2022 Special Session I

Budget Bill - HB29 (Enrolled)

Item 322	First Year - FY2021	Second Year - FY2022
Financial Assistance for Health Services (44500)	**$513,713,787**	~~**$556,815,857**~~ ***$558,815,857***
Community Substance Abuse Services (44501)	$122,527,688	$122,527,688
Community Mental Health Services (44506)	$292,129,083	~~$332,606,513~~ *$334,606,513*
Community Developmental Disability Services (44507)	$99,057,016	$101,681,656
Fund Sources:		
General	$419,913,787	~~$466,815,857~~ *$468,815,857*
Dedicated Special Revenue	$3,800,000	$0
Federal Trust	$90,000,000	$90,000,000

Authority: Title 37.2, Chapters 5 and 6; Title 2.2, Chapter 53, Code of Virginia.

A. It is the intent of the General Assembly that community mental health, intellectual disability and substance abuse services are to be improved throughout the state. Funds provided in this Item shall not be used to supplant the funding effort provided by localities for services existing as of June 30, 1996.

B. Further, it is the intent of the General Assembly that funds appropriated for this Item may be used by Community Services Boards to purchase, develop, lease, or otherwise obtain, in accordance with §§ 37.2-504 and 37.2-605, Code of Virginia, real property necessary to the provision of residential services funded by this Item.

C. Out of the appropriation for this Item, funds are provided to Community Services Boards in an amount sufficient to reimburse the Virginia Housing Development Authority for principal and interest payments on residential projects for the mentally disabled financed by the Housing Authority.

D. The Department of Behavioral Health and Developmental Services shall make payments to the Community Services Boards from this Item in twenty-four equal semimonthly installments, except for necessary budget revisions or the operational phase-in of new programs.

E. Failure of a board to participate in Medicaid covered services and to meet all requirements for provider participation shall result in the termination of a like amount of state grant support.

F. Community Services Boards may establish a line of credit loan for up to three months' operating expenses to assure adequate cash flow.

G. Out of this appropriation $190,000 the first year and $190,000 the second year from the general fund shall be provided to Virginia Commonwealth University for the continued operation and expansion of the Virginia Autism

Resource Center.

H.1. Out of this appropriation, $22,306,813 the first year and $23,656,453 the second year from the general fund shall be provided for Virginia's Part C Early Intervention System for infants and toddlers with disabilities.

2. By November 15 of each year, the department shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the (a) total revenues used to support Part C services, (b) total expenses for all Part C services, (c) total number of infants, toddlers and families served using all Part C revenues, and (d) services provided to those infants, toddlers, and families.

I. Out of this appropriation $6,148,128 the first year and $6,148,128 the second year from the general fund shall be provided for mental health services for children and adolescents with serious emotional disturbances and related disorders, with priority placed on those children who, absent services, are at-risk for custody relinquishment, as determined by the Family and Assessment Planning Team of the locality. The Department of Behavioral Health and Developmental 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.

J. The Commissioner, Department of Behavioral Health and Developmental Services shall allocate $1,000,000 the first year and $1,000,000 the second year from the federal Community Mental Health Services Block Grant for two specialized geriatric mental health services programs. One program shall be located in Health Planning Region II and one shall be located in Health Planning Region V. The programs shall serve elderly populations with mental illness who are transitioning from state mental health geriatric units to the community or who are at risk of admission to state mental health geriatric units. The commissioner is authorized to reduce the allocation in each year in an amount proportionate to any reduction in the federal Community Mental Health Services Block Grant funds awarded to the Commonwealth.

K. The Commissioner, Department of Behavioral Health and Developmental Services shall allocate $750,000 the first year and $750,000 the second year from the federal Community Mental Health Services Block Grant for consumer-directed programs offering specialized mental health services that promote wellness, recovery and improved self-management. The commissioner is authorized to reduce the allocation in each year in an amount proportionate to any reduction in the federal Community Mental Health Services Block Grant funds awarded to the Commonwealth.

L. Out of this appropriation, $2,197,050 the first year and $2,197,050 the second year from the general fund shall be used for jail diversion and reentry services. Funds shall be distributed to community-based contractors based on need and community preparedness as determined by the commissioner.

M. Out of this appropriation, $2,400,000 the first year and $2,400,000 the second year from the general fund shall be used for treatment and support services for substance use disorders, including individuals with acquired brain injury and co-occurring substance use disorders. Funded services shall focus on recovery models and the use of best practices.

N. Out of this appropriation, $2,780,645 the first year and $2,780,645 the second year from the general fund shall be used to provide outpatient clinician services to children with mental health needs. Each Community Services Board shall receive funding as determined by the commissioner to increase the availability of specialized mental health services for children. The department shall require that each Community Services Board receiving these funds agree to cooperate with Court Service Units in their catchment areas to provide services to mandated and nonmandated children, in their communities, who have been brought before Juvenile and Domestic Relations

Courts and for whom treatment services are needed to reduce the risk these children pose to themselves and their communities or who have been referred for services through family assessment and planning teams through the Comprehensive Services Act for At-Risk Youth and Families.

O. Out of this appropriation, $17,701,997 the first year and $17,701,997 the second year from the general fund shall be used to provide emergency services, crisis stabilization services, case management, and inpatient and outpatient mental health services for individuals who are in need of emergency mental health services or who meet the criteria for mental health treatment set forth pursuant to §§ 19.2-169.6, 19.2-176, 19.2-177.1, 37.2-808, 37.2-809, 37.2-813, 37.2-815, 37.2-816, 37.2-817 and 53.1-40.2 of the Code of Virginia. Funding provided in this item also shall be used to offset the fiscal impact of (i) establishing and providing mandatory outpatient treatment, pursuant to House Bill 499 and Senate Bill 246, 2008 Session of General Assembly; and (ii) attendance at involuntary commitment hearings by community services board staff who have completed the prescreening report, pursuant to §§ 19.2-169.6, 19.2-176, 19.2-177.1, 37.2-808, 37.2-809, 37.2-813, 37.2-815, 37.2-816, 37.2-817 and 53.1-40.2 of the Code of Virginia.

P. Out of this appropriation, $10,475,000 the first year and $10,475,000 the second year from the general fund shall be used to provide community crisis intervention services in each region for individuals with intellectual or developmental disabilities and co-occurring mental health or behavioral disorders.

Q. Out of this appropriation, $1,900,000 the first year and $1,900,000 the second year from the general fund shall be used for community-based services in Health Planning Region V. These funds shall be used for services intended to delay or deter placement, or provide discharge assistance for patients in a state mental health facility.

R. Out of this appropriation, $2,000,000 the first year and $2,000,000 the second year from the general fund shall be used for crisis stabilization and related services statewide intended to delay or deter placement in a state mental health facility.

S. Out of this appropriation, $8,400,000 the first year and $8,400,000 the second year from the general fund shall be used to provide child psychiatry and children's crisis response services for children with mental health and behavioral disorders. These funds, divided among the health planning regions based on the current availability of the services, shall be used to hire or contract with child psychiatrists who can provide direct clinical services, including crisis response services, as well as training and consultation with other children's health care providers in the health planning region such as general practitioners, pediatricians, nurse practitioners, and community service boards staff, to increase their expertise in the prevention, diagnosis, and treatment of children with mental health disorders. Funds may also be used to create new or enhance existing community-based crisis response services in a health planning region, including mobile crisis teams and crisis stabilization services, with the goal of diverting children from inpatient psychiatric hospitalization to less restrictive services in or near their communities. The Department of Behavioral Health and Developmental Services shall include details on the use of these funds in its annual report on the System Transformation, Excellence and Performance in Virginia (STEP-VA) process.

T.1. Out of this appropriation, $10,500,000 the first year and $10,500,000 the second year from the general fund shall be used for up to 32 drop-off centers to provide an alternative to incarceration for people with serious mental illness and individuals with acquired brain injury and co-occurring serious mental health illness. Priority for new funding shall be given to programs that have implemented Crisis Intervention Teams pursuant to § 9.1-102 and § 9.1-187 et seq. of the Code of Virginia and have undergone planning to implement drop-off centers.

2. Out of this appropriation, $1,800,000 the first year and $1,800,000 the second year from the general fund is provided for Crisis Intervention assessment centers in six unserved rural communities.

3. Out of this appropriation, $657,648 the first year and $657,648 the second year from the general fund is provided to support CIT initiatives, including basic and advanced CIT training and law enforcement diversion, through one-time awards for advanced concepts in CIT Assessment Site programs. The department shall prioritize programs

serving rural communities when determining the distribution of these funds.

U. Out of this appropriation, $2,750,000 the first year and $2,750,000 the second year from the general fund shall be for crisis services for children with intellectual or developmental disabilities.

V. Out of this appropriation, $35,500,441 the first year and $35,500,411 the second year from the general fund shall be used to provide community-based services or acute inpatient services in a private facility to individuals residing in state hospitals who have been determined clinically ready for discharge, and for continued services for those individuals currently being served under a discharge assistance plan. Of this appropriation, $1,305,000 the first year and $1,305,000 the second year shall be allocated for individuals currently or previously residing at Western State Hospital.

W. Out of this appropriation, $620,000 the first year and $620,000 the second year from the general fund shall be used for telepsychiatry and telemedicine services.

X. Out of this appropriation, $4,000,000 the first year and $4,000,000 the second year from the general fund shall be used for community-based mental health outpatient services for youth and young adults.

Y. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be used to increase mental health inpatient treatment purchased in community hospitals. Priority shall be given to regions that exhaust available resources before the end of the year in order to ensure treatment is provided in the community and do not result in more restrictive placements.

Z.1. Out of this appropriation, $20,083,710 the first year and $34,038,710 the second year from the general fund is provided for programs for permanent supportive housing for individuals with serious mental illness.

2. The Department of Behavioral Health and Developmental Services shall report on the number of individuals who are discharged from state behavioral health hospitals who receive supportive housing services, the number of individuals who are on the hospitals' extraordinary barrier list who could receive supportive housing services, and the number of individuals in the community who receive supportive housing services and whether they are at risk of institutionalization. In addition, the department shall report on the average length of stay in permanent supportive housing for individuals receiving such services and report how the funding is reinvested when individuals discontinue receiving such services. The report shall be provided to the Chairmen of the House Appropriations and Senate Finance Committee by November 1 of each year.

AA. Out of this appropriation, $400,000 the first year and $400,000 the second year is provided for rental subsidies and associated costs for individuals served through the Rental Choice VA program.

BB. Out of this appropriation, $7,897,833 the first year from the general fund and $3,800,000 the first year from the Behavioral Health and Developmental Services Trust Fund and $13,062,833 the second year from the general fund shall be used for a program of rental subsidies for individuals with intellectual and developmental disabilities.

CC. Out of this appropriation, $5,000,000 the first year and $5,000,000 the second year from the general fund is provided to increase access to medication assisted treatment for individuals with substance use disorders who are addicted to opioids. In expending this amount, the department shall ensure that a portion of the funding received by the Community Services Board or Behavioral Health Authority is used for appropriate long-acting, injectable prescription drug treatment regimens for individuals who are in need of medication assisted treatment while (i) on probation, (ii) incarcerated, or (iii) upon their release to the community. The department shall ensure that a portion of the funding received by the Community Servicse Board or Behavioral Health Authority is used for non-narcotic, non-addictive prescription drug treatment regimens for individuals who are not able for clinical or other

reasons to participate in buprenorphine or methadone based drug treatment regimens. In expending the funding, Community Services Boards or a Behavioral Health Authority shall also prioritize the use of such funds for individuals who are not covered by insurance.

DD. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund is provided for community detoxification and sobriety services for individuals in crisis.

EE. Out of this appropriation, $880,000 the first year and $880,000 the second year from the general fund is provided for one regional, multi-disciplinary team for older adults. This team shall provide clinical, medical, nursing, and behavioral expertise and psychiatric services to nursing facilities and assisted living facilities.

FF. Out of this appropriation, $1,652,400 the first year and $1,652,400 the second year from the general fund shall be used to provide permanent supportive housing to pregnant or parenting women with substance use disorders.

GG. Out of this appropriation, $11,025,231 the first year and $2,250,447 the second year from the general fund shall be used to divert admissions from state hospitals by purchasing acute inpatient or community-based psychiatric services at private facilities.

HH. Out of this appropriation, $1,600,000 the first year and $3,700,800 the second year from the general fund is provided for discharge planning at jails for individuals with serious mental illness. Funding shall be used to create staff positions in Community Services Boards and will be implemented at up to five jails with a high percentage of inmates with serious mental illness.

II. Out of this appropriation, $708,663 the first year and $708,663 the second year from the general fund is provided to establish an Intercept 2 diversion program in up to three rural communities. The funding shall be used for staffing and to provide access to treatment services.

JJ. Out of this appropriation, $1,100,000 the first year and $1,100,000 the second year from the general fund is provided to establish the Appalachian Telemental Health Initiative, a telemental health pilot program. Any funds that remain unspent at the end of each fiscal year shall be carried forward to the subsequent fiscal year.

KK. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to contract with Best Buddies Virginia to expand inclusion services for people with intellectual and developmental disabilities to the Richmond and Virginia Beach areas of the state.

LL. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided to the Fairfax-Falls Church Community Services Board to fully fund its Program of Assertive Community Treatment (PACT) Team.

MM.1. Out of this appropriation, $43,035,651the first year and $73,222,045 the second year from the general fund is provided for services by Community Services Boards and Behavioral Health Authorities pursuant to the System Transformation, Excellence and Performance in Virginia (STEP-VA) process and Chapters 607 and 683, 2017 Acts of Assembly.

2. Of the amounts in MM.1., $10,795,651 the first year and $10,795,651 the second year from the general fund is provided for same day access to mental health screening services.

3. Of the amounts in MM.1., $7,440,000 the first year and $7,440,000 the second year from the general fund is provided for primary care outpatient screening services.

4. Of the amounts in MM.1., $15,000,000 the first year and $21,924,980 the second year from the general fund is

provided for outpatient mental health and substance use services.

5. Out of the amounts in MM.1., $2,000,000 the first year and $2,000,000 the second year from the general fund is provided for crisis detoxification services.

6. Out of the amounts in MM.1., $7,800,000 the first year and $13,954,924 the second year from the general fund is provided for crisis services for individuals with mental health or substance use disorders.

7. Out of the amounts in MM.1., $3,840,490 the second year from the general fund is provided for military and veterans services.

8. Out of the amounts in MM.1., $5,334,000 the second year from the general fund is provided for peer support and family services.

9. Out of the amounts in MM.1., and $3,200,000 the second year from the general fund is provided for the ancillary costs of expanding services at Community Services Boards and Behavioral Health Authorities.

10. Out of the amounts in MM.1., $4,732,000 the second year from the general fund is provided for the costs of crisis call center dispatch staff.

11. Notwithstanding the provisions of Chapters 607 and 683, 2017 Acts of Assembly, effective July 1, 2021, the core of services provided by Community Services Boards and Behavioral Health Authorities within cities and counties that they serve shall include, in addition to those set forth in subdivisions B 1, 2, and 3 of § 37.2-500 of the Code of Virginia and subdivisions C 1, 2, and 3 of § 37.2-601 of the Code of Virginia, (i) outpatient mental health and substance abuse services, (ii) peer support and family support services, and (iii) mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility. In addition, Community Services Boards and Behavioral Health Authorities shall continue to expand the availability of crisis services for individuals with mental health or substance use disorders, as funded in MM.6. of this Item and Items 313 and 320 of this Act. Psychiatric rehabilitation, care coordination, and case management services shall not be required services but may be provided subject to available funding.

OO. Out of this appropriation, $3,000,000 the second year from the general fund shall be provided to establish one mental health awareness response and community understanding services alert system programs and community care teams in each of the Department of Behavioral Health and Developmental Services' regions pursuant to legislation adopted in the 2020 Special Session I of the General Assembly. Each region shall receive $600,000 for this purpose.

PP. The Department of Behavioral Health and Developmental Services is authorized to collaborate with the Chesapeake Regional Healthcare to develop a memorandum of understanding (MOU) for dedicating a portion of the future bed capacity of a 20-bed psychiatric unit at the hospital for use in providing treatment services to individuals that may otherwise be admitted to a state behavioral health hospital. The MOU should detail the priority populations that would be best served at Chesapeake Regional Healthcare and that assists the Commonwealth in reducing census pressure on state behavioral health hospitals. As part of the MOU the department and Chesapeake Regional Healthcare shall develop an estimated financial contribution for the potential benefit of such an arrangement to the Commonwealth. The department shall report on the details of the MOU to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021.