

HOUSE BILL NO. 515

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health and Human Services

on _____)

(Patron Prior to Substitute--Delegate Hope)

A BILL to direct the Department of Behavioral Health and Developmental Services to develop and implement a pilot program relating to the discharge of individuals at one state hospital; report.

Be it enacted by the General Assembly of Virginia:

1. § 1. That the Department of Behavioral Health and Developmental Services (the Department) shall develop and implement a pilot program at one state hospital to allow the director of the state hospital the option to discharge, after the preparation of a discharge plan and over the objection of the community services board, any individual receiving services in a state hospital (i) who is not held upon an order of a court for a criminal proceeding; (ii) who in the director's judgment is recovered, does not have a mental illness, or is impaired or not recovered but whose discharge will not be detrimental to the public welfare or injurious to the individual; (iii) who is not a proper case for treatment within the purview of Chapter 8 (§ 37.2-800 et seq.) of Title 37.2 of the Code of Virginia; and (iv) whose treatment team determines that the individual is ready for discharge but who has not been discharged within 15 days of such determination by the individual's treatment team. For all individuals discharged, the discharge plan shall be developed by the state hospital and shall be implemented by the community services board or behavioral health authority that serves the city or county where the individual resided prior to admission or by the board or authority that serves the city or county where the individual or his legally authorized representative on his behalf chooses to reside immediately following the discharge. The director may grant a trial or home visit to an individual receiving services in accordance with regulations adopted by the State Board of Behavioral Health and Developmental Services. The state facility granting a trial or home visit to an individual shall not be liable for such individual's expenses during the period of that visit. Such liability shall devolve upon the relative, conservator, person to whose care the individual is entrusted while on the

27 trial or home visit, or the appropriate local department of social services of the county or city in which the
28 individual resided at the time of admission pursuant to regulations adopted by the State Board of Social
29 Services. The Department shall submit a report on its findings and recommendations no later than
30 November 1, 2025, to the Governor, the Chairman of the House Committee on Health and Human
31 Services, the Senate Committee on Education and Health, and the Behavioral Health Commission.

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