



## ***Psychiatric Security Review Board***

150 N. 18<sup>th</sup> Ave., Suite 410  
Phoenix, Arizona 85007  
602-364-3061

DOUGLAS A. DUCEY, GOVERNOR  
JAMES P. CLARK, M.D., CHAIRPERSON  
[www.azdhs.gov/psrb](http://www.azdhs.gov/psrb)

December 17, 2018

Lindsey A. Perry, C.P.A., Auditor General  
State of Arizona Office of the Auditor General  
2910 N. 44<sup>th</sup> St., Suite 410  
Phoenix, AZ 85018

Re: Arizona Psychiatric Security Review Board  
2019 Sunset Review

Dear Ms. Perry:

The Psychiatric Security Review Board (“PSRB” or “Board”) would like to thank you for the opportunity to respond to the revised preliminary draft report of the performance audit and sunset review dated December 11, 2018. The PSRB is in agreement with the findings in the report and will develop a strategic plan to implement the recommendations.

**Finding 1:** Board should take steps to ensure it receives needed information to inform its decisions regarding GEI persons.

**Recommendation 1:** The Board should revise its hearing notification letters and develop other written guidance, such as rules, procedures, and/or examples of well-written reports, to clarify its expectations for the information that should be provided to it in mental health reports. At a minimum, the guidance should indicate the level of detail and any supporting information and/or documents that should be included as part of the mental health report.

Board Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Board and its staff will work together to revise its hearing notification letters and develop other written guidance and educate stakeholders.

**Sunset Factor 2:** The extent to which the Board has met its statutory objective and purpose and the efficiency with which it has operated.

The Board should:

**Recommendation 2:** Take steps to reduce errors in its process for sending hearing notices and board decision orders such as requesting assistance for board staff and/or providing supervisory review of the process. Alternatively, the Board could request technological assistance to automate the process. If the Board is able to obtain technological assistance to automate the process, it should ensure that board staff receives training on the automated process.

Board Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The PSRB will request additional staff to ease workload so the Board's executive director can provide supervisory review. Additionally, PSRB staff is currently working with a Department of Health Services (DHS) staff person to develop a relational database that may eventually have the ability to automate and simplify processes.

**Recommendation 3:** Work with its Assistant Attorney General to determine whether and when it can develop and adopt rules to clarify its statutes and processes.

Board Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The PSRB members and staff will work with its Assistant Attorney General to determine whether and when it can develop and adopt rules to clarify its statutes and processes.

**Recommendation 4:** Contingent on receiving an exemption to the rule-making moratorium, develop and adopt rules to clarify its statutes and processes.

Board Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The PSRB and its staff will apply for an exemption to the rule-making moratorium. Contingent upon receiving an exemption, the PSRB and its staff will work with DHS and other stakeholders to develop rules to clarify its statutes and processes. The implementation of Recommendation Four is contingent upon the PSRB obtaining additional assistance from other state agencies, additional support staff, and other necessary resources as specified in Recommendation Five.

**Recommendation 5:** Take steps to obtain resources that may be needed to adopt rules, such as requesting assistance from other state agencies to help develop rules or obtaining assistance with board staff's other duties and responsibilities to provide board staff with time to develop rules. If the Board is unable to identify any additional resources through these efforts, it should then work with the Legislature to obtain funding and authority to enter into contracts and agreements so that the Board may contract for assistance with developing rules.

Board Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The PSRB will request an additional administrative support person to assist with Board staff duties and responsibilities to allow for time to develop rules. If necessary, the Board will work with legislature to obtain funding and authority as specified in the recommendation.

**Recommendation 6:** Develop and implement policies, procedures, and other written guidance to outline its processes for meeting its key responsibilities and provide training on them to board members, staff, and other stakeholders, as appropriate.

Board Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Board and its staff will work together to develop and implement policies, procedures, and other written guidance and provide training to board members, staff, and other stakeholders.

**Sunset Factor 9:** The extent to which changes are necessary in the laws of the Board to adequately comply with the factors listed in this sunset law.

**Recommendation 1:** The Legislature should consider revising statute to establish authority and responsibility for providing the Board's administrative support, including granting the Board authority to enter into contracts and agreements, so that administrative support roles and responsibilities may be clarified through agreements with other agencies that provide it with administrative support, as needed.

The Psychiatric Security Review Board wishes to thank the Auditor General's Office and its staff for its consideration, thoroughness, and professionalism during this process.

Respectfully,

James P. Clark, M.D.  
Chairman of the PSRB