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HOUSE BILL NO. 2252

Offered January 15, 2013

A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 53, consisting of sections numbered 30-339, 30-340, and 30-341, relating to the Virginia Children's Mental Health Commission.

Patron—Lopez

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 53, consisting of sections numbered 30-339, 30-340, and 30-341, as follows:

CHAPTER 53.

VIRGINIA CHILDREN'S MENTAL HEALTH COMMISSION.

§ 30-339. Virginia Children's Mental Health Commission created; purpose; membership; staffing.

A. The Virginia Children's Mental Health Commission (the Commission) is established in the legislative branch of state government to promote the coordination of services and resources among agencies involved in the delivery of mental health services, including school-based mental health services, for children in the Commonwealth and to increase public awareness of such services and resources.

B. The Commission shall have a total membership of eight members that shall consist of six legislative members and two nonlegislative citizen members. 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; and two nonlegislative citizen members with knowledge and experience in matters related to the provision of mental health services for students to be appointed by the Governor. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth. The Commission shall request the participation of the Commissioner of Behavioral Health and Developmental Services, the Director of the Department of Medical Assistance Services, the Commissioner of Social Services, and the Superintendent of Public Instruction.

C. Legislative members shall serve terms coincident with their terms of office. All appointments of nonlegislative citizen members shall be for four-year terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and citizen members may be reappointed; however, no citizen member shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's term limit. Vacancies shall be filled in the same manner as the original appointments.

D. Legislative members of the Commission shall receive such compensation as is provided in § 30-19.12 and nonlegislative citizen members shall receive compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expense payments shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.

E. The Commission shall elect a chairman and vice-chairman annually, who shall be members of the General Assembly. A majority of the members of the Commission shall constitute a quorum. The Commission shall meet upon the call of the chairman or a majority of the members, but not more than four times a year.

F. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Clerk of the House of Delegates, as may be appropriate for the house in which the chairman serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission.

G. No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

INTRODUCED

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59 **§ 30-340. Powers and duties of the Commission.**

60 A. The Commission shall:

61 1. Evaluate current mental health services for children, including school-based mental health
62 services; identify gaps in mental health services for children in the Commonwealth; and identify service
63 needs, including any service needs related to school-based mental health services, required to develop a
64 comprehensive program of mental health services, including school-based mental health services, for
65 children in the Commonwealth;

66 2. Develop recommendations for services, resources, policies, and practices to improve the
67 availability of and access to a full range of mental health services, which shall include school-based
68 mental health services, for children in the Commonwealth and proposals for legislative, regulatory,
69 budgetary, and policy actions necessary to improve availability of and access to a full range of mental
70 health services, including school-based mental health services, for children in the Commonwealth; and

71 3. Monitor and facilitate the implementation and coordination of mental health services, including
72 school-based mental health services, for children in the Commonwealth across and among agencies.

73 B. By December 1 of each year, the Commission shall submit to the Governor and the General
74 Assembly and to the Division of Legislative Automated Services for publication as a House or Senate
75 document an annual report containing progress updates and recommended next steps to be taken by
76 agencies in the following year.

77 **§ 30-341. Sunset.**

78 This chapter shall expire on July 1, 2015.