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SENATE BILL NO. 424

Offered January 21, 2000

A BILL to amend the Code of Virginia by adding in Title 9 a chapter numbered 51, consisting of sections numbered 9-390 through 9-395, relating to the Joint Commission on Behavioral Health Care.

Patrons—Wampler, Byrne, Colgan, Hawkins, Howell, Marsh, Miller, Y.B., Puckett, Puller, Whipple and Williams; Delegates: Almand, Amundson, Brink, Callahan, Darner, DeBoer, Moran, Plum, Scott, Van Landingham and Watts

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 9 a chapter numbered 51, consisting of sections numbered 9-390 through 9-395, as follows:

CHAPTER 51.**JOINT COMMISSION ON BEHAVIORIAL HEALTH CARE.****§ 9-390. Joint Commission created.**

There is hereby created, as a legislative agency, the Joint Commission on Behavioral Health Care, hereinafter referred to as the Commission. The purpose of the Commission is to study, report and make recommendations for continuous improvement in all areas of publicly funded behavioral health care policy, management, financing, service delivery, regulation and evaluation. The Commission shall endeavor to ensure that the Commonwealth as financier, regulator, and provider adopts the most cost-effective and efficacious means of delivering behavioral health care so that the greatest number of Virginians in need of care receive quality behavioral health care. Further, the Commission shall encourage the development of uniform policies and services to ensure the availability of quality, affordable and accessible behavioral health care services and provide a forum for continuing the review, study and improvement of programs and services.

The Commission shall cooperate and collaborate with the Joint Commission on Health Care as established in §9-311 on matters of mutual concern.

The Commission may make recommendations and coordinate the proposals and recommendations of all commissions and agencies as to legislation and budget amendments affecting the delivery of publicly funded behavioral health care.

§ 9-391. Membership; compensation.

The Commission shall be composed of nineteen members: five members and two former members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; eight members and one former member of the House of Delegates, to be appointed by the Speaker of the House; and the Secretary of Health and Human Resources, the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services and the Director of Medical Assistance Services, who shall serve ex officio without voting privileges.

The term of each appointee shall be for five years. Whenever any legislative member fails to retain his membership in the house from which he was appointed, his membership shall be vacated, and the vacancy shall be filled in the original manner. The members of the Commission shall elect a chairman and vice chairman.

Members of the Commission shall receive compensation as provided in § 30-19.12 and shall be paid their necessary expenses incurred in the performance of their duties. All such expense payments, however, shall come from existing appropriations to the Joint Commission on Behavioral Health Care.

§ 9-392. Duties and powers.

The Commission shall have the duty and power to study and to gather information and data to accomplish its purpose as set forth in § 9-390 and to report its recommendations to the Governor and the General Assembly.

The Chairman of the Commission shall have the authority to invite other interested parties to sit with the Commission and to participate in its deliberations.

The Commission shall study the operations, management, jurisdiction, powers and interrelationships of any department, board, bureau, commission, authority or other agency with any direct responsibility for the provision and delivery of behavioral health care in the Commonwealth.

The Commission shall examine matters relating to health services in other states and shall consult and exchange information with officers and agencies of other states with respect to behavioral health service problems of mutual concern. The Commission may maintain offices and may hold meetings and

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60 *functions at any place within the Commonwealth as it may deem necessary.*

61 *§ 9-393. Staff and staff support.*

62 *The Commission shall be authorized to appoint, employ, and remove an executive director and such*
63 *other persons as it may deem necessary and to determine their duties and fix their salaries or*
64 *compensation within the amounts appropriated therefor. The Commission may also obtain such*
65 *assistance as it may deem necessary from other legislative and executive agencies and may employ*
66 *experts who have special knowledge of the issues before it.*

67 *§ 9-394. Annual report.*

68 *The Commission shall make an annual report to the Governor and the General Assembly which shall*
69 *include its recommendations. The Commission shall make such further interim reports to the Governor*
70 *and the General Assembly as it shall deem advisable or as shall be required by the Governor or the*
71 *General Assembly.*

72 *§ 9-395. Sunset.*

73 *The provisions of this chapter shall expire on July 1, 2005.*