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HOUSE JOINT RESOLUTION NO. 89

Offered January 13, 2010

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Establishing a joint subcommittee to study options for improving the availability and accessibility of children's mental health services through increased coordination and integration among state agencies. Report.

Patrons—O'Bannon, Oder and Plum

Referred to Committee on Rules

WHEREAS, the Department of Behavioral Health and Developmental Services estimates that between 85,000 and 104,000 children and adolescents in Virginia have a serious emotional disturbance and national research shows that roughly 20 percent of those who need treatment services actually receive them; and

WHEREAS, from January to April 2009, 1,926 children and adolescents were on waiting lists for mental health services at community services boards, and according to a 2008 report by Virginia's Office of the Inspector General, the average wait time for children's services statewide at community services boards was 26 days; and

WHEREAS, in fiscal year 2008, 39 percent of the more than 18,000 children served through Comprehensive Services Act funding had a mental health diagnosis; and

WHEREAS, 65 percent of children involved in the juvenile justice system have an emotional disturbance requiring treatment, and many of these are in the correctional system in the first place simply as a result of their untreated mental health issues; and

WHEREAS, the delivery and funding of children's mental health services is currently fragmented among three Secretariats (Health and Human Resources, Education, and Public Safety) and six agencies (Department of Behavioral Health and Developmental Services for funding for community services boards, state hospital beds, and early intervention; Department of Health for youth suicide prevention; Department of Medical Assistance Services for Medicaid funding; and Office of Comprehensive Services for funding the Comprehensive Services Act, all within the Health and Human Resources Secretariat; the Department of Education for special education services in the Education Secretariat; and the Department of Juvenile Justice within the Public Safety Secretariat); and WHEREAS, the fragmentation of the system at the state level creates fragmentation at the local level, the point of contact for most families; and

WHEREAS, the fragmentation of the children's mental health services system has repeatedly been cited in reports such as "An Integrated Policy and Plan to Provide and Improve Access to Mental Health, Mental Retardation and Substance Abuse Services for Children, Adolescents and Their Families" as a barrier for families trying to access services; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study options for improving the availability and accessibility of children's mental health services through increased coordination and integration among state agencies. The joint subcommittee shall have a total membership of 11 members that shall consist of six legislative members, two nonlegislative citizen members, and three ex officio members. Members shall be appointed as follows: 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; two members of the Senate to be appointed by the Senate Committee on Rules; one nonlegislative citizen member who shall be the parent of a child who is receiving or has received mental health services in the Commonwealth to be appointed by the Speaker of the House of Delegates; and one nonlegislative citizen members who is working or has worked in the mental health field to be appointed by the Senate Committee on Rules. The Secretary of Health and Human Resources, the Secretary of Education, and the Secretary of Public Safety, or their designees, 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 (i) examine the current structure of all state

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59 agencies responsible for providing children's mental health services or funding for such services and how
60 those services and funding pass down to the local level, (ii) review models of state government
61 organization and structure used in other states for improving coordination of the mental health service
62 delivery and funding system to result in greater access for children and families, (iii) make a
63 recommendation about which entity within state government should have the authority and responsibility
64 for children's mental health services, and (iv) make recommendations about needed improvements and
65 opportunities for coordination or consolidation of funding and service delivery functions within the other
66 entities in state government currently responsible for providing these services. The joint subcommittee
67 shall hear input from all interested stakeholders and shall strive to achieve the following outcomes: (a) a
68 wider array of community-based mental health services with varying degrees of intensity available
69 throughout the Commonwealth; (b) increased capacity of existing community-based mental health
70 services throughout the Commonwealth; (c) improved quality of community-based mental health services
71 by improving training and qualification of providers, using research-based treatment methodologies, and
72 measuring child outcomes; (d) increased uniformity of service availability and quality throughout the
73 Commonwealth; and (e) greater clarity for families about how to access services.

74 Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates.
75 Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be
76 provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide
77 assistance to the joint subcommittee for this study, upon request.

78 The joint subcommittee shall be limited to four meetings for the 2010 interim, and the direct costs of
79 this study shall not exceed \$6,800 without approval as set out in this resolution. Approval for
80 unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the
81 joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is
82 agreed to, written authorization of both Clerks shall be required.

83 No recommendation of the joint subcommittee shall be adopted if a majority of the House members
84 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the
85 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
86 joint subcommittee.

87 The joint subcommittee shall complete its meetings by November 30, 2010, and the chairman shall
88 submit to the Division of Legislative Automated Systems an executive summary of its findings and
89 recommendations no later than the first day of the 2011 Regular Session of the General Assembly. The
90 executive summary shall state whether the joint subcommittee intends to submit to the General
91 Assembly and the Governor a report of its findings and recommendations for publication as a House or
92 Senate document. The executive summary and the report shall be submitted as provided in the
93 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
94 and reports and shall be posted on the General Assembly's website.

95 Implementation of this resolution is subject to subsequent approval and certification by the Joint
96 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
97 delay the period for the conduct of the study, or authorize additional meetings during the 2010 interim.