

The Virginia General Assembly



2012 LEGISLATIVE REPORT
DBHDS

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2012 Final Legislative and Budget Report

LEAD LIST BILLS – PASSED

<i>DBHDS LEAD Agency Bills:</i>	<i>Explanation:</i>
<p>HB 192 - <u>Lewis</u> - State facilities; reporting requirements of critical incidents involving consumers.</p>	<ul style="list-style-type: none"> • Adds a new section in § 37.2-709 requiring the director of a state facility (DBHDS hospital or training center) or his designee to notify an individual’s authorized representative, or person identified pursuant to subdivision A 11 of § 37.2-400 (Rights of Consumers), whenever the consumer is involved in a critical incident, defined as <i>serious bodily injury or loss of consciousness requiring medical attention</i> (mirrors the definition in Title 51.5, Protection and Advocacy). Notice must: <ul style="list-style-type: none"> ○ Be made by telephone within 24 hours of the critical incident or, if the facility director or his designee is unable reach the authorized representative or person identified pursuant to subdivision A 11 of § 37.2-400 by telephone within the required timeframe, notice is to be given in writing by registered mail. ○ Include any injury to the individual resulting from the incident, and actions taken to address the risks that may have contributed to the critical incident. If the facility director or his designee is unable to identify an authorized representative or person identified pursuant to subdivision A.11. of § 37.2-400, the provisions of the section will not apply.
<p>HB 271 - <u>Peace</u> - Substance Abuse Recovery Support Services Grant Program; established, report.</p>	<p>If reenacted by the 2013 General Assembly, this bill would:</p> <ul style="list-style-type: none"> • Add a new subsection, § 37.2-310.1, in the list of powers and duties of DBHDS related to substance abuse to require DBHDS to establish the Substance Abuse Recovery Support Services Grant Program and create in the state treasury a special nonreverting Substance Abuse Recovery Support Services Grant Fund (the Fund) to receive private grants, gifts and donations. • Provide a mechanism for the Fund to collect and disburse charitable donations or other private funds to support services that are provided by persons in long-term recovery from addiction to people seeking relief from addiction who need these types of services that do not require the services of a licensed or certified professional (i.e., assistance with housing, employment, transportation, alcohol and drug free social events, emotional support that is not counseling). • Call for a group of stakeholders to provide input regarding the development of the grant program; specifically, the content of grant applications, uniform oversight of grant recipients and evaluation of the effectiveness of services funded by the Fund. The Commissioner of DBHDS would request disbursement of these funds based on the criteria governing the use of the Fund. <p>The final enactment clause states:</p> <ul style="list-style-type: none"> • A report must be made to the Governor by December 1, 2012, identifying all public or private organizations that may raise and disburse funds for substance abuse recovery support services in

	the Commonwealth.
HB 475 - <u>Albo</u> - Involuntary commitment; alters criteria for ordering mandatory outpatient treatment.	<ul style="list-style-type: none"> Amends §37.2-817 in several places regarding mandatory outpatient treatment (MOT), as follows: <ul style="list-style-type: none"> In paragraph C1, amendments lengthen the maximum period of mandatory outpatient treatment (MOT) following discharge to 90 days (the current maximum duration for inpatient followed by MOT is 30 days). In paragraph C2, amendments are editorial changes meant to make the law more usable without sacrificing any key ingredients to success, such as the person's agreement to "abide by the discharge plan". In paragraph D, amendments are similar, but not identical, to those in paragraph C2, described above. In paragraph E, amendments clarify that MOT does not include use of restraint or physical force to provide ordered medication.
HB 476 - <u>Albo</u> - Mandatory outpatient treatment hearing; determination of treatment prior to release from commitment.	<ul style="list-style-type: none"> Amends §37.2-805 (voluntary admission) and §37.2-817 (involuntary admission and mandatory outpatient treatment) to allow a treating physician, family member or personal representative, or community services board (CSB) to file a motion requesting a hearing prior to discharge of any person admitted under these sections, to determine whether the person should be ordered to mandatory outpatient treatment (MOT) pursuant to §37.2-817.D. This procedure could be invoked if, on two prior occasions within 36 months preceding the hearing, the person has been detained under a temporary detention order and the person accepted voluntary hospitalization under 37.2-814.B, or been hospitalized involuntarily under 37.2-817. Additional amendments prescribe the timeframe within which the hearing prior to discharge must occur.
HB 496 - <u>Dance</u> - Discharge planning from state hospital or training center; right to return to place of residence.	<ul style="list-style-type: none"> Amends § 37.2-837 to specify that every individual discharged from a state hospital or training center will be informed of his right to return to the county or city in which he resided prior to admission or to move to another county or city of his choosing, and that the community services board or behavioral health authority (CSBs and BHAs) responsible for developing his discharge plan shall, upon request, arrange for transportation of the individual to the county or city in which he chooses to reside. Clarifies hat for individuals who choose to return to the county or city in which they resided prior to admission, the community services board shall make every reasonable effort to place the individuals in such county or city.
HB 552 - <u>Garrett</u> / SB 387 - <u>Martin</u> - Mental health and developmental services; replaces certain terminology, technical amendments. Administration bill.	<ul style="list-style-type: none"> Administration bill. Updates terminology and conforms statutory, policy, regulatory, and plan language in the areas noted below, including deleting references to and the definition of mental retardation in all <i>Code</i> sections - except § 8.01-654.2, § 19.2-264.3:1.1, § 19.2-264.3:1.2, and § 19.2-264.3:3, which address capital sentencing of individuals with mental retardation, where the term is retained on the advice of the Attorney General. Two substantive legislative changes are made by inserting definitions of "behavioral health services" and "developmental services" - with the former being only a clarification that it means

	<p>mental health and substance abuse services.</p> <ul style="list-style-type: none"> • Adds or deletes language to be consistent with the new name of the Department of Behavioral Health and Developmental Services and to replace out-of-date terms with current terminology.
<p>HB 638 - <u>Stolle</u>/SB 371 - <u>Barker</u> - Judicial authorization of treatment; advance directives.</p>	<p>Clarifying amendments to §§ 37.2-1101 and 37.2-1102 regarding judicial authorization of treatment. Specific amendments include:</p> <ol style="list-style-type: none"> 1. New language is added in §37.2-1101.G.1 that provides guidance to the court in certain circumstances when a person with proper legal authority to authorize treatment may be in place but is unable or unwilling to make a decision; 2. New language is added in §37.2-1101.G.4 to ensure that the court’s action is consistent with the provisions of any advance directive executed by the person or with the person’s known preferences; 3. A new paragraph §37.2-1101.I. is added clarifying a physician’s authority to treat a person without judicial authorization when necessary in an emergency; and 4. Amendments to §37.2-1102.4 are added allowing the court to authorize restraint or transportation for a person with a mental disorder if necessary for the provision of an authorized treatment if the persons is simultaneously under an order issued pursuant to Chapter 11 (§ 19.2-167 et seq.) or Chapter 11.1 (§ 19.2-182.2 et seq.) of Title 19.2, §§ 37.2-814 through 37.2-819, or Chapter 9 (§ 37.2-900 et seq.). <p>This legislation originated in the (now inactive) Commission on Mental Health Law Reform and is intended to clarify the inter-relationship between Virginia’s judicial authorization of treatment and advance directives laws.</p>
<p>HB 972 - <u>Bell, Robert B.</u> - Involuntary commitment; criteria for commitment.</p>	<ul style="list-style-type: none"> • Adds language to §37.2-817.C requiring special justices at commitment hearings to consider <i>“whether the person recently has been found unrestorably incompetent to stand trial...”</i> when considering the evidence that might pertain to the decision to issue an involuntary order for inpatient treatment.
<p>HB 1075 - <u>Hugo</u>/SB 201 - <u>Marsden</u> - Hospital discharge procedures; community services boards to provide information on certain services.</p>	<ul style="list-style-type: none"> • Amends § 37.2-505 and adds a new section numbered 32.1-137.02, relating to hospital discharge procedures for alcohol poisoning and drug overdoses in minors to direct hospitals to inform and educate the patient and his family, when they are involved in decision-making or ongoing care, about his follow-up care, treatment and services by providing them information on substance abuse services. • Adds an additional responsibility to community services boards or behavioral health authorities (CSBs) to provide, if available, information to all hospitals licensed pursuant to Article 1 (§ 32.1-123 et seq.) of Chapter 5 of Title 32.1 about alcohol and substance abuse services available to minors.
<p>HB 1280 - <u>Stolle</u> - Psychiatric hospital admissions; local inmates.</p>	<ul style="list-style-type: none"> • Amends §19.2-169.6, which addresses emergency admission to inpatient psychiatric hospitals of inmates of local correctional facilities (i.e., jails), by adding a new criterion for admission to broaden eligibility for hospitalization if the inmate is likely to <i>“...suffer serious harm due to his lack of capacity to protect himself from harm</i> <p>The bill provides a sunset clause for the language to expire on July 1, 2014.</p>

SECONDARY (Comment) LIST BILLS – PASSED

(bills with * indicate comment was not requested, but DBHDS offered comment and tracked)

<i>DBHDS Comment Agency Bills:</i>	<i>Explanation:</i>
<u>HB 852</u> - <u>Yost</u> / <u>SB 375</u> - <u>Barker</u> - Higher educational institutions; may require any accepted student provide complete record.	<ul style="list-style-type: none"> Amends § 23-2.1:3 of the <i>Code of Virginia</i> relating to student mental health records to make clear that colleges and universities may require students who are transferring from another college or university to submit mental health records. Current law only addresses records coming from high schools.
<u>HB 900</u> - <u>Brink</u> / <u>SB 374</u> - <u>Barker</u> - Higher educational institutions; mental health and parental notification policies.	<ul style="list-style-type: none"> Amends §23-9.2:3 of the <i>Code of Virginia</i> regarding the powers of governing boards of state educational institutions. Current law requires that public higher education institutions notify the parent of a dependent student when that student receives mental health treatment, only when the treatment is made a part of the student's educational record and it is determined that the student meets the "substantial likelihood of harm" standard applied to involuntary treatment. Such notification is required unless the student's treating physician or psychologist determines it would be harmful to the student. This bill amends language in Section C by striking the current "physician" or "psychologist" language and inserting "<i>any person licensed to diagnose and treat mental, emotional, or behavioral disorders by a health regulatory board within the Department of Health Professions who is treating the student.</i>" This amendment recognizes that some colleges and universities do not have physicians or clinical psychologists.
<u>HB 971</u> - <u>Bell, Robert B.</u> - Barrier crimes; adds extortion and felony violations of protective orders to statute.	<ul style="list-style-type: none"> Amends §§ 32.1-162.9:1, 37.2-314, 37.2-408.1, 63.2-1719, and 63.2-1726 to add the following crimes to various barrier crimes statutes: abduction, extortion, and felony violations of protective orders. <p>People who have been convicted of, or are the subject of pending charges of one of those crimes, will not be able to work in a licensed nursing home, home care organization, or hospice and cannot work, volunteer, or provide services on a regular basis at a children's residential facility that is regulated or operated by the Department of Behavioral Health and Developmental Services, certain structured residential programs for juveniles, or children's residential facilities regulated or operated by the Departments of Social Services, Education, or Military Affairs.</p> <p>Persons convicted of such crimes cannot be approved by a child placing agency as adoptive or foster parents and cannot be an adult foster care home provider or a provider of home-based adult services. In addition, they cannot work at certain schools, assisted living facilities, adult day care centers, child welfare agencies, or family day homes. This bill adds the following crimes to the list of barrier crimes in §37.2-314 and §37.2-408.1 <i>Code of Virginia</i> that addresses background checks for employment at DBHDS facilities, licensed private providers and Community Services Boards: a felony violation of a protective order as set out in either §§ 16.1-253.2 and 18.2-60.4.</p>

<p>HB 1222 - <u>Hope</u> - Public Procurement Act; definition of employment services organization, technical changes.</p>	<ul style="list-style-type: none"> Amends §§ 2.2-1111, 2.2-1118, 2.2-4301, and 2.2-4344, of the Code to provide technical changes to remove outdated language referring to sheltered employment in the procurement title. This bill strikes the term “sheltered workshop” and its related references, and replaces it with the term “employment services organization.” It also defines “employment service organization” as an organization that provides center-based or community-based employment services to individuals with disabilities and that is a qualified Commission on Accreditation of Rehabilitation Facilities (CARF)-accredited vendor of the Department of Rehabilitative Services (DRS).
<p>HB 1230 - <u>Orrock</u> - Protection and Advocacy, Virginia Office for; conversion to a nonprofit entity, report.</p>	<ul style="list-style-type: none"> Requires the Director of the Virginia Office for Protection and Advocacy and the Board for Protection and Advocacy to establish a nonprofit organization to provide advocacy, legal, and ombudsman services to persons with disabilities in compliance with state and federal law no later than December 31, 2013, and eliminates the Virginia Office for Protection and Advocacy as of January 1, 2014. Any regulations adopted by the Board are repealed as of that date. The bill also provides that employees of the Virginia Office for Protection and Advocacy who transition to employment with the nonprofit organization shall not be subject to the provisions of the Workforce Transition Act.
<p>SB 314 - <u>Blevins</u> - Sexually violent predators; Director of DOC determines if prisoner meets definition. (Incorporates SB 91; see also HB 1271)</p>	<ul style="list-style-type: none"> Administration Bill. Amends §§ 19.2-169.3, 37.2-903, and 37.2-904 of the <i>Code of Virginia</i>, relating to individuals deemed sexually violent predators (SVP) to provide for determination by the Director of the Department of Corrections (DOC) for referral of certain prisoners for assessment as SVP if they appear to meet the definition of sexually violent predators and to exclude from referral those who are incapacitated by debilitating illness. The bill also provides that the DOC Director, in coordination with DBHDS, shall develop evidence-based best practice assessment protocols for conducting initial screenings to determine whether the prisoner or defendant meets the definition of a sexually violent predator and shall report to the General Assembly by January 1, 2013. This bill also conforms the handling of unrestorably incompetent to stand trial defendants to the procedures currently used with inmates. The bill also increases from 120 to 180 days the length of time the Commitment Review Committee has to complete its assessment of the prisoner or defendant for civil commitment and communicate its recommendation to the Attorney General. The bill has an effective date of January 1, 2013.
<p>SB 523 - <u>Hanger</u> - Minority Business Enterprise, Department of; certification of employment services organizations.</p>	<ul style="list-style-type: none"> Amends §§ 2.2-1401 and 2.2-1403 of the <i>Code of Virginia</i>, to allow the Department of Minority Business Enterprise to certify “employment services organizations” and to add them to existing laws governing small, women-owned, and minority-owned business participation in state contracts and purchases pursuant to 2.2-1404 and 2.2-1405, thereby including employment services organizations among the organizations that would receive preferred status in procuring business through state contracts.
<p>*HB 1271 - <u>Jones</u> - Sexually violent predators; Director of DOC shall develop protocol for assessing prisoner, etc.</p>	<ul style="list-style-type: none"> See above, mirrors SB 314.

<p>*HB 1295 - <u>Byron</u>/SB 679 - <u>Newman</u> - State mandates; eliminating on local and regional government entities relating to education, etc.</p>	<ul style="list-style-type: none"> • Eliminates several statewide mandates on local government and regional government entities, including removes the term ‘annual’ before “performance contract” in reference to contract requirements for community service boards with DBDHS. Specifically: • In 37.2-508, in subsection A. the following language is added: Six months prior to the “<i>end of an existing contract or, if no contract exists, six months prior to the</i>” beginning of each fiscal year, the Department shall make available to the public the standard performance contract form that it intends to use as the performance contract for that fiscal year and solicit public comments for a period of 60 days. “<i>Such contracts shall be for a fixed term and shall provide for annual renewal by the Board if the term exceeds one year.</i>” • In subsection B., it deletes the term “annually” from the timeframe a community services board may apply for the assistance provided in the chapter. It also deletes the phrase “<i>for the next fiscal year</i>” in reference to the length of the performance contract. And, removes the phrase “<i>up to six</i>” in regard to the number of semi-monthly payments of state-controlled funds the Department may use to distribute the funds. • Finally, both in 37.2-508.B. and D., it adds the phrase “<i>or renewed</i>” to the sentence addressing automatic approval by the governing body of each city or county, if that governing body does not take action to approve the proposed performance contract by September 30 of each year..
<p>*SJ 127 - <u>Hanger</u> - Employment First practices; SHHR, et al., to adopt, etc., in providing service to certain persons.</p>	<ul style="list-style-type: none"> • Requires the Secretary of Health and Human Resources and the Superintendent of Public Instruction be encouraged to adopt and implement Employment First practices in providing and coordinating services to Virginians with disabilities.

Legislation of Interest: Failed, Incorporated, Referred by Letter

LEAD LIST BILLS - Failed, Incorporated, Referred by Letter

<i>DBHDS LEAD Agency Bills:</i>	<i>Last action:</i>
<i>Incorporated</i>	
SB 91 - <u>Howell</u> - Sexually violent predators; civil commitment, report.	(S) Incorporated by Courts of Justice (SB314-Blevins) (15-Y 0-N)
SB 191 - <u>Miller, J.C.</u> - Intellectual disability and developmental services; replaces certain terminology, tech. amendments.	(S) Incorporated by Education and Health (SB387-Martin) (15-Y 0-N)
<i>Failed</i>	
SB 585 - <u>Northam</u> - Psychiatric hospital admissions; local inmates.	(H) Left in Appropriations
HB 1010 - <u>Ramadan</u> - Guardian appointment; concurrent commitment hearing.	(H) Left in Courts of Justice
HB 1109 - <u>Greason</u> - Problem Gambling Treatment Fund; established.	(H) Left in General Laws
HB 1221 - <u>Tata</u> - Training center; a consumer shall only be discharged upon consent of consumer or representative.	(H) Stricken from docket by Health, Welfare and Institutions
HJ 18 - <u>O'Bannon</u> - Community-based mental health services; individuals transitioning from state hospitals, report.	(H) Left in Rules
HJ 23 - <u>Morrissey</u> - Employment First initiative; Secretary of Health and Human Resources to develop in State, report.	(H) Left in Rules

SECONDARY (Comment) LIST BILLS - Failed, Incorporated, Referred by Letter
 (bills with * indicate comment was not requested, but DBHDS offered comment and tracked)

<i>DBHDS COMMENT Agency Bills:</i>	<i>Last action:</i>
<i>Failed</i>	
* HB 73 - <u>Bell, Richard P.</u> / SB 6 - <u>Martin</u> - VIEW; substance abuse screening and assessment of public assistance applicants and recipients.	(H) Continued to 2013 in Appropriations
* HB 221 - <u>Head</u> - VIEW; substance abuse screening and assessment of public assistance applicants and recipients.	(H) Left in Health, Welfare and Institutions
* HB 249 - <u>Cline</u> - VIEW; substance abuse screening and assessment of public assistance applicants and recipients.	(H) Left in Health, Welfare and Institutions
HB 662 - <u>Surovell</u> / SB 372 - <u>Barker</u> - Community Colleges, State Board for; development of mental health services.	(H) Left in Education
HB 882 - <u>Sickles</u> - Financial exploitation of elderly or vulnerable adults; penalty.	(H) Incorporated by Courts of Justice (HB987-Loupassi)
HB 987 - <u>Loupassi</u> - Financial exploitation of incapacitated adults; penalties.	(H) Left in Appropriations
* HB 992 - <u>Loupassi</u> / SB 224 - <u>Herring</u> - Assault and battery; Class 1 misdemeanor against a family or household member.	(H) Continued to 2013 in Militia, Police and Public Safety
* SB 9 - <u>Lucas</u> - Guardianship; restriction of visitation.	(S) Passed by indefinitely in Courts of Justice (13-Y 1-N)
* SB 83 - <u>McWaters</u> - VIEW; screening and assessment of public assistance recipients for use of illegal substances.	(S) Incorporated by Rehabilitation and Social Services (SB6-Martin) (15-Y 0-N)
SB 97 - <u>Edwards</u> - Barrier crimes; clarifies individual crimes included in background check and barrier crime statutes.	(S) Continued to 2013 in Courts of Justice (15-Y 0-N)

FYI Bills - PASSED

Bills of Minor Interest (FYI only) - PASSED

HB 79 - Orrock - Disability Commission; establishing work groups to assist in carrying out powers and duties, etc.

HB 268 - Peace - Occupational therapy; definition.

HB 269 - Peace - Certificate of public need; process for review & approval of psychiatric & substance abuse services.

HB 270 - Peace - Public guardianship and conservator program; VDA to adopt person-centered practice procedures.

HB 350 - Cox, M.K. - Virginia Retirement System; modifies disability benefits provided to state employees.

HB 637 - Iaquinto/SB 417 - Stanley - Grievance procedure; eliminates certain steps.

HB 735 - Jones - Community-based continuing care (CBCC) providers; required to be registered with SCC.

HB 852 - Yost - Higher educational institutions; may require any accepted student provide complete record.

HB 853 - Yost/SB 458 - Barker - Suicidal students; higher educational institutions shall develop policies addressing.

HB 944 - Villanueva - Sexually violent predators; conducting probable cause hearing.

HB 1106 - Greason - Behavior and assistant behavior analysts; licensure by Board of Medicine.

HJ 49 - Gilbert - Governor's Executive Reorganization Plan; approval by each house of General Assembly.

SB 8 - Lucas - Guardians; disposition of remains.

SB 461 - Garrett - Sexually violent predators; conducting probable cause hearing.

SJ 15 - Watkins - Electronic identity credentials; JCOTS to study and determine possible liability concerns therewith.

Budget Bill

<http://leg2.state.va.us/MoneyWeb.NSF/sb2012a>

	FY2013	FY2013	FY2014	FY2014
	GF	NGF	GF	NGF
Emergency Response				
Law enforcement - up to 5 drop-off centers	\$ 600,000	\$ -	\$ 600,000	\$ -
NVMHI retain 13 beds; report on long term plan	\$ 600,000	\$ -	\$ -	\$ -
ID Services				
DOJ Trust Fund	\$ 30,000,000	\$ -	\$ -	\$ -
- ID Facility discharge slots - 160 each year	\$ -	\$ -	\$ -	\$ -
- ID waiver slots - 225 each year	\$ -	\$ -	\$ -	\$ -
- DD waiver slots - 25 each year	\$ -	\$ -	\$ -	\$ -
- Facility closure plan within 1 year of judicial approval of DOJ settlement agreement	\$ -	\$ -	\$ -	\$ -
ID waiver slots to address community wait list - 75 - FY13, 150 - FY14	\$ -	\$ -	\$ -	\$ -
DD waiver slots to address community wait list - 25 - FY13, 55 - FY14	\$ -	\$ -	\$ -	\$ -
Children's Behavioral Health				
Children's crisis response services / child psychiatrists	\$ 1,500,000	\$ -	\$ 1,750,000	\$ -
External Mandates				
Electronic Health Records FTEs (10) / hardware / software	\$ 4,380,000	\$ 12,000,000	\$ 1,900,000	\$ 8,500,000
VCBR staffing (34.5 FTEs) for census growth	\$ 2,774,446	\$ -	\$ 3,743,753	\$ -
Other Items				
Transfer group homes to CSBs (language only)	\$ -	\$ -	\$ -	\$ -

New Budget Language

Note that these are only new or revised items. It does not indicate ongoing requirements or those deleted from the budget.

Appropriation Act Item #	Office with Primary Responsibility	ASSESSMENT AND REPORTING: Deliverable and Status - Description	DLAS Report Required	Report Due Date
282 D.	OSHHR/IT	D. The Secretary of HHR shall provide the Governor and the Chairs of the Senate Finance and House Appropriations Committees a quarterly written program-level assessment of the progress made by the Health Care Reform program office to implement new information technology systems as described in Item 427 D.2. (EHR, Pharmacy) including a description of the expenditures and activities to which any State or contract staff are assigned; steps taken to ensure that (i) individual projects and the use of project resources are prioritized across the program, (ii) a coordinated approach to program management across all projects is undertaken through the use of formal structures and processes, (iii) program governance and communication activities are sufficient to achieve benefit and stakeholder management objectives, and (iv) any changes in program and project-level objectives and resource needs are identified. This reporting requirement shall cease at such time as new program management standards are promulgated by the Virginia Information Technologies Agency.		Quarterly, ongoing
314.L.	DS	DBHDS shall provide a plan to the General Assembly, developed in consultation with OSHHR and the Chairs of House Appropriations and Senate Finance Committees, related to the closure of state training centers by the end fiscal year 2021 , in compliance with the settlement agreement relating to United States of America v. Commonwealth of Virginia (Civil Action No. 312cv0059-JAG), subject to judicial approval. In developing the plan, the Commissioner shall solicit input from all relevant stakeholders including, but not limited to, individuals with intellectual or developmental disabilities or their guardians, and public and private providers. The plan shall be completed within one year of the effective date of the settlement agreement.		one year after effective date

315 V.1.	Dev Serv	<p>Agreement Implementation. Upon approval of the Secretary of Health and Human Resources and the Secretary of Finance, the Director, Department of Planning and Budget, shall transfer appropriation between Items 307, 311, 312, and 314, as needed. DBHDS shall provide updates regarding expenditures and progress in meeting implementation targets established in the agreement. 315 V.1.</p> <p>3. The State Board of Behavioral Health and Developmental Services shall promulgate emergency regulations to implement an individual and family supports program. These regulations shall become effective within 280 days or less from the enactment date of this act.</p>		<p>July 1 and December 1 ongoing (see 2011 HB 2533/SB148)</p> <p>Within 280 days of Approp Act enactment</p>
315.W.	BH/CFS	<p>W. \$1,500,000 the first year, \$1,750,000 the second year to provide child psychiatry and children's crisis response services for children with mental health and behavioral disorders; divided among the health planning regions based on the current availability of the services, shall be used to hire or contract with child psychiatrists who can provide direct clinical services, including crisis response services, as well as training and consultation with other children's health care providers in the health planning region such as general practitioners, pediatricians, nurse practitioners, and community service boards staff, to increase their expertise in the prevention, diagnosis, and treatment of children with mental health disorders; to create new or enhance existing community-based crisis response services in a health planning region, including mobile crisis teams and crisis stabilization services, with the goal of diverting children from inpatient psychiatric hospitalization to less restrictive services in or near their communities. DBHDS shall report on the use and impact of this funding House Approp and Senate Finance.</p>		<p>October 1, 2013 and annually thereafter</p>
315.X.	BH	<p>X. \$600,000 the first year, \$600,000 the second year to expand capacity for up to five drop-off centers to provide an alternative to incarceration for people with serious mental illness. Priority for new funding shall be given to programs that have implemented Crisis Intervention Teams pursuant to § 9.1-102 and § 9.1-187 et seq. of the Code of Virginia and have undergone planning to implement drop-off centers.</p>		

<p>2.0 General Provisions</p>	<p>Finance/A&E</p>	<p>R. Notwithstanding any other provision of law, the following shall govern the real estate purchase and exchange agreement for Western State Hospital between the Commonwealth of Virginia and the City of Staunton. The City of Staunton shall remit the \$15 million for the property sale as follows: 1) \$5 million on October 1, 2012; 2) \$5 million on January 1, 2013; and, 3) \$5 million on April 1, 2013. Further, this item eliminates the requirement that the City of Staunton maintain a \$15 million line of credit to ensure its payment.</p>		
<p>319.A.</p>	<p>BH</p>	<p>A.1. Out of this appropriation, \$600,000 the first year from the general fund shall be used to continue operating up to 13 beds at NVMHI that have been scheduled for closure in fiscal year 2013. DBHDS shall ensure continued operation of up to 13 beds through fiscal year 2013.</p> <p>2. The Commissioner of the Department of Behavioral Health and Developmental Services shall convene a workgroup to develop a long-term funding plan for inpatient bed capacity in the catchment area served by NVMHI. The report shall outline specific strategies and plans to meet the psychiatric inpatient and inpatient diversion needs of individuals with serious and persistent mental illness who are served by the publicly funded mental health system. The Commissioner shall also assess the cost and feasibility of creating an alternative to re-opening beds at NVMHI. The Commissioner shall report his findings no later than October 1, 2012 to the Chairmen of the Senate Finance and House Appropriations Committees as well as the Joint Commission on Health Care.</p>		<p>October 1, 2012</p>

**Note that these are only newly added items.
It does not indicate ongoing requirements or those deleted from the budget.**