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HOUSE JOINT RESOLUTION NO. 675

Offered January 11, 2017

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Directing the Joint Commission on Health Care to study creation of a registry of cases of abuse or neglect of an individual receiving services through the Building Independence, Family and Individual Supports, or Community Living waiver program by a service provider. Report.

Patron—Landes

Referred to Committee on Rules

WHEREAS, in September of 2016, 12,330 individuals were receiving services through the Building Independence, Family and Individual Supports, and Community Living waiver programs, formerly known as the Day Support, Individual and Family Developmental Disabilities Support, and Intellectual Disability waivers, and an additional 10,796 individuals were on waiting lists to receive services; and

WHEREAS, waiver services are provided by a range of service providers licensed by the Department of Behavioral Health and Developmental Services (DBHDS); and

WHEREAS, the Commissioner of Behavioral Health and Developmental Services is authorized to investigate alleged violations of licensure requirements, including human rights regulations applicable to individuals receiving services and any conduct or practices that are detrimental to the welfare of an individual receiving services from a provider; and

WHEREAS, information about violations of licensure requirements, including human rights regulations applicable to individuals receiving services and any conduct or practices that are detrimental to the welfare of an individual receiving services from a provider that constitute abuse or neglect of an individual receiving services, is necessary to ensure the safety of individuals receiving services; and

WHEREAS, establishment of a registry of cases in which a service provider has abused or neglected a person receiving services will ensure that such information is available to the public; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Commission on Health Care be directed to study creation of a registry of cases of abuse or neglect of an individual receiving services through the Building Independence, Family and Individual Supports, or Community Living waiver program by a service provider.

In conducting its study, the Joint Commission on Health Care (JCHC) shall (i) determine the scope of the proposed registry of cases of abuse or neglect of an individual receiving services through the Building Independence, Family and Individual Supports, and Community Living waiver programs by a service provider, including the types of cases that should be included; (ii) identify the statutory, regulatory, and policy changes that may be required for the establishment and operation of such registry by DBHDS or other appropriate entity; (iii) determine the cost of establishment and operation of such registry; and (iv) make such other recommendations to the establishment and operation of such registry as may be appropriate.

Technical assistance shall be provided to the Joint Commission on Health Care by DBHDS. All agencies of the Commonwealth shall provide assistance to the JCHC for this study, upon request.

The Joint Commission on Health Care shall complete its meetings for the first year by November 30, 2017, and for the second year by November 30, 2018, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the JCHC intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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