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SENATE BILL NO. 940

Offered January 11, 2017

Prefiled December 29, 2016

A *BILL to amend the Code of Virginia by adding a section numbered 53.1-126.1, relating to mental health screening of prisoners at local correctional facilities.*

Patrons—Cosgrove, Favola, Dance, Deeds, Ebbin, Mason and McClellan; Delegate: Toscano

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 53.1-126.1 as follows:

§ 53.1-126.1. Mental health screening of prisoners upon admission.

A. As used in this section, "qualified mental health professional" means (i) a licensed physician, osteopath, psychiatrist, or psychologist; (ii) a social worker who has at least one year of experience providing direct services to individuals with mental illness; (iii) a registered nurse who has at least one year of experience providing direct services to individuals with mental illness; (iv) a certified psychiatric rehabilitation practitioner certified by the Psychiatric Rehabilitation Association; (v) a person with at least a bachelor's degree from an accredited institution of higher education that includes the equivalent of 15 semester hours of course work in a human services field and who has at least three years of experience providing direct services to individuals with mental illness; or (vi) any other licensed mental health professional.

B. Whenever a person is admitted to a local correctional facility, the staff of the facility shall screen such person for mental illness using a scientifically validated instrument. If the screening indicates that the person may have a mental illness, an assessment of his need for mental health services shall be conducted within 72 hours of the time of the screening by a qualified mental health professional. A person who is transferred to a local correctional facility from another local correctional facility or a state correctional facility is not required to be screened for mental illness if such person was screened for mental illness at the transferring facility.

C. The Commissioner of Behavioral Health and Developmental Services shall designate the instrument to be used for the screenings conducted pursuant to subsection B and such instrument shall be capable of being administered by an employee of the local correctional facility, other than a health care provider, provided such employee is trained in the administration of such instrument.

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