

Department of Planning and Budget 2012 Fiscal Impact Statement - REVISED

1. Bill Number: HB 1280

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input checked="" type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron: Stolle

3. Committee: Passed Both Houses

4. Title: Psychiatric hospital admissions; local inmates.

5. Summary: Amends the criteria for psychiatric inpatient admission for inmates at local correctional facilities to add mentally ill inmates for whom there exists a substantial likelihood that they will suffer serious harm due to their lack of capacity to protect themselves from harm. Under current law the standard is that the mentally ill inmate will cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting or threatening harm.

6. Budget Amendment Necessary: See item 8.

7. Fiscal Impact Estimates: Indeterminate.

8. Fiscal Implications: The amended bill adds new language creating an additional alternative standard for determining the need for inpatient psychiatric care for mentally ill inmates at local correctional facilities. This has the effect of widening the standard, which will cause some additional people to meet the criteria for referral to psychiatric hospitals for emergency treatment. Without actual experience, the number of increased referrals who would meet the new criteria cannot be projected.

According to the State Compensation Board's "Mental Illness in Jails Report (2011)", based on an average daily population of approximately 25,000 individuals incarcerated in 64 of Virginia's 68 local jails, based on data collected from July 1 – July 31, 2011, approximately 6,500 locally held inmates have been identified or are suspected of having mental illness. The report does not contain enough data to identify the percentage of those individuals who might be at risk based on the revised criteria in the amended bill.

To the extent that this language identifies additional individuals who need treatment in state hospitals, this bill will generate additional costs to systems other than DBHDS. These include court costs associated with additional court hearings and independent examinations under §37.2-815, additional CSB costs associated with preadmission screening exams under §37.2-816, and additional costs to law enforcement for transportation and security. The costs to these systems will be dependent on the number of new hearings.

9. Specific Agency or Political Subdivisions Affected: Department of Behavioral Health and Developmental Services; Community Services Boards; Courts.

10. Technical Amendment Necessary: No.

Date: 03/13/2012

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c: Secretary of Health and Human Resources