

24103105D

HOUSE BILL NO. 988
Offered January 10, 2024
Prefiled January 9, 2024

A *BILL to amend the Code of Virginia by adding in Article 1 of Chapter 2 of Title 53.1 a section numbered 53.1-31.5 and by adding a section numbered 53.1-68.1, relating to behavioral health services in correctional facilities; report.*

Patrons—Seibold, Clark, Henson, Martinez, Simonds and Willett; Senators: Boysko and Salim

Referred to Committee on Studies Subcommittee

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 2 of Title 53.1 a section numbered 53.1-31.5 and by adding a section numbered 53.1-68.1 as follows:

§ 53.1-31.5. Behavioral health services; data collection and reporting; report.

A. *As used in this section, "offender" means an adult or juvenile who is confined in a state correctional facility.*

B. *The Department shall report to the General Assembly and the Governor on or before October 1 of each year the following information for the Department, in the aggregate for the previous fiscal year:*

1. *The average daily population;*

2. *The age, sex, race, ethnicity, mental health code, medical class code, security level, and custody level classification of each offender;*

3. *The number of offenders who have received a behavioral health screening and the number of offenders for whom a behavioral health screening indicates reason to believe the person may have mental illness;*

4. *The number of offenders who have received a behavioral health assessment and the number of offenders for whom a behavioral health assessment indicates such person should receive behavioral health services;*

5. *The number of offenders who receive behavioral health services, the frequency of such services being provided, and if such offender is receiving services because a behavioral health screening or assessment indicated such person would benefit from such services;*

6. *The number of employed full-time behavioral health staff, the number of employed part-time behavioral health staff, the number of behavioral health staff used on a contractual basis, and a breakdown of such staff as to their profession and terminal degree;*

7. *The number of requests for behavioral health services made by offenders and if such requests are fulfilled; and*

8. *Any other information identified by the Director that may be relevant regarding the provision of behavioral health services in state correctional facilities.*

C. *The Department shall submit the annual report to the Governor, the Chairmen of the House Committee on Public Safety and the Senate Committee on Rehabilitation and Social Services, and the Clerks of the House of Delegates and the Senate as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports, and the annual report shall be posted on the General Assembly's website. The Department shall publish the report on the Department's website following its submission pursuant to this subsection.*

§ 53.1-68.1. Behavioral health services; data collection and reporting; report.

A. *As used in this section, "offender" means an adult or juvenile who is confined in a local correctional facility.*

B. *Each local correctional facility shall report to the Board on or before October 1 of each year the following information, in the aggregate for the previous fiscal year:*

1. *The average daily population;*

2. *The age, sex, race, ethnicity, mental health code, medical class code, security level, and custody level classification of each offender;*

3. *The number of offenders who have received a behavioral health screening and the number of offenders for whom a behavioral health screening indicates reason to believe the person may have mental illness;*

4. *The number of offenders who have received a behavioral health assessment and the number of offenders for whom a behavioral health assessment indicates such person should receive behavioral health services;*

5. *The number of offenders who receive behavioral health services, the frequency of such services being provided, and if such offender is receiving services because a behavioral health screening or assessment indicated such person would benefit from such services;*

59 6. *The number of employed full-time behavioral health staff, the number of employed part-time behavioral*
60 *health staff, the number of behavioral health staff used on a contractual basis, and a breakdown of such staff*
61 *as to their profession and terminal degree;*

62 7. *The number of requests for behavioral health services made by offenders and if such requests are*
63 *fulfilled; and*

64 8. *Any other information identified by the Board that may be relevant regarding the provision of*
65 *behavioral health services in local correctional facilities.*

66 C. *The Board shall compile the submitted information and shall submit an annual report with such*
67 *information on or before December 1 of each year to the Governor, the Chairmen of the House Committee on*
68 *Public Safety and the Senate Committee on Rehabilitation and Social Services, and the Clerks of the House of*
69 *Delegates and the Senate as provided in the procedures of the Division of Legislative Automated Systems for*
70 *the processing of legislative documents and reports, and the annual report shall be posted on the General*
71 *Assembly's website. The Board shall publish the report on the Board's website following its submission*
72 *pursuant to this subsection.*