

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB2257

House of Origin	<input type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Albo

3. Committee: Health, Welfare and Institutions

4. Title: Outpatient treatment; allows court to order mandatory treatment following involuntary admission

5. Summary: This substitute bill amends § [37.2-814](#) to require the judge or special justice, at the beginning of the commitment hearing, to hear evidence of the person's past compliance with treatment and the likelihood the person will comply with treatment as factors in determining the person's capacity to consent to a voluntary admission. If the individual is found incapable of consenting to voluntary admission, the commitment hearing is to proceed.

6. Fiscal Impact Estimates: Minimal

7. Budget Amendment Necessary: No

8. Fiscal Implications: This bill would give the director of the facility or designee, a CSB, or a person involuntarily committed to inpatient care the right to petition for a transfer to mandatory outpatient treatment after an involuntary admission. This language could result in additional costs associated with an increase in Community Services Board involvement, independent evaluations and Court time; however, there is no information available to quantify the number of petitions that may result from this.

The amended language for § 37.2-814 pertaining to hearing evidence concerning the person's past compliance with treatment could slightly lengthen the court proceeding but it should not impose additional costs.

9. Specific Agency or Political Subdivisions Affected: DMHMRSAS, Community Services Boards, Courts

10. Technical Amendment Necessary: No

Date: 2/2/2009

Document: G:\FY2009\FIS\MHMR General\HB2257.Doc

cc: Secretary of Health and Human Resources