

Behavioral Health Care Subcommittee

Joint Commission on Health Care

Proposed 2007 Workplan Legislation of Interest

Kim Snead
Executive Director
May 10, 2007

BHC Subcommittee Members

Senator Stephen H. Martin, Chairman

Senator R. Edward Houck, Vice Chairman

Senator Linda T. Puller

Senator William C. Wampler, Jr.

Delegate Robert H. Brink

Delegate Franklin P. Hall

Delegate David A. Nutter

Delegate John M. O'Bannon, III

Delegate Phillip A. Hamilton (ex officio)



Presentation Outline

- **Proposed 2007 Workplan**
- 2007 Legislation of Interest



Studies and Workgroups for 2007

- Continuation of Study of Needs of Individuals Found Not Guilty by Reason of Insanity or Incompetent to Stand Trial
 - SJR 324 – 2005 (Puller)
- Workgroup Regarding the Commonwealth's Ability to Serve Children and Adults with Autistic Spectrum Disorder (ASD)
 - Recommend options for a State agency "home" for ASD Services
 - HJR 797 – 2007 (Shannon and Nutter)



Studies and Workgroups for 2007

- Workgroup to Improve Discharge Planning for Adult and Juvenile Offenders with Mental Health Needs
 - Finding ways to simplify and expedite Medicaid eligibility determination for juveniles and adults being released from correctional or psychiatric facilities
 - Assisting with medication needs
- Workgroup on Implications of Virginia Tech tragedy on the Commonwealth's Mental Health System



Additional Workplan Initiatives

- Development of System for Reporting Availability of Acute Psychiatric Beds
 - \$25,000 GFs provided for FY 2008
- Implications of Recent Developments on Virginia's Comprehensive Services Act (CSA) Program
 - Attorney General's advisory opinion that mandated CSA services should be "provided to eligible children who are in need of such mental health services without their parents having to relinquish custody"
 - Report of the Joint Subcommittee on the Cost Effectiveness of CSA (if completed in time)
 - SJR 96 – 2006 (Hanger)



Additional Workplan Initiatives

- Substance Abuse Topics
 - Underage drinking
 - Office of Inspector General (OIG) Report on Outpatient Substance Abuse Services Provided for Adults by Community Services Boards
 - Pilot substance abuse programs within local and regional jails
 - SB 1069 – 2007 (McDougle)
 - JLARC Report on Cost of Substance Abuse on State and Local Expenditures (if reported in time)
 - HJR 683 – 2007 (Landes)
 - SJR 395 – 2007 (Hanger)



Additional Workplan Initiatives

- Report of the Children and Family Behavioral Health Policy and Planning Committee
- Report of Forensic Workgroup
- Update on Work of the Interagency Civil Commitment Commission
- Update on Work of the Commission on Mental Health Law Reform
- JLARC Report on Use and Financing of Psychiatric Facilities (if reported in time)
 - SJR 185 – 2006 (Norment)



BHC Subcommittee Meeting Dates

Wednesday, June 13th

Thursday, August 16th

Wednesday, September 19th

Thursday, November 8th



Presentation Outline

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Enacted Legislation of Interest

- An individual found not guilty by reason of insanity (NGRI) of a qualifying offense on or after July 1, 2007, will be required to register as a sex offender
HB 1923 (Griffith)
- CSB/BHA staff may serve as examiners in involuntary commitment hearings even if they are employees of the facility to which the individual may be committed HB 2036 (Hamilton)
- Temporary detention orders and emergency custody orders may include transportation to a medical facility, if a medical evaluation is required prior to detaining the individual who is subject to the TDO or ECO SB 890 (Deeds)



Legislation of Interest Not Enacted

- Failure to take previously prescribed medication “when such failure will likely cause the person to present an imminent danger to himself or others, or to be so seriously mentally ill as to be substantially unable to care for himself” would have been added as a criterion for outpatient treatment orders HB 1904 (Albo)
was reported and rereferred by HWI and left in Appropriations
- Assisted outpatient treatment would have been allowed for severely mentally ill (similar bills)
SB 763 (Cuccinelli)/SB 808 (Marsh) *SB763 was left in Senate Courts of Justice; SB 808 was passed by indefinitely in Senate Courts of Justice on a vote of 10 to 4*
- Legal standard for involuntary commitment would have changed from “presents an imminent danger” to “presents a significant risk to himself or others as a result of mental illness” SB 780 (Cuccinelli) *was left in Senate Courts of Justice*



Joint Resolutions of Interest

- Directs JLARC to “study the actual cost of substance abuse to the Commonwealth to determine the financial savings available...as a result of providing treatment to offenders diverted from incarceration” HJR 683 (Landes)
- Directs JLARC to “study the impact of issues related to substance abuse on state and local fiscal expenditures” SJR 395 (Hanger)
- Recognizes DMHMRSAS as the “primary state agency responsible for the planning and delivery of mental health services,” and indicates neither DSS nor CSA is to be the default system, but requires the HHR Secretary to develop budgetary recommendations to “facilitate and fund service delivery for children through the state’s” MHMRSAS system. HJR 774 (Kilgore)



Internet Address

Visit the new Joint Commission on Health Care website:
<http://jchc.state.va.us>

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