



Richard J. Bonnie
Harrison Foundation Professor of Medicine and Law
Hunton & Williams Research Professor
Professor of Psychiatry and Neurobehavioral Sciences
Director of Institute of Law, Psychiatry and Public Policy

Memorandum

To: Senator R. Edward Houck, Chair, Joint Commission on Health Care

Re: Proposed JCHC Study of Mental Health Issues in Higher Education

Date: October 7, 2009

This memorandum supplements my memorandum to you dated August 31, 2009, in which I described a possible study of mental health issues in higher education under the auspices of the Joint Commission on Health Care. Conducting such a study would serve the interests of the people of the Commonwealth and would be timely in light of the opportunity for coordination with the Supreme Court's Commission on Mental Health Law Reform before the Commission completes its work in 2010. I am confident that the study can be carried out successfully within the next year without any JCHC financial support and without diverting staff attention from the Joint Commission's other priorities.

Steering Committee. The proposed study would be directed by a steering committee that I would chair. The members of the steering committee would include Chris Flynn, the director of the counseling service at Virginia Tech (who would chair a task force on access to mental health services); Jim Stewart, the Inspector General for Behavioral Health and Developmental Services), Professor John Monahan, my colleague at UVA who is an expert on empirical research in mental health law; Diane Strickland, a former Circuit Court judge and member of the Governor's Panel on the Virginia Tech Shootings; Jim Reinhard, Commissioner of Behavioral Health and Developmental Services; Ron Forehand, Deputy Attorney General; Susan Davis, an experienced lawyer who also serves as a student affairs officer at UVA (who would chair a task force on legal issues); and any others who may be suggested by the Joint Commission. Joanne Rome, a Staff Attorney in the Supreme Court, will serve as liaison from the Court, but not as a member.

Coordination with Other Agencies. The study would be formally coordinated with the State Council on Higher Education and the Department of Education as well as the Commission on Mental Health Law Reform, facilitating advice and collaboration throughout the process. The Commission will provide assistance and guidance, as needed, regarding data collection and outreach to relevant constituencies and agencies.

Task Forces. As outlined in my previous memorandum, the Steering Committee would oversee the activities of two task forces, one on Legal Issues in College Mental Health and a second on Access to Mental Health Services by College and University Students. Membership would be drawn from colleges and universities of varying sizes and locations, both public and private. The Steering Committee would develop a specific

charge for each of the task forces. For the moment, it is perhaps sufficient to say that the task force on legal issues would be charged with addressing the roles and responsibilities of colleges in responding to possible student mental health crises, including notification and sharing of information, threat assessment, initiation and participation in commitment proceedings and follow-up. The task force on access to services would be charged with assessing the current need for mental health services among Virginia's college and university students, and the current availability of services to address these needs. Each task force would make recommendations for training, institutional policies and practices, and any legislative action that may be needed.

With the direction and guidance of the Steering Committee, the task forces would conduct surveys of colleges and universities in their respective domains, assemble available information regarding these issues, including experience in other states, and would prepare a report and recommendations for consideration by the Steering Committee, review and comment by the Commission on Mental Health Law Reform and other interested parties, and eventual submission to the Joint Commission.

Composition of Task Forces. Our tentative roster for the legal issues task force includes counseling center directors from George Mason and James Madison Universities, campus police officials from Virginia Tech and Christopher Newport, and student affairs officials from UVA, William and Mary, Randolph Macon, ODU, Bridgewater, VCU and Piedmont Community College. Our tentative roster for the access task force includes counseling center directors from Virginia Tech, Longwood University, VCU, Virginia Wesleyan, Virginia State University, Norfolk State, University of Richmond, Radford University, Christopher Newport University, and ODU; two officials from the community college system; and two officials from community services boards. The respective task forces will be advised by representatives of the General Counsel's offices from UVA (legal issues task force) and Virginia Tech (access task force). We will also seek to involve parent organizations and student peer counseling organizations and other stakeholders in the work of the two task forces.

Institutional Support. The legal issues task force will be headquartered at UVA and the access task force will be headquartered at Virginia Tech. I am grateful to each of these institutions for agreeing to provide the core infrastructure support for the study. The responsibility for organizing task force meetings, summarizing deliberations, conducting and analyzing the surveys and drafting and circulating reports would be borne by the respective chairs and by other willing task force members, with the support of their own institutions and agencies. The costs of attending meetings, communications and logistics, and photocopying materials generated by and circulated to task force members will be borne by their respective institutions.

Schedule. If the Joint Commission is willing to provide an umbrella of oversight for the proposed study, the target date for formal appointment of the Task Forces would be the end of October, 2009. Progress reports to the Steering Committee and the Joint Commission Council would be expected in April, 2010 and July, 2010, with the final reports being due in October, 2010.