

Department of Medical Assistance Services 2007 Fiscal Impact Statement

1. Bill Number HB 2955

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron Bell

3. Committee Health, Welfare and Institutions

4. Title Mental Health, Temporary Detention Orders

5. Summary/Purpose: This bill allows any licensed physician to complete the in person evaluation necessary for a magistrate to issue a temporary detention order (TDO). Current law requires evaluation of the person in custody by a Community Service Board employee or designee prior to issuance of a TDO.

6. Fiscal Impact Estimates are: Tentative

6a. Expenditure Impact: (Item 300, Subprogram 32107)

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2008	\$495,503	0.0	GF
2009	\$520,314	0.0	GF
2010	\$546,367	0.0	GF
2011	\$573,725	0.0	GF
2012	\$602,453	0.0	GF
2013	\$632,620	0.0	GF

7. Budget amendment necessary: Yes

8. Fiscal implications: Despite their clinical training, physicians may not be trained in mental health law, and may not be aware of available least-restrictive treatment options, as CSB staff would be. Thus, it is possible that this amendment could increase demand for temporary detention services in inpatient facilities, which are already operating at capacity.

Additionally, there is currently the possibility that a person in a physician's office might walk out (or a family member might take the individual home/elsewhere) rather than waiting to meet with CSB staff for the TDO evaluation to be done. Allowing physicians to do the screenings themselves could increase the number done and therefore the expenditures incurred by the Department of Medical Assistance Services for this program. DMAS knows of no basis for estimating the likely increase in TDOs that would result from this bill; however, if there were an increase of five percent, the figures presented here would be the fiscal impact.

9. Specific agency or political subdivisions affected: Department of Mental Health, Mental Retardation and Substance Abuse Services; Department of Medical Assistance Services and local Community Service Boards

10. Other comments: The Supreme Court of Virginia has initiated a Commission on Mental Health Law Reform, which is intensively studying Virginia's involuntary civil commitment laws. This group includes representation from all stakeholders, and will complete its study and recommendations in time for the 2008 Session.

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cc: Secretary of Health and Human Resources