

OFFICE OF FISCAL ANALYSIS

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SR-10

RESOLUTION APPROVING THE SETTLEMENT AGREEMENT IN ISAAH LINDSAY, ET AL. V. NANCY NAVARETTA IN HER OFFICIAL CAPACITY AS COMMISSIONER OF THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES, ET AL.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Mental Health & Addiction Serv., Dept.	GF - Cost	\$3.5 million	\$7 million

Note: GF=General Fund

Municipal Impact: None

Explanation

The resolution results in a cost to the Department of Mental Health and Addiction Services (DMHAS) of approximately \$3.5 million in FY 27 and \$7 million in FY 28. The resolution approves the provisions of the settlement agreement, Lindsay et al. v. Navarretta, et al., which supports the timely discharge of individuals deemed clinically ready to transition from Whiting Forensic Hospital into the community.

The agreement requires the state to make their best efforts to obtain funding for the settlement requirements and obtain approval via the General Assembly (CGA) in the 2026 session. HB 5032, the Appropriations Committee budget, contains related partial year funding of \$3.5 million in FY 27 under DMHAS.

If the CGA does not approve the settlement agreement in the specified timeframe, it becomes null and void and unenforceable.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the approval and discharge of individuals transitioning to the community and associated services provided.