

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: SB 585

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

2. Patron: Northam

3. Committee: Courts of Justice

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 or to provide for their basic human needs. 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 fiscal implications below.

7. Fiscal Impact Estimates: Indeterminate

8. Fiscal Implications: This 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 many more 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 is unknown. However, under this new standard, the increased referrals would quickly fill up state facilities which operate at or near capacity already. Private hospitals rarely provide emergency treatment for these inmates, and are unlikely to meet the new demand for emergency treatment services created by this bill.

According to the State Compensation Board's "Mental Illness in Jails Report (2012)", 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 20 percent of locally held inmates have been identified or are suspected of having mental illness.

This bill will also 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: 1/31/2012

Document: G:\FY2012\FIS\SB585.doc

c: Secretary of Health and Human Resources