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SENATE BILL NO. 627

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services
on January 31, 2014)

(Patron Prior to Substitute—Senator Newman)

A BILL to ensure adequate resources are available and disclosed to training center residents prior to their transfer to another training center or community-based care.

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Department of Behavioral Health and Developmental Services shall, before transferring any training center resident to another training center or to community-based care, provide written certification to each training center resident or his legally authorized representative that (i) the receiving training center or community-based option provides quality of care equal to or higher than that provided in the resident's current training center; (ii) the receiving training center or community-based option provides all essential services utilized by the training center resident at his current facility, and that those services are of at least equal staffing, quality, frequency, and accessibility; and (iii) all permissible placement options available under the Commonwealth's August 23, 2012, settlement agreement with the U.S. Department of Justice, including the option to remain in a training center, have been disclosed to the training center resident or his legally authorized representative. A training center resident or his legally authorized representative may waive the certification requirements imposed in clauses (i) and (ii).*