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Transforming Behavioral Health Care for Virginians

Bill Signing - June 14, 2023

HB 1976 (Bell) and SB 1299 (Deeds) Involuntary admission, temporary detention; release of detained individual.

- Permits the director of a facility where a person is awaiting transport to the facility of temporary detention pursuant to a temporary detention order to release the person if an employee or a designee of the local community services board, in consultation with the person's treating physician, (i) conducts an evaluation of the person, (ii) determines that the person no longer meets the commitment criteria, (iii) authorizes the release of the person, and (iv) provides a discharge plan.

HB 2313 (Head) and SB 1132 (Peake) Criminal history record information; dissemination.

- Allows criminal history record information to be disseminated to the Commissioner of Behavioral Health and Developmental Services or his designee for individuals who are being evaluated by the Commissioner to determine the individual's sanity at the time of a criminal offense or capacity to stand trial for the purpose of placement, evaluation, treatment, or discharge planning.

HB 2216 (Leftwich) and SB 1347 (Cosgrove) Health insurance; coverage for mobile crisis response services and residential crisis units.

- Requires health insurance carriers to provide coverage for mobile crisis response services, defined in the bill, and support and stabilization services provided in a residential crisis stabilization unit, defined in the bill, to the extent that such services are covered in other settings or modalities, regardless of any difference in billing codes. The bill requires the State Corporation Commission, in consultation with the Secretary of Health and Human Resources, to convene a stakeholder work group to examine network standards for mobile crisis response services and the current availability of mobile crisis response services in the Commonwealth.

HB 2157 (Fariss) and SB 1054 (Peake) Interjurisdictional compacts; criminal history background checks.

- Provides that when an interjurisdictional compact requires criminal history record checks as a condition of participation, the applicable health regulatory board shall require each applicant to submit to fingerprinting and provide personal descriptive information to be forwarded along with his fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information.

HB 2410 (Watts) Duration of involuntary temporary detention.

- Includes the termination of a period of involuntary temporary detention, if the minor or individual has been admitted to a facility of temporary detention, on any day or part of a day on which the clerk's office is lawfully closed as a reason to extend the duration of the period of involuntary temporary detention for adults and juveniles.

SB 872 (Newman) Emergency custody; temporary detention, alternative transportation.

- Requires magistrates to authorize alternative transportation of a person subject to an emergency custody order or temporary detention order if appropriate alternative transportation is available. The bill allows an employee or contractor of an entity providing alternative transportation services pursuant to a contract with the Department of Behavioral Health and Developmental Services who has completed training approved by the Department in the proper and safe use of restraint to use restraint (i) if restraint is necessary to ensure the safety of the person or others or prevent escape and (ii) if less restrictive techniques have been determined to be ineffective to protect the person or others from harm or to prevent escape. Requires magistrates to authorize alternative transportation of a person subject to an ECO or TDO if appropriate alternative transportation is available.

HB 1792 (Ransone) and SB 1302 (Deeds) Temporary detention in hospital for testing, observation, or treatment.

- Clarifies that when a mental or physical condition appears to be a result of intoxication, a licensed physician who has attempted to obtain informed consent of an adult person for treatment of such mental or physical condition appearing to be a result of intoxication may seek an order from the magistrate or court in the jurisdiction where the respondent is located authorizing temporary detention of the adult person in a hospital emergency department or other appropriate facility for testing, observation, or treatment, provided that certain conditions are met.

HB 2124 (Wilt) and SB 1268 (Favola) School psychologists; staffing flexibility.

- Provides that in order to fill vacant school psychologist positions, any local school board may employ, under a provisional license issued by the Department of Education for three school years with an allowance for an additional two-year extension with the approval of the division superintendent, clinical psychologists licensed by the Board of Psychology, provided that any such individual makes progress toward completing the requirements for full licensure as a school psychologist during such period of employment.

HB 1525 (Coyner) and SB 846 (Favola) – Peer recovery specialists; barrier crime exceptions

- Permits the Department of Behavioral Health and Developmental Services, direct care service providers, and community boards to hire peer recovery specialists who have been convicted of certain barrier crimes where a history of such offense does not pose a risk in the work of a peer recovery specialist.

HB 2345 (Head) and SB 1255 (Dunnivant) Smartchart Network Program; renames Emergency Department Care Coordination Program, report.

- Renames the Emergency Department Care Coordination Program as the Smartchart Network Program and expands the Program to allow participation by all health care providers, insurance carriers, and other organizations with a treatment, payment, or operations relationship with a patient in the Commonwealth to facilitate real-time communication and collaboration. Under current law, participation is limited to hospital emergency departments. The bill makes several other modifications to the Program, including adding a requirement that the Program allow health care providers, health care entities, and insurance carriers to access information necessary to evaluate and monitor the care and treatment of a patient in accordance with applicable patient privacy and security requirements and adding a requirement that such entities continue to improve care coordination in hospital emergency departments in order to reduce the frequency of visits by high-volume emergency department utilizers. The bill also directs the State Health Commissioner and the Director of the Department of Health Professions to convene a work group to study and establish a plan to develop and implement a system to share information regarding a patient's prescription history and medication reconciliation.

HB 2231 (Sickles) – Social Work, Board of; expands powers and duties.

- Expands the powers and duties of the Board of Social Work to require the Board to maintain a list of the names and contact information of persons approved by the Board to supervise candidates for licensure as a clinical social worker and allows supervisees pursuing licensure as a clinical social worker to change or add a supervisor from the Board's list of currently approved supervisors without prior approval from the Board.

HB 1945 (Durant) Children and adolescents; data reporting, reporting requirements.

- Removes the requirement that the Department of Behavioral Health and Developmental Services collect certain data relating to children and adolescents from each community policy and management team and each community services board or behavioral health authority.

HB 1592 (Davis) and SB 1072 (Bell) – Public schools; codes of student conduct, policies and procedures prohibiting bullying.

- Requires each local school board to require the principal of each public school or his designee to notify the parent of any student who is involved in an alleged bullying incident of the alleged incident within 24 hours of learning of such allegation. Current law only requires the principal to notify any such parent of the status of any investigation into an alleged incident of bullying within five school days of when such allegation was made.

HB 2185 (Rasoul) SB 1169 (Hanger) Community services boards and behavioral health authorities; provisions of performance contracts.

- Modifies and reorganizes provisions related to the requirements of performance contracts entered into by the Department of Behavioral Health and Developmental Services with community services boards and behavioral health authorities.