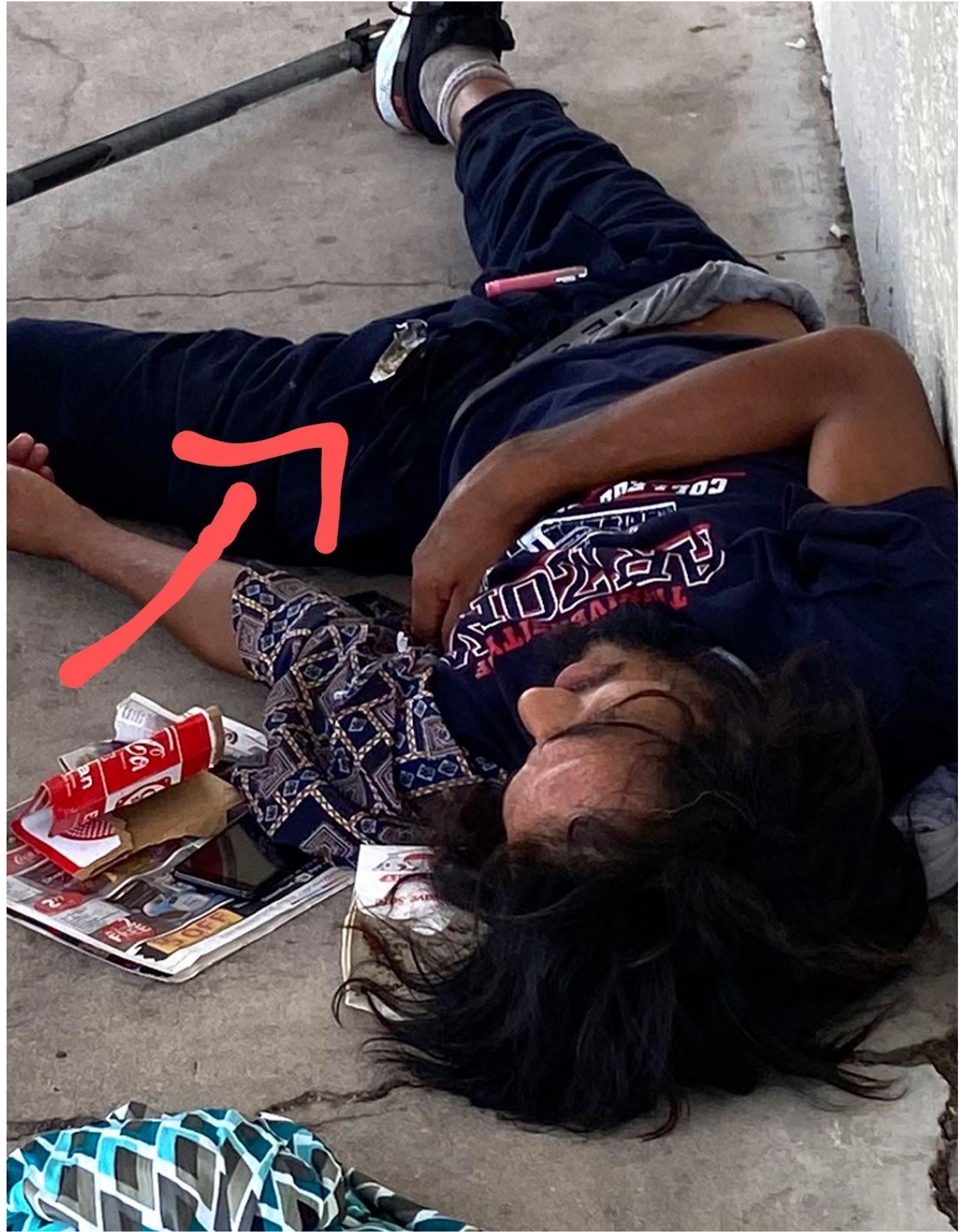
**TUCSON**  
CRIME FREE COALITION

**[www.tucsoncrimefree.com](http://www.tucsoncrimefree.com)**

































The Tucson Crime Free Coalition's mission is a safer community for all through the enforcement of our laws. We are advocates for adequate staffing and resources for law enforcement, treatment for those in need and prosecution for criminals that are unwilling to abide by our laws.

## Fentanyl - also known as **BLUES**



**Blues can be purchased on the streets of Tucson for .50 per pill.**

**Over half of all the fentanyl seized across the country last year was in Arizona.**

**Fentanyl is the leading killer of youth in Pima County.**

**6 out of 10 pills contain a lethal dose for a first time user.**



# Opioid Overdose Deaths

Date updated : 12/28/2023 Data is currently selected for: Arizona || 2023 Hover for more information

Select a year to filter all visualizations on the dashboard [Go to More Details for overdose deaths >](#)

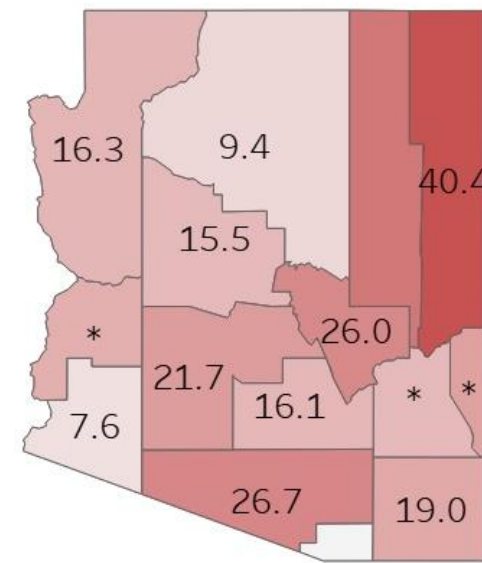
2023

Opioid deaths  
**1,599**

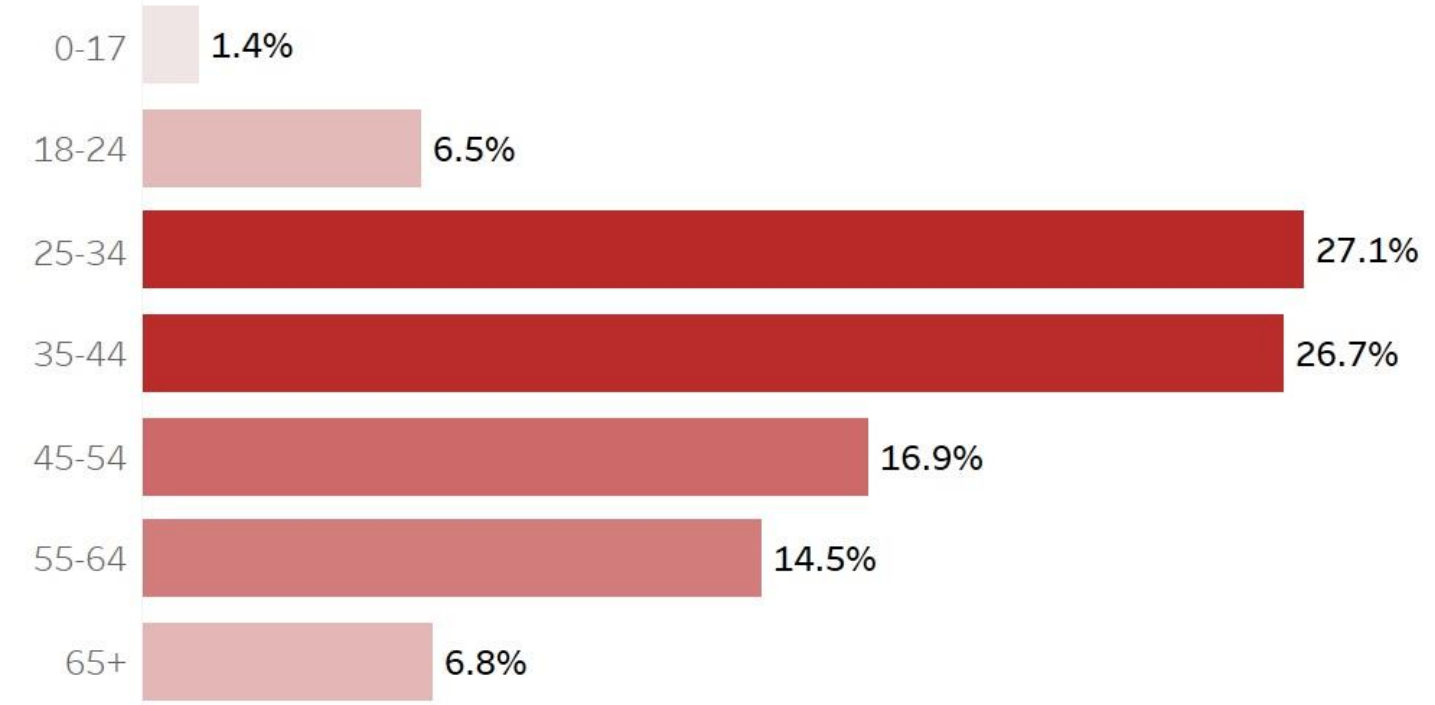
Opioid fatality rate per 100,000 population  
**21.6**

Select number of opioid deaths or rates (for the county map below) Fatality rate per 100,000 population Select a demographic for the bar charts below (Race/Ethnicity, Sex, Age Group) Age Group

Select a county to filter



County refers to patient's county of residence

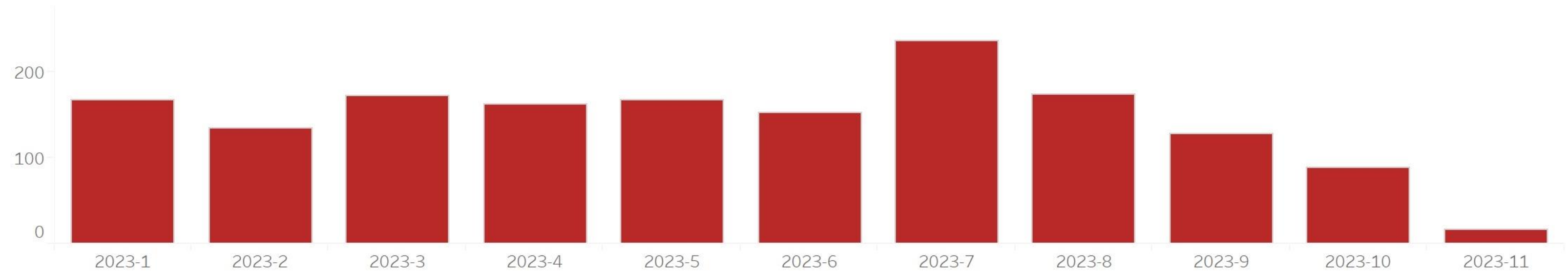


\* To prevent the public disclosure of information, data points based on fewer than 10 counts are not displayed, and detailed charts are not shown for counties with fewer than 20 counts.

Select to view data by week, month or year (for the bar chart below) Month

Opioid deaths in Arizona by month, 2023

*\*Data may not be complete for the last 4 months*



Feedback & Support





The PCOME began detailed tracking of Pima County pedestrian deaths (i.e., circumstances, toxicology findings, etc.) in 2022. Toxicology data is limited to cases in which the PCOME was able to perform perimortem toxicology testing. A **positive** toxicology result indicates the decedent tested positive for methamphetamine, fentanyl, ethanol ( $\geq 0.08\%$  BAC), and/or another drug of significant interest. THC is excluded as a positive result.

**CTRL + left click**  
within visuals to filter  
by selection(s)

### Filter Menu

**Year:**  
2023

**Manner of Death:**  
All

**Decedent Sex:**  
All

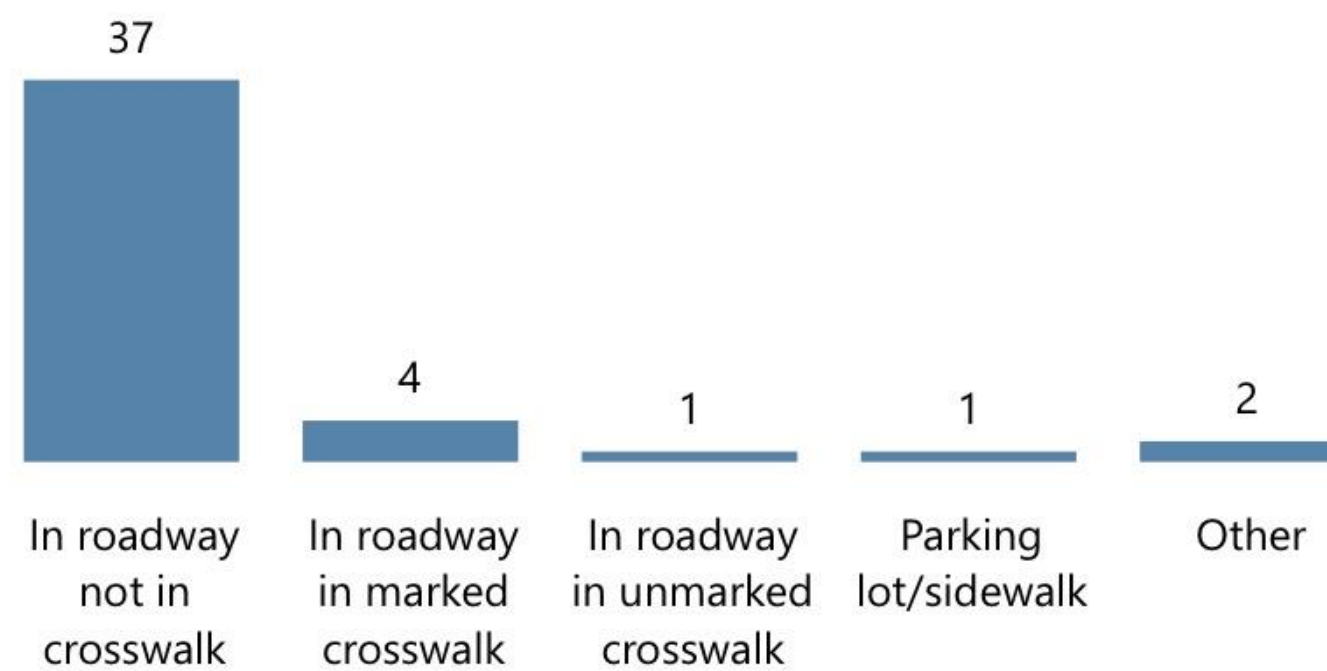
**Decedent Age Group:**  
All

Clear all filters

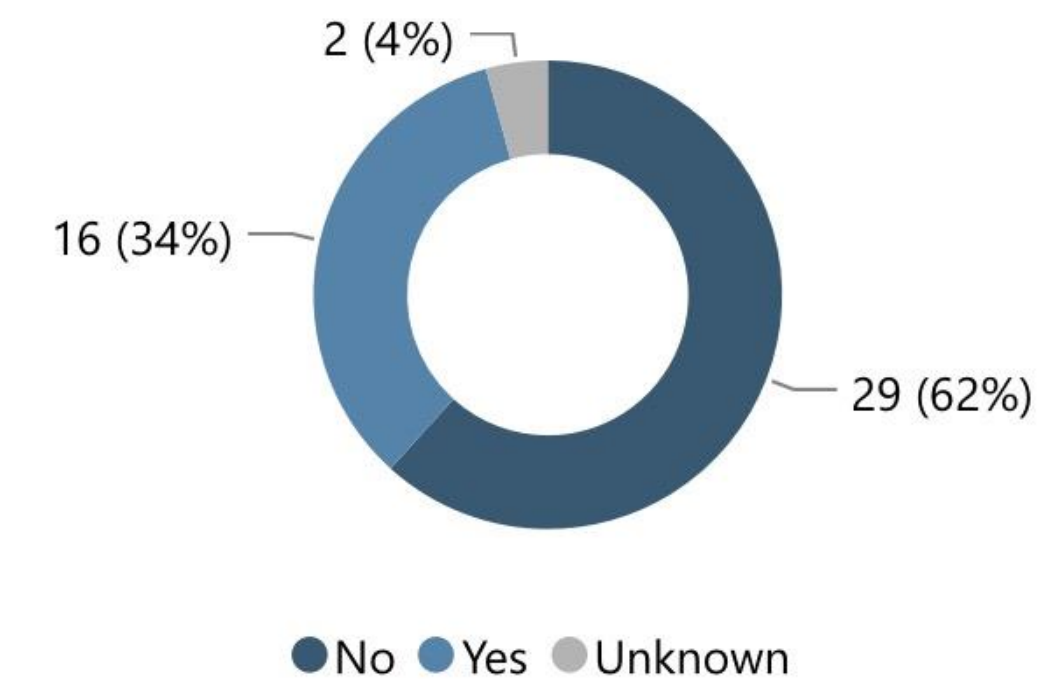
## Pedestrian Deaths

**47**  
Cases

### Pedestrian Circumstance/Location



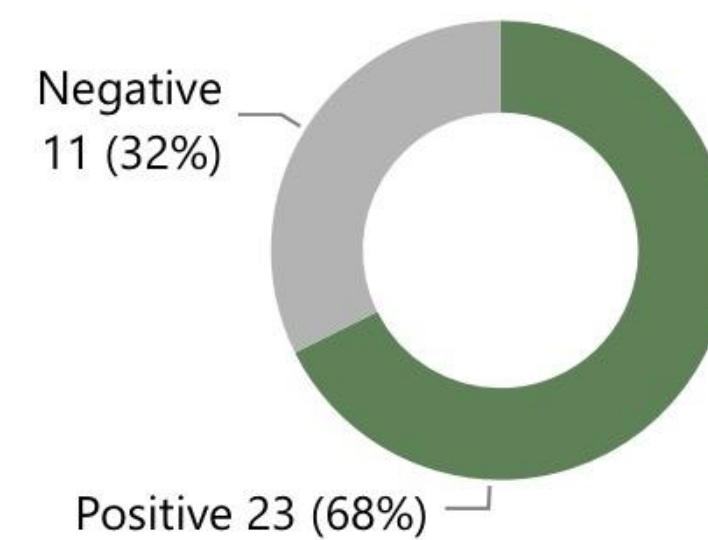
### Homeless at Time of Death



## Toxicology Screenings Performed

**34**  
Cases

### Toxicology Results



### Frequency of Drugs Detected

15	7
Methamphetamine	Ethanol
8	3
Fentanyl	Other



9:47

83

4 Messages

< All Inboxes Cochise County Sa...



Lmk best ticket 🇺🇸 let's work 💪 any amount 50 packs n up 📄

2:38 6:30 PM

February 15



2:18 9:45 PM

Shipping available 📄 TapN test runs 📄

👍 2

February 16

Mute









































## **TCFC Solutions:**

- 1. Elevate community awareness and education through our weekly newsletter, Community outreach, media exposure and presentations**
- 2. Weekly meetings with County Administration that focus on Substance Abuse and Crime**
  - Focus on identifying and removing barriers/Improve efficiencies**
- 3. Incremental wins - smaller, targeted solutions**
  - Law enforcement tools and directives**
  - Signage on medians**
  - Proactive community tools**
- 4. Opioid Command Center/Regional approach from the street level up to get all government, nonprofit and community stakeholders to work together, funding mechanism Opioid Settlement**
- 5. Transition Center - Expanded Pretrial Services and Navigators at Pima County Jail - Phase 1 projected opening June 2023**



**SAY NO TO  
PANHANDLING.**

**SAY YES TO  
HELPING  
AGENCIES  
SERVING THOSE  
IN NEED.**

ORDINANCE NO. 2016-30







# Objective:

**To Disrupt Crisis Behaviors:** reduce crime and substance abuse, promote engagement in treatment and personal accountability, and reduce local taxpayer costs.

## Misdemeanor Rearrests December 2020-March 2023

- Of the 4,946 individuals arrested on a misdemeanor...
  - 1,142 were rearrested (23%) during that same period
- When rearrested for another misdemeanor...
  - 27% were rearrested within 30 days of first arrest
  - 8% rearrested within a week



## 6. Advocacy For Statewide Legislation

Arizona is facing a serious mental health and substance use disorder crisis. Both of these issues are also found to be driving factors in individuals that are chronically homeless. According to the 2023 Point in Time Count in Pima County alone, "the chronically homeless population increased 200% between 2018 and 2023." 68% of adults with a serious mental illness (SMI) experiencing homelessness during the Point In Time Count were unsheltered and 80% of adults with a substance use disorder (SUD) were unsheltered as well.

Over the last year, TCFC, in conjunction with Pima County Administration, has investigated the dynamics between SUD, SMI, chronic homelessness as well as crime and the way it is affecting our local community and the state of Arizona.

Our research has found that Arizona is currently 1 of 15 states in the country that does not allow for Involuntary Treatment options for individuals that suffer from SUD. Under Title 36, Involuntary Treatment options do pertain to individuals with SMI, however, data suggests the two are intertwined.

California has launched the Community Assistance, Recovery, and Empowerment (CARE) Court Program which we have taken interest in and believe that Arizona could utilize parts of this bill to provide Involuntary Treatment options to individuals that qualify in order to provide them with the assistance needed to overcome addiction, homelessness as well as reduce crime across the state.

# Potential Bill Proposal

1. Update Arizona's Title 36 or create a new A.R.S. as a vehicle for Involuntary Treatment options for those that suffer from SUD that would allow them to be placed into treatment facilities similar to the CARES Court Model.
2. Create funding mechanisms and "accountability of outcomes" that have financial stipulations for treatment providers AS WELL as Jurisdictions similar to the CARES Court Model.
3. Track outcomes on an individual basis rather than as an aggregate.

**[www.tucsoncrimefree.com](http://www.tucsoncrimefree.com)**