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SENATE BILL NO. 1486

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance
on February 21, 2011)

(Patron Prior to Substitute—Senator Northam)

A *BILL to amend the Code of Virginia by adding in Chapter 3 of Title 37.2 an article numbered 5, consisting of a section numbered 37.2-330, relating to the development of a plan for community-based services for individuals with mental retardation.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 3 of Title 37.2 an article numbered 5, consisting of a section numbered 37.2-330, as follows:

Article 5.

Community-Based Services Plan.

§ 37.2-330. Plan for community-based services for individuals with mental retardation.

A. The general appropriation act shall establish the State Training Center and Community Capacity Remediation Plan (the Plan) under the Department of Behavioral Health and Developmental Services. The Plan shall specify additional funding and policy actions to address the 2011 findings of the United States Department of Justice's investigation regarding the transition of individuals with mental retardation from state training centers to community-based services, and the community capacity to provide services to individuals with mental retardation. The Plan shall also include objectives and timeframes to implement changes to address the United States Department of Justice's investigation and findings.

B. The Plan shall set out specific programs designed to address deficiencies in the transition of individuals with mental retardation from state training centers to community-based services and the community capacity to provide services to individuals with mental retardation.

C. The Secretary of Health and Human Resources shall submit a biannual report to the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance, beginning November 1, 2011, on progress made in implementing the provisions of the Plan. The Secretary, with input from individuals receiving training center services and their families, community services boards, private providers, and the Department of Medical Assistance Services, shall include in such report any additional provisions that may be necessary to transition individuals with mental retardation from state training centers to community-based services.