

VIRGINIA ACTS OF ASSEMBLY -- 2022 SESSION

CHAPTER 103

An Act to require the Secretary of Health and Human Resources, together with the Secretary of Public Safety and Homeland Security, to study options to increase the use of alternative custody arrangements for individuals who are subject to an emergency custody or temporary detention order; report.

[S 202]

Approved April 6, 2022

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Secretary of Health and Human Resources (the Secretary) shall, together with the Secretary of Public Safety and Homeland Security, study options to increase the use of alternative custody arrangements for individuals who are subject to an emergency custody or temporary detention order to reduce the time law-enforcement officers are required to maintain custody of such individuals and mitigate the burden the requirement for law enforcement custody places on local law-enforcement officers and local law-enforcement agencies. In conducting such study, the Secretary shall review overall best practices for alternative custody arrangements implemented in other states and develop recommendations for options to (i) allow law-enforcement officers to transfer custody of individuals who are subject to an emergency custody or temporary detention order to another person with the necessary training and certification to maintain custody of such individual in order to reduce the time law-enforcement officers must remain with the person who is the subject of the emergency custody or temporary detention order and (ii) increase the availability of beds for individuals who are subject to an emergency custody or temporary detention order to ensure prompt transfer to an appropriate facility, including expansion of crisis intervention team assessment centers and development of regional crisis receiving centers and other options for increasing the availability of beds at state and private hospitals and other behavioral health facilities for adults and children who are subject to an emergency custody or temporary detention order. In conducting such study, the Secretary shall include opportunity for participation by stakeholders, including the Behavioral Health Commission, Virginia State Police, Virginia Sheriffs' Association, Police Benevolent Association, Virginia Association of Community Services Boards, Virginia Hospital and Healthcare Association, Office of the Executive Secretary of the Supreme Court of Virginia, and other stakeholders. The Secretary shall report his findings and recommendations to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Education and Health and Finance and Appropriations by October 1, 2022.*