

## 2020 SESSION

## HOUSE SUBSTITUTE

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### SENATE BILL NO. 768

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Rules  
on February 19, 2020)

(Patron Prior to Substitute—Senator Barker)

A *BILL to require the Commissioner of Behavioral Health and Developmental Services to convene a work group to study expanding the individuals who may conduct evaluations to determine whether a person meets the criteria for temporary detention. Report.*

#### **Be it enacted by the General Assembly of Virginia:**

**1. § 1.** *That the Commissioner of Behavioral Health and Developmental Services shall establish a work group to (i) review the current process for conducting evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention, including any challenges or barriers to timely completion of such evaluations and factors giving rise to delays in completion of such evaluations, and (ii) develop a comprehensive plan to expand the individuals who may conduct effective evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention. The work group shall consider other states' experiences in expanding the individuals who may conduct evaluations of persons subject to emergency custody orders. Such comprehensive plan shall include specific recommendation for legislative or budget actions necessary to implement the plan. The work group shall include representatives of the Virginia Association of Community Services Boards, the National Alliance on Mental Illness - Virginia, the Psychiatric Society of Virginia, the Virginia College of Emergency Physicians, and such other stakeholders as the Commissioner may deem appropriate. The work group shall report its findings and conclusions and the comprehensive plan to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions, the Senate Committee on Education and Health, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2020.*

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