

## Department of Planning and Budget

### 2024 Session Fiscal Impact Statement

**1. Bill Number:** HB808

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

**2. Patron:** Rasoul

**3. Committee:** Health and Human Services

**4. Title:** State psychiatric hospitals; temporary detention orders; delayed admission to determine medical.

**5. Summary:** Allows state psychiatric hospitals to delay admission of an individual under a temporary detention order until the state psychiatric hospital has determined that the individual does not have potentially life-threatening medical needs that require immediate evaluation and treatment that the state psychiatric hospital is incapable of providing. This bill is a recommendation of the Joint Legislative Audit and Review Commission and the Behavioral Health Commission.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** None.

**8. Fiscal Implications:** This legislation would allow state psychiatric hospitals to delay admissions of individuals under a temporary detention order until it is determined that the individual does not have life-threatening medical needs that require immediate evaluation and treatment that the state hospital cannot provide. Currently, once custody of an individual is transferred to a state psychiatric hospital, medical costs become the responsibility of the receiving facility. For reference, state mental health facilities (excluding the Virginia Center for Rehabilitation) incurred \$4.1 million in medical costs in FY 2023. Note that not all of these costs are incurred at admission, so this figure should only be used as a reference for scale.

If an individual is not transferred until after medical services have been rendered, the costs for those services would be the responsibility of other insurers, including Medicaid, or self payors. This legislation may also impact the amount of time that law enforcement or an alternative transportation provider retains custody of an individual under a temporary detention order.

The substitute version of this legislation clarifies the legislation not be interpreted as precluding state facilities from delaying the admission of an individual who is under a temporary detention order for other reasons, such as insufficiency of physical space or staffing.

**9. Specific Agency or Political Subdivisions Affected:** Department of Behavioral Health and Developmental Services, Law Enforcement.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** This bill is a companion to SB653.