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SENATE BILL NO. 229

Offered January 10, 2024

Prefiled January 9, 2024

A BILL to direct the State Health Commissioner to establish a work group to examine the feasibility of and make recommendations for the placement and infrastructure of an Advisory Council on Breakthrough Therapies for Veteran Suicide Prevention.

Patrons—Hashmi, Boysko and Perry

Referred to Committee on Health

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 2 of Title 32.1 an article numbered 21, consisting of sections numbered 32.1-73.21 and 32.1-73.22, as follows:

Article 21.

Advisory Council on Breakthrough Therapies for Veteran Suicide Prevention.

§ 32.1-73.21. Advisory Council on Breakthrough Therapies for Veteran Suicide Prevention.

A. The Advisory Council on Breakthrough Therapies for Veteran Suicide Prevention (the Council) is established as an advisory council in the executive branch of state government. The purpose of the Council is to advise the Commissioner on the regulations and infrastructure necessary to support clinical access to and provider training for the use of rapid-acting therapies that have been granted Breakthrough Therapy designation by the U.S. Food and Drug Administration for the treatment of post-traumatic stress disorder, major depressive disorder, or treatment-resistant depression, and whose active ingredients are currently controlled under Schedule I of the federal Controlled Substances Act (21 U.S.C. § 801 et seq.). The Council shall advise the Commissioner on (i) the award of grants for breakthrough therapy treatment through the Veteran Suicide Prevention Program; (ii) the necessary education, training, licensing, and credentialing of providers; (iii) patient safety and harm reduction; (iv) costs, insurance reimbursement, and strategies to safely increase affordable access to care, including the use of group therapy; (v) standards for treatment facilities; (vi) relevant federal regulations and guidelines that relevant state agencies may consider adopting; (vii) assisting with the development of public awareness and education campaigns related to veteran suicides; (viii) additional funding needed for subsidized patient access and provider and therapist training; (ix) developing criteria and standards for the award of grants and fellowships; (x) developing and providing oversight regarding mechanisms for the dissemination of treatment and training data; and (xi) developing provisions to ensure justice, equity, diversity, and inclusion are considered in the administration of grants and recommendations made to the Commissioner.

B. The Council shall have a total membership of nine nonlegislative citizen members to be appointed by the Governor, which shall include three individuals who are veterans and six individuals who are subject matter experts in one or more of the following areas: (i) breakthrough therapy research, (ii) clinical mental health treatment, (iii) public health, (iv) access to mental and behavioral health care in underserved communities, (v) veteran mental and behavioral health care, and (vi) harm reduction. Members of the Council shall be citizens of the Commonwealth.

C. After the initial staggering of terms, members shall be appointed for a term of four years. All members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

D. The Council shall elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The meetings of the Council shall be held at the call of the chairman or whenever the majority of the members so request.

E. Members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department.

F. The Department shall provide staff support to the Council. All agencies of the Commonwealth shall provide assistance to the Council, upon request.

§ 32.1-73.22. Report.

The Commissioner shall report annually by December 1 to the Governor and the General Assembly on the Council's recommendations related to breakthrough therapies for veteran suicide prevention. Such report shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports. The chairman shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and

59 *work of the Council no later than the first day of each regular session of the General Assembly. The executive*
60 *summary shall be submitted as a report document as provided in the procedures of the Division of Legislative*
61 *Automated Systems for the processing of legislative documents and reports and shall be posted on the*
62 *General Assembly's website.*

63 **2. That the initial appointments of members of the Advisory Council on Breakthrough Therapies for**
64 **Veteran Suicide Prevention shall be staggered as follows: one member who is a veteran and two**
65 **members who are subject matter experts to be appointed for a term of two years; one member who is a**
66 **veteran and two members who are subject matter experts to be appointed for a term of three years;**
67 **and one member who is a veteran and two members who are subject matter experts to be appointed**
68 **for a term of four years.**

69 **3. That the provisions of this act shall expire on July 1, 2027.**