

## Virginia General Assembly Action – Laws Become Effective July 1, 2015

[HB 1693](#) - [Bell, Robert B.](#); [SB 1263](#) - [Deeds](#) - Civil admission process; alternative transportation. Provides that a magistrate may authorize alternative transportation for a person subject to an emergency custody order or temporary detention order when there exists a substantial likelihood that the person will cause serious physical harm to himself or others. Current law prohibits the use of alternative transportation when there exists a substantial likelihood that the person will cause serious physical harm to himself or others. The bill also provides liability protection for alternative transportation providers.

[HB 1694](#) - [Yost](#); [SB 966](#) - [Barker](#) - Temporary detention order; custody. Removes the requirement that a person subject to a temporary detention order remain in the custody of the community services board for the duration of the order. This requirement was in conflict with other Code sections that require that such person remain in the custody of law enforcement until custody is transferred to a facility or to an alternative transportation provider.

[HB 1717](#) - [LeMunyon](#) - Psychiatric treatment of minors; objecting minor. Amends the criteria for admitting an objecting minor 14 years of age or older for psychiatric treatment to match the criteria for determining whether a nonobjecting minor or a minor younger than 14 years of age should be admitted. The bill also provides that if a minor 14 years of age or older who did not initially object to treatment objects to further treatment, the mental health facility where the minor is being treated shall immediately notify the parent who consented to the minor's treatment and provide to such parent a summary, prepared by the Office of the Attorney General, of the procedures for requesting continued treatment of the minor.

[HB 2118](#) - [Cline](#); [SB 1265](#) - [Deeds](#) - Acute psychiatric bed registry; frequency of updating. Requires state facilities, community services boards, behavioral health authorities, and private inpatient psychiatric service providers to update information included in the acute psychiatric bed registry whenever there is a change in bed availability for the facility, board, authority, or provider or, if no change in bed availability has occurred, at least once daily.

[HB 2303](#) - [Wright](#) - Sexually violent predators; notice of hearings, conditional release plan. Requires the Department of Behavioral Health and Developmental Services, in preparing a conditional release plan for a sexually violent predator, to notify the attorney for the Commonwealth, the chief law-enforcement officer, and the local governing body for the locality that is the proposed location of the predator's residence upon his conditional release. The bill also provides that such attorney for the Commonwealth shall receive a copy of any petition (i) for the conditional release of a predator, (ii) to take a conditionally released predator into emergency custody, (iii) for the release of a predator taken into emergency custody, or (iv) to modify or remove conditions on a predator's release.

[HB 2368](#) - [Garrett](#) - Involuntary civil admissions; evaluations. Directs the Commissioner of Behavioral Health and Developmental Services, in conjunction with relevant stakeholders, to review the current practice of conducting emergency evaluations for individuals subject to involuntary civil admission and to develop a comprehensive plan to authorize psychiatrists and emergency physicians to evaluate individuals for involuntary civil admission where appropriate to expedite emergency evaluations. The review and recommendations shall be completed by November 15, 2015 and reported to the Governor, the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century, the House Committee on Health, Welfare and Institutions, and the

Senate Committee on Education and Health.

**SB 773** - [McWaters](#) - Psychiatric treatment of minors; objecting minor. Amends the criteria for admitting an objecting minor 14 years of age or older for psychiatric treatment to match the criteria for determining whether a nonobjecting minor or a minor younger than 14 years of age should be admitted. The bill also provides that if a minor 14 years of age or older who did not initially object to treatment objects to further treatment, the mental health facility where the minor is being treated shall immediately notify the parent who consented to the minor's treatment and provide to such parent a summary, prepared by the Office of the Attorney General, of the procedures for requesting continued treatment of the minor.

**SB 779** - [McWaters](#) - Psychiatric treatment of minors; duration of admission, petition for judicial approval. Increases from 96 to 120 hours the length of time a minor 14 years of age or older who objects to admission for inpatient treatment or who is incapable of making an informed decision may be admitted to a willing mental health facility.

**SB 1114** - [Barker](#) - Emergency custody order; temporary detention for testing, observation, and treatment. Provides that a court or magistrate may issue an order for temporary detention for medical testing, observation, and treatment for a person who is also the subject of an emergency custody order for evaluation and treatment of mental illness. Upon completion of any required testing, observation, or treatment, the hospital emergency room or other appropriate facility in which the person is temporarily detained shall notify the nearest community services board, and a designee of the community services board shall complete the evaluation as soon as is practicable but prior to the expiration of the order for temporary detention for testing, observation, or treatment.

**SB 1264** - [Deeds](#) - Involuntary admission and incapacity information; access by law-enforcement. Provides that certain information related to persons adjudicated incapacitated or ordered to involuntary inpatient or outpatient treatment or to persons who were subject to a temporary detention order who agreed to voluntary admission may be disseminated to a full-time or part-time employee of a law-enforcement agency for purposes of the administration of criminal justice.