

15104401D

HOUSE BILL NO. 1710**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Health, Welfare and Institutions
on January 29, 2015)

(Patron Prior to Substitute—Delegate Yost)

A *BILL to amend and reenact § 37.2-319 of the Code of Virginia, relating to Behavioral Health and Developmental Services Trust Fund; use of funds.*

Be it enacted by the General Assembly of Virginia:

1. That § 37.2-319 of the Code of Virginia is amended and reenacted as follows:

§ 37.2-319. Administration of Behavioral Health and Developmental Services Trust Fund.

A. The Fund shall be administered by the Commissioner. Moneys in the Fund shall be used for mental health, developmental, or substance abuse services and to facilitate transition of individuals with intellectual disability from state training centers to community-based services. Notwithstanding any other provision of law, the net proceeds from the sale of any vacant buildings and land *other than the sale of buildings or land resulting from the closure or downsizing of any training center* shall first be used to (i) deliver mental health, developmental, and substance abuse services within the same service area where the sold buildings and land were located to ensure the same level of mental health, developmental, and substance abuse services as before the sale and (ii) provide benefits pursuant to the Workforce Transition Act of 1995 (§ 2.2-3200 et seq.) to those persons who were employees of the Commonwealth and, as a result of the sale, are no longer employed by the Commonwealth or are otherwise negatively affected by the sale.

B. *Notwithstanding any other provision of law, the net proceeds from the sale of any vacant buildings and land resulting from the closure or downsizing of any training center shall only be used to create additional waiver slots and reduce waiting lists for services for home and community-based waiver slots for persons with intellectual or developmental disabilities.*

C. For each fiscal year starting with the Commonwealth's 2011-2012 fiscal year, any funds directed to be deposited into the Fund pursuant to the general appropriation act shall be appropriated for financing (i) a broad array of community-based services including but not limited to ~~Intellectual Disability~~ Home and Community Based Waiver services or (ii) appropriate community housing, for the purpose of transitioning individuals with intellectual disability from state training centers to community-based care.