

**SJ47 - Recommendations for the 2020 Session**

<b>LEGISLATION</b>	
The General Assembly should amending statutory provisions for involuntary temporary detention of individuals in need of medical services to include intoxicated individuals.	Deeds Hope
The General Assembly should extend the emergency custody period to up to 24 hours for all individuals.	No Patron
The General Assembly should improve the evaluation process to facilitate quicker access to services by expanding the categories of individuals who may conduct an evaluation pursuant to § 37.2-808.	Watts
The General Assembly should enhance data collection, including: <ul style="list-style-type: none"> <li>• Mandating the reporting of daily bed utilization by psychiatric wards and hospitals, additional patient diagnosis information, staffed capacities, and reasons for denial of admissions;</li> <li>• Revising the bed registry to allow for better data collection and monitoring of the emergency custody process; and</li> <li>• Leveraging emergency department care coordination technology to improve care for individuals with psychiatric needs through better linkages and coordination.</li> </ul>	Deeds Hope
The General Assembly should address behavioral health workforce needs to expand the workforce to meet current and future demands by creating the Behavioral Health Work Force Loan Forgiveness program.	No Patron
The General Assembly should amend subdivision A 1 of § 53.1-133.03 to establish the obligation of health care providers who have been notified that an individual to whom they have provided services is incarcerated to disclose to the jail any information necessary and appropriate for the continuation of care and to provide legal protections for health care providers who provide such information.	Hanger Watts
The General Assembly should amend the Code of Virginia to provide for the following staff-to-student ratios: <ul style="list-style-type: none"> <li>• For school counselors, 1 full-time school counselor for every 250 students in grades K through 12;</li> <li>• For school psychologists, 1 for every 500 to 750 students;</li> <li>• For school social workers, 1 for every 250 general education students; and</li> <li>• For school nurses, 1 for every 750 students.</li> </ul>	No Paton
The General Assembly should increase the length of the initial order for mandatory outpatient treatment from 90 days to 180 days.	Hope

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<p>The General Assembly should authorize a judge or special justice to convene a status conference to review compliance with the mandatory outpatient treatment plan or discharge plan.</p>	<p>Hope</p>
<p>The General Assembly should eliminate the requirement that the person who will be subject to the mandatory outpatient treatment plan following discharge from a period of involuntary inpatient treatment agree to the proposed outpatient treatment plan prior to discharge.</p>	<p>Hope</p>
<p>The General Assembly should clarify that a mandatory outpatient treatment order remains in force until it is rescinded by the court or it expires, even if the person revokes his agreement.</p>	<p>Hope</p>
<p>The General Assembly should provide that a community services board (CSB) petitioning the court for enforcement of a mandatory outpatient treatment order due to material noncompliance with the order must also allege that noncompliance occurred despite efforts by the CSB to assist the person.</p>	<p>Hope</p>
<p>The General Assembly should clarify the scope of the examination that can be ordered by the court when a petition for review of a mandatory outpatient treatment order is filed.</p>	<p>Hope</p>
<p>The General Assembly should provide that the criteria used by the court to determine whether to continue, alter, rescind, or extend a mandatory outpatient treatment order are the same as those used by the court to determine whether to enter the initial order for mandatory outpatient treatment.</p>	<p>Hope</p>
<p>The General Assembly should extend the period of emergency custody to the time at which a temporary detention order is executed and require prompt execution of a temporary detention order.</p>	<p>No Patron</p>
<p>The General Assembly should allow a magistrate to change the designated alternative transportation provider at any time until such time transportation actually begins.</p>	<p>Hanger Bell</p>
<p>The General Assembly should allow a law-enforcement officer in a jurisdiction in which an alternative transportation provider becomes unable to continue to provide transportation for any reason to take custody of the individual and complete transportation.</p>	<p>Hanger Bell</p>
<p>The General Assembly should adopt the Interjurisdictional Compact on Psychology.</p> <p>*** This legislation was first discussed at the January 7, 2020, meeting and was not previously considered as a recommendation of the Joint Subcommittee.</p>	<p>Deeds Watts</p>

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<b>BUDGET AMENDMENTS</b>	
<p>The General Assembly should fully fund implementation of STEP-VA.</p> <p>*** Additional information from DBHDS required</p>	<p>Additional Information Required</p>
<p>The General Assembly should provide funding to fully implement each step of Behavioral Health Redesign.</p> <p>*** Fully funded in the Governor’s introduced budget.</p>	<p>No Patron</p>
<p>The General Assembly should provide additional resources to treat individuals with behavioral health needs and acute, medically complex health care needs including:</p> <ul style="list-style-type: none"> <li>• Development of a funding stream and mechanism similar to the Local Inpatient Purchase of Service Funds to allow community services boards to pay for admission to private hospitals for a combination of medical and psychiatric services;</li> <li>• Evaluation of the need for specialized beds for geriatric and medically complex patients; and</li> <li>• Creation of a specialized inpatient rate for individuals with ID/DD and mental health treatment needs and designation of additional resources to support specialized training for individuals providing services to this population.</li> </ul>	<p>Barker</p>
<p>The General Assembly should provide additional resources for individuals who are intoxicated or require detoxification who are experiencing a mental health crisis, including Crisis Intervention Team Assessment Centers that provide an option for diverting individuals from state hospitals.</p>	<p>Deeds</p>

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<p>The General Assembly should provide funding for a pilot program to facilitate the sharing of data regarding individuals in jails who have received services from a community services board (CSB) that utilizes existing data from diverse systems, matches data about individuals who have received services from CSBs and individuals who are in jails, and provides appropriate notification of CSBs regarding the need to communicate information about identified individuals to the jail in which the individual is located. Implementation of such pilot program would require:</p> <ul style="list-style-type: none"> <li>• A one-time \$144,000 appropriation to pay for development of computer code to facilitate the automatic collection of data from the Department of Behavioral Health and Developmental Services' LIDS system to allow cross-matching of data to identify individuals in jails who have previously received services from a community services board and who meet the criteria for sharing of data between systems.</li> <li>• An appropriation of \$65,000 per year for 1 FTE at the Department of Behavioral Health and Developmental Services to facilitate notification of CSBs regarding clients who are currently in jail who meet the criteria for sharing of data between systems and about whom the CSB will need to share information with the jail</li> </ul>	<p>Deeds Watts</p>
<p>The General Assembly should provide funding to fully implement the provisions of SB 1406 (2019), which required school boards to increase the number of school counselors employed by the board to ensure the following ratios for the 2019–2020 school year:</p> <ul style="list-style-type: none"> <li>• For elementary schools: one school counselor for at least one hour per day for every 75 students; one school counselor available full time for schools with at least 375 students; for schools with more than 375 students, one additional school counselor available for one additional hour per day for every additional 75 students.</li> <li>• For middle schools: one school counselor available for at least one hour per day for every 65 students; one school counselor available full time for schools with at least 325 students; for schools with more than 325 students, one additional school counselor available for one additional hour per day for every 65 students over 325.</li> <li>• For high schools: one school counselor available for at least one hour per day for every 60 students; one school counselor available full time for schools with at least 300 students; for schools with more than 300 students, one additional school counselor available for one additional hour per day for every 60 students over 300.</li> </ul> <p>While Senate Bill 1406 (2019) was adopted by the General Assembly during the 2019 Session and signed by the Governor, only \$12 million of the estimated \$36 million necessary to fully implement the provisions of the act was included in the Appropriation Act</p>	<p>Deeds Watts</p>
<p>The General Assembly should provide funding to implement a five-year pilot program in six localities to add one mental health counselor to each public middle and high school in the participating locality. Proposed localities include: Albemarle, Alexandria, Charlotte, Norfolk, Williamsburg, and Wise.</p>	<p>Deeds Watts</p>

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<b>OTHER</b>	
The Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century should include, as part of its 2020 work plan, establish a Civil Commitment Work Group to continue to examine the Commonwealth's civil commitment process to identify ways to improve the process and reduce trauma for those involved in the process.	Included in the 2021 Work Plan
The Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century should include, as part of its 2020 work plan, evaluate the potential costs and benefits of implementing Universal Mental Health Screenings in schools statewide.	Included in the 2021 Work Plan