

**Joint Committee to Study Mental Health Services
in the Commonwealth in the 21st Century
Thursday, September 28, 2017
Pocahontas Building
Richmond, Virginia**

The Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century (the Joint Subcommittee) met Thursday, September 28, 2017, at the Pocahontas Building in Richmond. Members present were Senator Deeds (chair), Delegate Bell (vice-chair), Senator Barker, Senator Hanger, Senator Howell, Delegate Garrett, Delegate Watts, and Delegate Yost.

Update on Department of Behavioral Health and Developmental Services Initiatives

Dr. Jack Barber, Interim Commissioner, Department of Behavioral Health and Developmental Services (DBHDS), provided an update on behavioral health system reform efforts. Dr. Barber described progress toward implementing same-day access to mental health screening services and primary care screening and monitoring services in the Commonwealth; activities to ensure access to behavioral health services for uninsured Virginians, including steps to align services delivered through managed care behavioral health programs managed by the Department of Medical Assistance Services with the STEP-VA model of service delivery; current state hospital bed utilization and projected increases in such utilization; rates of emergency custody and temporary detention and changes in the number of individuals subject to temporary detention orders treated in private hospitals; activities around development of the plan for financial realignment of services delivered by DBHDS and community services boards required by Item 284 E.1. of the Appropriation Act of 2017; work force challenges affecting DBHDS; and plans for development of community capacity to reduce demand for state hospital beds. Dr. Barber ended his presentation by noting that the jail waiting list for services has been reduced to a total of nine individuals, with no individuals waiting more than seven days for services. A copy of Dr. Barber's presentation can be found on the Joint Subcommittee's website at: <http://dls.virginia.gov/groups/mhs/DBHDS%20update%20092817.pdf>.

Update on Activities of the Expert Advisory Panels

Dr. Richard Bonnie, chair of the System Structure and Finance Expert Advisory Panel, provided a brief overview of the work of the Expert Advisory Panels and requested funding from the amount appropriated to the Joint Subcommittee to fund a position to carry out research and coordinate the studies. The Joint Subcommittee voted to allocate between \$60,000 and \$64,000 for such purpose, pursuant to a contract to be finalized between the Joint Subcommittee and the Institute for Law, Psychiatry and Public Policy.

On behalf of the chair of the Criminal Justice Diversion Expert Advisory Panel, Leslie Weisman, Dr. Heather Zelle from the Institute of Law, Psychiatry and Public Policy provided an update on the activities and future plans of the panel. She noted that members of the panel have been visiting jails throughout the Commonwealth and have conducted a survey of the localities to determine which localities have mental health/criminal justice stakeholder groups in operation. She also stated that the panel is monitoring (i) the use of mental health dockets in the wake of the recent Supreme Court of Virginia rule allowing courts to establish such dockets, (ii) the forensic discharge planning study being completed by DBHDS, and (iii) the implementation of the

requirement that inmates entering all jails in the Commonwealth be screened for mental illness using a uniform instrument.

As to future panel activities, Dr. Zelle stated that the panel is in the process of identifying rural areas that need assistance with launching crisis intervention team and jail diversion efforts and the resources needed to do so as well as developing a tool to measure the readiness of rural areas to launch such efforts. She also described the panel's interest in developing a method for calculating the cost savings that could be achieved through jail diversion programs. Finally, she noted that the panel will be reviewing the state of the law relating to medicating inmates over their objections.

John Oliver, chair of the Emergency and Crisis Services Expert Advisory Panel, provided an update on that panel's recent activities. He noted that the panel is monitoring the work of the Alternative Transportation Work Group and that the work group's final report is due October 1. The panel is also monitoring the work of the Joint Commission on Health Care with regard to a study of options to expand use of telemental health services. The Joint Commission on Health Care's final report is due November 1, 2018. Mr. Oliver also described the panel's work around development of a description of core services that should be available to individuals in a mental health crisis no matter where the individual is located in the Commonwealth. The work group focused on this topic has met several times by conference call and is drafting a description of the proposed core services. Finally, Mr. Oliver stated that the work group focused on development of psychiatric emergency centers continues to review options but that additional work is required before recommendations can be made. In closing, Mr. Oliver requested input from the members of the Joint Subcommittee regarding the types of information and data the Joint Subcommittee members would like the Expert Advisory Panel to collect.

Mr. Jim Martinez described two studies the panel is undertaking: (i) a review of the oversight authority and responsibilities of DBHDS regarding the delivery of mental health services in the Commonwealth generally and the work of the community services boards specifically (information here: <http://dls.virginia.gov/groups/mhs/governance%20study%20DBHDS.pdf>) and (ii) a study of the roles, needs, and responsibilities of local governments and regional collaborations in the delivery of mental health services in the Commonwealth (information here: <http://dls.virginia.gov/groups/mhs/governance%20study.pdf>).

Discussion of Referred Bills

Senator George Barker, Delegate Roxann Robinson, and Jennifer Wicker, Director of Intergovernmental Affairs, Virginia Hospital and Healthcare Association, provided information about Senate Bill 1222 (<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=sb1222>) and House Bill 1918 (<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=hb1918>), creating the Acute Psychiatric Patient Registry. The speakers noted that during the 2017 Session of the General Assembly, several concerns were raised about the form and function of the proposed registry but that during the course of discussions among the stakeholders a solution had been identified and that implementation of a system for sharing data and information about patients in need of psychiatric beds could be implemented without additional legislation.

Senator Creigh Deeds provided an overview of Senate Bill 1064 (<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=sb1064>) and House Bill 1480 (Helsel)

(<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=hb1480>), requiring mental health awareness training for law-enforcement officers, firefighters, and emergency medical services personnel. Mr. Art Lipscomb, Director of Government Affairs, Virginia Professional Fire Fighters, noted that the bill had been revised during the course of the session before being referred to the Joint Subcommittee and that the Virginia Professional Fire Fighters preferred the original version of the bill. He noted that the organization would be working with Senator Deeds and Delegate Helsel to reintroduce the bill during the 2018 Regular Session. Senator Deeds stated that he would like to have the Joint Subcommittee review the proposed legislation once a draft is prepared.

Public Comment

Ms. Amanda Woodward, a psychiatric nurse from Amissville, Virginia provided comments on her experiences and the need for mental health reform in the Commonwealth.