

## Department of Planning and Budget 2008 Fiscal Impact Statement

**1. Bill Number:** SB79

House of Origin      X      Introduced                  Substitute                  Engrossed  
Second House                 In Committee              Substitute                  Enrolled

**2. Patron:**        Cuccinelli

**3. Committee:** Courts of Justice

**4. Title:**        **Involuntary commitment; independent examiner to review medical records of person.**

**5. Summary: Independent examiner, records to be reviewed.** Requires that the independent examiner review, at minimum, the medical records of the person who is the subject of an involuntary commitment hearing, the prescreening report, and any other relevant, readily accessible reports, records and evidence related to the person who is the subject of an involuntary commitment hearing, prior to conducting an examination. This bill also requires that the independent examiner certify at the hearing that he has reviewed the medical records of the person who is the subject of an involuntary commitment hearing, the prescreening report, and all other relevant, readily accessible reports, records and evidence related to the person who is the subject of the hearing

**6. Fiscal Impact Estimates:** Tentative

**7. Budget Amendment Necessary:** No

**8. Fiscal Implications:** There is widespread consensus that the independent examination and associated procedures are a major area of focus in the involuntary commitment reform process. This includes the need to improve thoroughness of the examination by specifying more clearly in statute the areas of clinical inquiry. The proposed language clarifies the specific documents and records to be reviewed by the independent examiner. The Department of Mental Health, Mental Health and Substance Abuse Services is unable to determine if these requirements will increase the amount of time needed by psychiatrists or psychologists to complete their independent exams and a projection of increased costs is therefore indeterminate. Examiners are currently reimbursed by the Supreme Court at a cost of \$75 per examination. If requirements become burdensome, examiners may demand higher compensation.

**9. Specific Agency or Political Subdivisions Affected:** DMHMRSAS, Supreme Court

**10. Technical Amendment Necessary:** No

**11. Other Comments:** Similar requirements for independent examinations are found in the comprehensive mental health reform bill, HB499/SB246.

**Date:** 1/23/2008 dpb

**Document:** G:\FY2008\FIS\Vtech\Agency FIS\SB79.Doc

cc: Secretary of Health and Human Resources