

Firearms background checks

Overview

The Health Care Authority's (HCA) Division of Behavioral Health and Recovery (DBHR) is the state mental health authority responsible for administering the Involuntary Treatment Act. This is accomplished through service contracts with behavioral health administrative service organizations (BH-ASOs). HCA collects service data from BH-ASOs and maintains a statewide database of patient treatment activities and billing records. These include civil commitments for mental health treatment under Revised Code of Washington (RCW) 71.05-71.34 and competency restorations under RCW 10.77.

RCW 9.41.040 requires HCA to perform mental health background checks on individuals wishing to purchase a firearm or who have applied for a concealed pistol license. Requests for background checks are made to HCA through the Washington State Patrol portal systems for firearms dealers and LEAs Secure Automated Firearms E-check (SAFE) and Personal Identifiable Information Exchange System (PIIES) respectively. When a background check comes in, an automated system first determines if there is a potential match. If so, DBHR's compliance personnel then perform a thorough search of database records matching episodes of mental health treatment. If a matching record is identified, the record is reviewed for evidence of court-ordered mental health treatment. By law, the entire background check must be processed by the requesting law enforcement agency within ten business days. HCA completes the mental health background portion of this check within five days, usually providing a response to the law enforcement agency within two days.

If an applicant is found to have been ordered by a court for mental health treatment, the Washington State Patrol is notified, and the firearm purchase or concealed pistol license is denied. Information shared with the law enforcement agency is limited to whether the individual has any current or previous court orders for mental health treatment.

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It does not include the circumstances of the order or any additional protected health information. The individual is then notified by letter of disqualification and advised to contact DBHR if they wish to appeal.

Individuals ordered to receive mental health treatment are able to petition the court to restore their firearm rights. When an individual's right is restored, the court sends DBHR a copy of the restoration and their name is removed from the weapons search database. However, the prohibition remains at the federal level.

Eligibility requirements

Under state and federal law, anyone who wishes to purchase a firearm purchase from a licensed dealer, or who applies for a concealed pistol license is subject to a background check for involuntary commitment.

Budget for SFY 25

2023-2025 Biennial Budget is \$157,000 per year, General Fund State.

Rates

There is no fee charged for performing these background checks.

Numbers served

Between July 2021 and July 2022, the number of processed background checks decreased by 3.84 percent from the previous year, for a total of 59,374 reports processed.

Between July 2022 and July 2023, the number of processed background checks decreased by 3.11 percent, for a total of 57,527.

Between July 2023 and July 2024, the process of tracking was changed from number of reports ran to number of applicants. In this period, 377,509 applicants were processed, 96.98% of whom were eligible immediately without delay, 2.97% were eligible after research, and 0.05% were determined ineligible due to history (200 individuals).

Partners

HCA maintains partnerships with state and federal agencies involved in firearm background check activities, including:

- Washington State Patrol

- Washington State Department of Licensing
- Washington Association of Sheriffs and Police Chiefs
- Washington State Association of County Clerks
- Behavioral health administrative service organizations
- Administrative Office of the Courts
- Federal Bureau of Investigation
- Federal Bureau of Alcohol, Tobacco, and Firearms

For more information

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