

# Crisis Worker Liability Protection

---

- **Liability protections have been enacted for many types of personnel providing a variety of emergency response services.**
- **This bill would strengthen and clarify the protections for mobile rapid response and community-based crisis teams.**
- **This bill would add liability protections for contracted behavioral health agencies, crisis relief centers, 23-hour facilities, and crisis stabilization units.**

## Summary

---

- [E2SHB 1477 \(2021\)](#) implemented the 988 Crisis Line, and [E2SHB 1134 \(2023\)](#) continued this work with updates to mobile rapid response and community-based crisis teams.
- [2SSB 5120 \(2023\)](#) established 23-hour crisis receiving centers, that have a limited refusal “no wrong door” approach.
- Neither E2SHB 1134 nor 2SSB 5120 provided any liability protections for 23-hour facilities and could result in these facilities turning away more people than intended.
- Mobile crisis workers need protections that support them in providing rapid crisis assessment and intervention, without fear of lawsuits hindering their willingness to perform their duties.
- This proposal, amends [RCW 71.24](#), extending liability protections to agencies and personnel providing behavioral health crisis intervention, stabilization and transportation services:
  - Any member of an endorsed or non-endorsed mobile rapid response crisis team or community-based crisis team, or clinical staff of a crisis stabilization unit, or a 23-hour crisis relief center;
  - Any officer of a public or private agency, the superintendent, any professional person in charge or his or her professional designee, or any attending staff of any such agency; or
  - Any federal, state, county, city, or other local governmental unit or employees of such a governmental unit.
- Gross negligence and willful and wanton misconduct are not protected.
- Similar liability protections exist for fire services ([RCW 4.24.780](#)), paramedics ([RCW 18.71.210](#)), treatment facilities ([RCW 71.05.120](#)), and others ([RCW 71.34.410](#)).

# Crisis Worker Liability Protection

---

## **Fiscal Impact**

- Less than \$100,000

## **Equity**

- The work of 988 is to shift behavioral health crisis calls from 911 to the behavioral health crisis system. This is to improve equity in response and reduce the number of negative outcomes from having the wrong response to crisis.
- For the crisis system to take on this work effectively, they need to be protected when exercising their job with due diligence.