
VIRGINIA STATE BUDGET

2009 Session

Budget Bill - SB850 (Introduced)

Bill Order » Office of Health and Human Resources » Item 282

Secretary of Health and Human Resources

Item 282	First Year - FY2009	Second Year - FY2010
Administrative and Support Services (79900)	\$1,804,722	\$1,804,722
General Management and Direction (79901)	\$1,804,722	\$1,804,722
Fund Sources:		
General	\$1,804,722	\$1,804,722

Authority: Title 2.2, Chapter 2; Article 6, and § [2.2-201A](#), Code of Virginia.

A. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be used to expand statewide services provided through child advocacy centers. The Secretary, with assistance from relevant Health and Human Resources agencies, shall develop a request for proposals to distribute one-third of the funding for each of the three categories of child advocacy centers including: (i) fully accredited members, (ii) associate centers, and (iii) other centers that are currently operating, developing, or exploring development based on standards set by the National Children's Alliance with input from the Children's Advocacy Centers of Virginia.

B.1. The Secretary of Health and Human Resources, in collaboration with the Office of the Attorney General and the Secretary of Public Safety, shall present a six-year forecast of the adult offender population presently incarcerated in the Department of Corrections and approaching release who meet the criteria set forth in Chapter 863 and Chapter 914 of the 2006 Acts of Assembly, and who may be eligible for evaluation as sexually violent predators (SVPs) for each fiscal year within the six-year forecasting period. As part of the forecast, the Secretary shall report on: (i) the number of Commitment Review Committee (CRC) evaluations to be completed; (ii) the number of eligible inmates recommended by the CRC for civil commitment, conditional release, and full release; (iii) the number of civilly committed residents of the Virginia Center for Behavioral Rehabilitation who are eligible for annual review; and (iv) the number of individuals civilly committed to the Virginia Center for Behavioral Rehabilitation and granted conditional release from civil commitment in a state SVP facility. The Secretary shall complete a summary report of current SVP cases and a forecast of SVP eligibility, civil commitments, and SVP conditional releases, including projected bed space requirements, to the Governor and Senate Finance and House Appropriations Committees by October 1 of each year.

2. As part of the forecast process, the Department of Corrections shall administer a STATIC-99 screening to all potential Sexually Violent Predators eligible for civil commitment pursuant to § [37.2-900](#) et seq., Code of Virginia, within 6 months of admission to the Department of Corrections. The results of such screenings shall be provided to the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) on a monthly basis and used for the SVP population forecast process.

3. The Office of the Attorney General shall also provide to the Commissioner of DMHMRSAS, on a monthly basis, the status of all SVP cases pending before their office for purposes of forecasting the SVP population.

C. The Secretary of Health and Human Resources, in consultation with the Executive Secretary of the Supreme Court, shall develop a reporting system to collect relevant information on emergency custody orders (ECOs),

involuntary commitment orders (TDOs), and mental health commitment hearings by fiscal year. The data collected shall include, but not be limited to, the number of ECOs, TDOs, and commitment hearings that occur each fiscal year by locality, and the estimated cost, duration, location, and disposition of each proceeding. The information collected shall comply with all relevant state and federal health privacy laws and shall not include any personal identifiable information. The data collected shall be reported to the Governor, the Chairmen of the Senate Finance and House Appropriations Committees, and the Supreme Court by November 1, 2008, and each year thereafter.

D. The Secretary of Health and Human Resources and the State Board of Social Services shall develop a plan to allow for the portability of Auxiliary Grants (AG) to pay for housing of consumers who receive case management services from a community services board or behavioral health authority and who are found eligible for or are currently receiving auxiliary grants. The plan shall include a description of individualized services and housing supports based on Report Document 30 (2008) – “Auxiliary Grant Portability: A Report on the Feasibility of Restructuring Auxiliary Grants for Certain CSB Case Management Consumers.” The plan shall include eligibility criteria for Assisted Living Facility (ALF) residents displaced from AG-funded beds that close and those for whom the services and housing supports would lead to reductions in higher-cost institutional care, and (i) whose needs are not being met by their current living arrangement, or (ii) who are living in localities without ALFs, or (iii) who are ready for discharge from a state hospital and are without access to an ALF placement. The plan shall include information on eligibility, the number of consumers to be served, financing, program monitoring and quality assurance, as well as information on the roles and responsibilities of state agencies, community services boards, local departments of social services, and local governments in determining eligibility, administering the program, providing case management and other support services, and the continued provision of financial support through local matching funds. The Secretary shall submit the plan to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Joint Commission on Health Care, by November 1, 2008.