

VIRGINIA STATE BUDGET

2003 Session

Budget Bill - HB1400 (Introduced)

Bill Order » Office of Health and Human Resources » Item 331

Department of Mental Health, Mental Retardation and Substance Abuse Services

Item 331	First Year - FY2003	Second Year - FY2004
Community Health Services (44000)	\$19,832,949 \$18,461,078	\$19,832,949 \$14,440,834
Drug Abuse Services (44003)	\$2,224,873	\$2,224,873
Mental Health Services (44011)	\$12,298,788 \$11,429,834	\$12,298,788 \$8,752,852
Community Health Services Technical Support and Administration (44012)	\$5,309,288 \$4,806,371	\$5,309,288 \$3,463,109
Fund Sources:		
General	\$14,701,074 \$13,329,203	\$14,701,074 \$9,608,959
Special	\$431,773	\$431,773 \$131,773
Federal Trust	\$4,700,102	\$4,700,102

Authority: Title 16.1, Article 18, and Title 37.1, Chapters 10 and 11, Code of Virginia; P.L. 102-119, Federal Code.

A. Out of this appropriation, ~~\$1,032,948~~ \$585,381 the first year and ~~\$1,032,948~~ \$535,381 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.

B. Out of this appropriation shall be provided from the general fund \$4,250,000 the first year and ~~\$4,250,000~~ \$4,125,000 the second year for mental health services for children and adolescents with serious emotional disturbances and related disorders. The Department of Mental Health, Mental Retardation, and Substance Abuse Services shall provide these funds to community services boards through the annual Performance Contract. These funds shall be used exclusively for children and adolescents, not mandated for services under the Comprehensive Services Act for At-Risk Youth, who are identified and assessed through the Family and Assessment Planning Teams and approved by the Community Policy and Management Teams of the localities. The Department shall provide these funds to the community services boards based on an individualized plan of care methodology.

C.1. The effective date of Chapters 946 and 985 of the 1999 Acts of Assembly, which establishes the civil commitment and treatment of sexual predators, is postponed to January 1, 2004. *These acts shall not be effective unless sufficient funding is provided during the 2003 session of the General Assembly to adequately house and treat the estimated civil commitment population of up to 25 individuals in the first year as identified in the study required by paragraph C 3 of this Item. However, the provisions of these Chapters shall be immediately effective for sexual predators identified in paragraph C 5 of this Item.*

2. ~~Notwithstanding the provisions of § 37.1-70.10, Code of Virginia, the Department may house and provide treatment of persons involuntarily committed under the provisions of §§ 37.1-70.1 through 37.1-70.19 at a facility operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services with appropriate~~

security provided by the Department of Corrections.

3. The Department shall prepare a revised estimate of the cost of locating and implementing a treatment program for the civil commitment of violent sexual predators on the grounds of a facility currently providing comprehensive and intensive forensic treatment services to violent mentally disabled patients. The estimate shall be submitted to the Department of Planning and Budget by September 1, 2002.

4. Out of this appropriation shall be provided up to \$300,000 for the housing and treatment of individuals committed to the Department under the provisions of Article 1.1, Chapter 2, of Title 37.1 of the Code of Virginia, which provides for the Civil Commitment of Sexually Violent Predators. Notwithstanding the provisions of § 37.1-70.10, such housing and treatment may be provided within a secure perimeter designed to prevent the escape of any such person, at a facility operated by the Department or through contract with public or private facilities, within or outside of the Commonwealth, which provides comparable control, care and treatment measures designed for such purposes, with appropriate oversight maintained by the Commissioner.

5. Notwithstanding the provisions of § 37.1-70.4, Code of Virginia, the Director of the Department of Corrections shall identify, each month, all prisoners who are scheduled for release from prison within the following eight months who have been convicted of more than two sexually violent offenses, and who are currently incarcerated for a sexually violent offense which was committed while on probation or parole for a prior conviction of a sexually violent offense. The names, scheduled dates of release, and copies of their files shall be forwarded to the Commitment Review Committee, appointed as provided in § 37.1-70.3.

D. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall ensure appropriate and medically necessary access to new atypical, antipsychotic medications funded in this item.