

Behavioral Health Administration

Fact Sheet

Title: Ross Settlement Project

Updated: October 2017

<p>Overview</p>	<p>The Ross Settlement project is a result of a lawsuit filed May 7, 2014 entitled <i>Ketema Ross, et al vs. Jay Inslee et al.</i> in the United States District Court for the Eastern District of Washington. Discussions regarding the option to settle began in November 2014, the settlement was signed in late July, 2016, and a court order was issued on August 26, 2016. Project goals, commitments and exit criteria were negotiated and agreed upon by plaintiff and defense counsel. The primary purpose of this project is to meet settlement requirements.</p> <p>The settlement requires BHA to improve “not guilty by reason of insanity” (NGRI) treatment services through: 1) ensuring the final release process required by chapter 10.77 RCW is pursued when clinically indicated; and 2) improving policies at Eastern State Hospital (ESH) and Western State Hospital (WSH) to promote clinically based decision making.</p>
<p>Eligibility Requirements</p>	<p>Current and future NGRI patients under the care of the DSHS secretary.</p>
<p>Authority</p>	<p>Chapter 10.77 Revised Code of Washington outlines the statewide requirements for establishing insanity as a defense, and details advising role of the Public Safety Review Board related to changes in commitment status, allowance of furloughs or temporary leaves, and approval to permit movement about the grounds of the treatment facility. State hospital level policies and procedures define current DSHS NGRI treatment services. The Ross v. Inslee settlement requires improvements be made to hospital policies and procedures governing the NGRI treatment system, including the expectation of improved timeliness in evaluating patients.</p>
<p>Budget</p>	<p>Additional funding and resources were not made available to BHA through the settlement negotiations. Therefore, project requirements must be met within the current constraints of staff and resources of BHA’s Office of Mental Health Services (OFMHS), Eastern State Hospital and Western State Hospital.</p>
<p>Rates</p>	<p>N/A</p>
<p>Numbers Served</p>	<p>ESH currently serves 74 inpatient NGRI patients, and WSH serves 174. Additional NGRI patients are served in the community.</p>
<p>Partners</p>	<p>OFMHS is working collaboratively with ESH, WSH and Paukert and Troppmann (plaintiff counsel) to meet settlement requirements.</p>

Oversight	Compliance with settlement requirements will be determined by the United States District Court for the Eastern District of Washington. The settlement requires that plaintiff and defense counsel collaboratively meet settlement requirements, utilizing professional mediation services where needed.
For more information	Tom Kinlen, OFMHS Director, 360-725-1388 kinletj@dshs.wa.gov Website: https://www.dshs.wa.gov/bha/office-service-integration/office-forensic-mental-health-services