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SENATE JOINT RESOLUTION NO. 287

Offered January 12, 2005

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Establishing a joint subcommittee to study the feasibility, advisability, and cost effectiveness of providing in-state residential treatment for troubled and at-risk youth now served in out-of-state-facilities. Report.

Patron—Miller

Referred to Committee on Rules

WHEREAS, the Comprehensive Services Act (CSA) was enacted in 1992 to establish a comprehensive system of services and funding through interagency planning and collaboration in order to better meet the needs of troubled or at-risk children and their families; and

WHEREAS, a state pool of funding was created to allow the community policy and management teams and the family assessment and planning teams in the localities to draw upon funding in a manner that would better address the needs of those children and their families by creating that comprehensive system of services; and

WHEREAS, too many troubled or at-risk children were being placed in out-of-state residential treatment programs, instead of being served by such programs and facilities in Virginia, to address their problems and service needs, weakening the family relationships and diminishing the supportive ties to their communities that these children need to overcome their problems and become better functioning, more productive members of their families and their communities; and

WHEREAS, one of the goals of the system of services created by the CSA is to reduce, to the greatest extent possible, instances in which troubled or at-risk children are placed in out-of-state residential treatment facilities to receive the care that they require; and

WHEREAS, while commendable progress has been achieved in meeting this goal, far too many troubled or at-risk children, 173 in the first quarter of Fiscal Year 2005 (ending September 30, 2004), continue to be placed in very expensive out-of-state facilities, instead of receiving needed care and treatment here in Virginia facilities and programs; and

WHEREAS, this situation disrupts the family life of these children and dramatically increases the cost of services for them, compared to the cost of services provided in their communities or within the Commonwealth, further depleting the already strained and insufficient pool of state funds for the CSA; and

WHEREAS, the availability of sufficient bed capacity and appropriate services at in-state public facilities that could serve these children has declined and the existence of sufficient bed capacity and appropriate services at private in-state facilities remains problematic; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the feasibility, advisability, and cost effectiveness of providing in-state residential treatment for and at-risk youth now served in out-of-state-facilities. The joint subcommittee shall have a total membership of 10 members that shall consist of six legislative members, three nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: two members of the Senate to be appointed by the Senate Committee on Rules; four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one nonlegislative citizen member to be appointed by the Senate Committee on Rules; and two nonlegislative citizen members to be appointed by the Speaker of the House of Delegates. The Director of the Office of Comprehensive Services for At-Risk Youth and Families or his designee shall serve ex officio with voting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall evaluate using underutilized state facilities or establishing new state facilities to provide the residential treatment needed by children who are now sent to out-of-state residential treatment facilities to receive that care.

Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal,

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59 research, policy analysis, and other services as requested by the joint subcommittee shall be provided by
60 the Division of Legislative Services. The Departments of Education, Social Services, Juvenile Justice,
61 and Mental Health, Mental Retardation and Substance Abuse Services shall provide technical assistance,
62 information, and support to the joint subcommittee for this study. All other agencies of the
63 Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

64 The joint subcommittee shall be limited to four meetings for the 2005 interim, and the direct costs of
65 this study shall not exceed \$8,100 without approval as set out in this resolution. Of this amount, an
66 estimated \$1,000 is allocated for speakers, materials, and other resources. Approval for unbudgeted
67 nonmember-related expenses shall require the written authorization of the chairman of the joint
68 subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed
69 to, written authorization of both Clerks shall be required.

70 No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members
71 or a majority of the House members appointed to the joint subcommittee (i) vote against the
72 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
73 joint subcommittee.

74 The joint subcommittee shall complete its meetings by November 30, 2005, and the chairman shall
75 submit to the Division of Legislative Automated Systems an executive summary of its findings and
76 recommendations no later than the first day of the 2006 Regular Session of the General Assembly. The
77 executive summary shall state whether the joint subcommittee intends to submit to the General
78 Assembly and the Governor a report of its findings and recommendations for publication as a House or
79 Senate document. The executive summary and report shall be submitted as provided in the procedures of
80 the Division of Legislative Automated Systems for the processing of legislative documents and reports
81 and shall be posted on the General Assembly's website.

82 Implementation of this resolution is subject to subsequent approval and certification by the Joint
83 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
84 delay the period for the conduct of the study, or authorize additional meetings during the 2005 interim.