

# Presentation to the Joint Commission on Administrative Rules

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## HB 995, 2002--§ 37.2-316 *Code of Virginia*

- HB 995, 2002, patroned by then Delegate McDonnell, proposed facility closures. Delegate McDonnell worked with DMHMRSAS, VACSB, advocates, providers, and consumers to design a process for facility closure or conversion to a use other than provision of mental health services.
- The Transformation Initiative does NOT propose the closure or conversion of a state mental health facility. Therefore, DMHMRSAS does not believe the specific provisions of HB 995 apply.

## HOWEVER

Stakeholder collaboration has been a basic and central value of every planning effort DMHMRSAS has engaged in over the past four years.

# Mental Health, Mental Retardation, and Substance Abuse Services

## System Transformation Initiatives

### 2002-Present

- 2002 - Reinvestment Initiatives
- 2003 – 2005 – System Restructuring Planning
- 2006 – System Transformation Initiative

## 2002 Reinvestment Initiative

- **Regional stakeholder planning** resulted in initiatives in the three regions of Virginia surrounding Western State, Eastern State and Central State Hospitals.
- **Over \$11 M in facility funding** was redirected for the development of **community services** specifically designed to **reduce the need for inpatient care**.
- Dollars previously allocated for inpatient beds were redirected to purchase **private inpatient services, crisis stabilization, residential supports and other services**.
- Initiatives resulted in **more services** provided to **more people** with the **same dollars** as previously invested in high cost services in state facilities.

# Restructuring Activities

- 2003-2005 over 500 Virginians participated on seven Regional Strategic Planning Partnerships and 5 statewide Special Population Workgroups for Child and Adolescent Services, Forensic Services, Geriatric Services, MR Services and SA Services to:
  - Examine emerging trends and model programs and practices;
  - Assess services system strengths, opportunities, challenges, and critical issues;
  - Explore opportunities for restructuring the current services system; and
  - Develop recommendations for state and regional actions to transform the services system.

# Key Outcomes of Reinvestment and Restructuring Efforts

- Enhanced collaboration among services system partners at the local, regional and state levels
- Successful demonstration of the benefits of regional management of service delivery and utilization—shared ownership works
- Enhanced service delivery and introduction of new evidence-based and best practice service models
- Demonstration of a clear correlation between the level of community capacity and demand for facility-based services
- New strategic direction and plan for the services system.

# System Transformation Initiative

- 2006 Initiative proposed replacement of four state facilities: ESH, WSH, CVTC, and SEVTC.
- DMHMRSAS is NOT closing any of these facilities nor converting them to other uses. The Department is replacing outdated and outmoded facilities to improve services to consumers who need inpatient and residential services while expanding services in the community.
- Over \$179 Million in expanded community services, included targeted service dollars for areas proposed for facility replacement
- General Assembly approved the initiative and added resources

# 2006 Appropriation Act

- Item 310 “It is the intent of the General Assembly that the DMHMRSAS proceed in transforming its system of care into a model that embodies best practices and state-of-the art services. The consumer-driven system of services and supports shall promote self-determination, empowerment, recovery, resilience, health, and the highest possible level of consumer participation in all aspects of community life. The transformed system shall include investments in a suitable array and adequate quantity of community-based services, with an emphasis on consumer choice and the appropriate use of facility resources. State facilities shall be redesigned to ensure high quality care, efficient operation, and capacity necessary for persons most in need of such care.
- Item 312 DD—requires DMHMRSAS to report quarterly to Governor, Secretary of HHR and Chairmen of House Appropriations and Senate Finance and Department of Planning Budget on expanded community-based service. Includes report on “reduction in census at state facilities related to proposed facility replacements, changes in staffing at facilities that are proposed for replacement, and progress made in the construction of replacement facilities.”

# ESH/Region V Services

- ESH \$59 million replacement costs--\$3.3 savings for biennium
- Adult census August 1, 2006 = 241
- Replacement facility scheduled to be completed 2010
- Bed reduction projections:
  - FY 06 260
  - FY 07 215
  - FY 08 195
  - FY 09 170
  - FY 10 150
- Item 312 V--\$4.8 million FY 07 and \$6.9 million FY 08 provided to increase available community-based services for individuals otherwise served by Eastern State Hospital. Funds shall be used for discharge assistance planning, inpatient mental health treatment, in-home residential support, crisis stabilization and other related mental health services intended to delay or deter placement in a state mental health facility.

# Facility Replacement Planning Process

- Regional Facility Replacement Planning Teams are in the process of being developed to consider specific facility design elements.
- These teams will include all stakeholders including local government, law enforcement, private providers, consumers, and family members.

# Pressing Pending Issues

- Availability of Inpatient Psychiatric Care
- Impact on Law Enforcement
- Impact of Persons with a Mental Illness  
Jails on the Criminal Justice System

# Availability of Inpatient Psychiatric Care

- Over the last 6 years, many private psychiatric facilities and beds have closed.
- In response, DMHMRSAS has supported the development of program alternatives including Crisis Stabilization Programs to replace this loss of beds and reduce the need for inpatient services.
- DMHMRSAS is working with DMAS to manage the funding for Temporary Detention Services to ensure the availability of emergency hospital beds and other services when needed.

# Impact on Law Enforcement

- A subcommittee of the Interagency Civil Commitment Advisory Committee is studying the impact on law enforcement specifically regarding the difficulties of transporting those individuals held on a Temporary Detention Order (TDO).
- This subcommittee, which includes representatives from the Virginia Sheriffs Association, is developing specific recommendations to resolve the concerns associated with this process.
- Chief Justice's Commission on Mental Health Law Reform will also address this and related concerns.

# Impact of Persons with a Mental Illness on Jails and the Criminal Justice System

- DMHMRSAS is developing a comprehensive strategy to address this issue including:
  - The availability of a wide array of community services to prevent law enforcement involvement,
  - Where appropriate, the diversion of persons at various points in the judicial process to needed treatment,
  - Assuring that mental health and substance abuse treatment is available to persons appropriately held in jail,
  - Assuring that a bed is available in a state hospital for forensic patients when needed.

# Impact of Persons with a Mental Illness on Jails and the Criminal Justice System

- Staff of the Senate Finance and House Appropriations committees have been reviewing this issue and are working with us to develop solutions.
- General Assembly has appropriated an additional \$500,000 for the expansion of jail based and diversion services.

# Conclusion

- Department is not closing facilities nor converting to other uses
- Continuing community service needs exist.
- System Transformation Initiative requires on-going commitment to fund community-based services and to update state facility system
- Senate Finance Committees and House Appropriations Committees studying model jail services programs and ways to expand effective services
- Supreme Court studying Involuntary Civil Commitment Process for Adults
- Interagency Civil Admissions Council studying temporary detention process and transportation
- DMHMRSAS welcomes ongoing dialogue to improve services system