

**DBHDS**

Virginia Department of  
Behavioral Health and  
Developmental Services

**Behavioral Health and Developmental Services  
Biennium Budget Update**

and

**U.S. Department of Justice and the Commonwealth of Virginia  
Settlement Agreement Costs**

HHR Subcommittee, House Appropriations Committee  
February 6, 2012

**James W. Stewart, III**  
DBHDS Commissioner

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# Topics to be Covered

- Governor's Budget Items:
  - Sexually Violent Predator Program and VCBR
  - Electronic Health Records – State Facilities
  - Children's MH Mobile Crisis Response
- Trust Fund Update
- Summary of DOJ Settlement Agreement Costs

# Virginia Center for Behavioral Rehabilitation Current Census

288 are committed to the VCBR. Of these:

- 273 reside at the facility.
- 15 are incarcerated in jails or DOC due to committing new crimes while at the facility.
- The current forecast model predicts that between FY13 and FY17, the commitment rate will average between 4.2 and 5 per month.
- Based on the present forecast, and with the implementation of the JLARC recommendations, new capacity of 450 should be reached by December 2014.

# Virginia Center for Behavioral Rehabilitation Double-Bunking

- Anticipating exceeding the 300-bed design census at VCBR, last year the Legislature directed DBHDS to prepare to double bunk at least half of its presently available rooms, increasing the facility capacity to 450 beds.
- VCBR and DGS are converting 150 rooms for double occupancy – 56 rooms have been converted and 94 are underway.
- Since VCBR has not yet reached its 300-bed capacity; no rooms currently have two occupants.
- Food service expansion is underway at the facility and is scheduled to come on line in fall 2013.

# Virginia Center for Behavioral Rehabilitation Governor's Budget

**\$6.4 million over the biennium** for operational and staffing requirements to carry out the 2011 General Assembly's direction to double-bunk residents and increase VCBR to 450 beds.

Description	FY 2013	FY 2014
Staffing	\$1,942,112 8 Staff*	\$2,620,627 34.5 Staff*
Food	\$249,700	\$336,938
Pharmacy Costs	\$110,978	\$149,750
Special Hospitalization	\$138,722	\$187,188
Other	\$ 332,934	\$449,250
<b>TOTAL</b>	<b>\$ 2,774,446</b>	<b>\$ 3,743,753</b>

\*MEL Increase of 8 for FY 2013 and MEL increase of 34.5 in FY 2014.

# Virginia Center for Behavioral Rehabilitation Legislative Proposal – SB314

DBHDS, DOC & OAG collaborated to recommend Code changes consistent with JLARC VCBR/SVP study to deal with VCBR's increasing census. SB314 would impact not only the census but have other benefits:

- Allow a more accurate screening by removing the Code mandate for a specific actuarial sex offender risk screening instrument and score with an evidence-based best practice screening protocol. This protocol is being finalized by the DOC and the DBHDS.
- Increase the likelihood that persons admitted to VCBR are the most at risk for sexual recidivism.
- Conform or make consistent the screening of unrestorably incompetent to stand trial (URIST) defendants to the procedures currently used with all other individuals considered for the SVP program.
- Reduce the number of unnecessary SVP evaluations conducted each year, which is a cost savings.

# Electronic Health Records Governor's Budget

- American Reinvestment and Recovery Act of 2009 requires Medicaid and Medicare providers to meet certain standards related to medical information by 2014. Includes operational Electronic Health Record.
- DBHDS state facilities receive approximately \$300M/yr in Medicare & Medicaid reimbursement payments that will be at risk without EHR.
- Governor's budget includes **\$6.3M in General Funds** and \$20.5 million in Special Funds (Medicaid from training centers and Medicare incentive payments for state hospitals).

Fiscal Year	General Funds (Governor's Budget)	Special Funds (DBHDS)
FY 2013	\$4.4M	\$12M
FY 2014	\$1.9M	\$8.5M
<b>TOTAL</b>	<b>\$6.3M</b>	<b>\$20.5M</b>

In 2010 session General Assembly directed DBHDS to develop and submit a plan to "identify concrete steps to provide children's mental health services, both inpatient and community-based, as close to children's homes as possible" for consideration during its 2012 session.

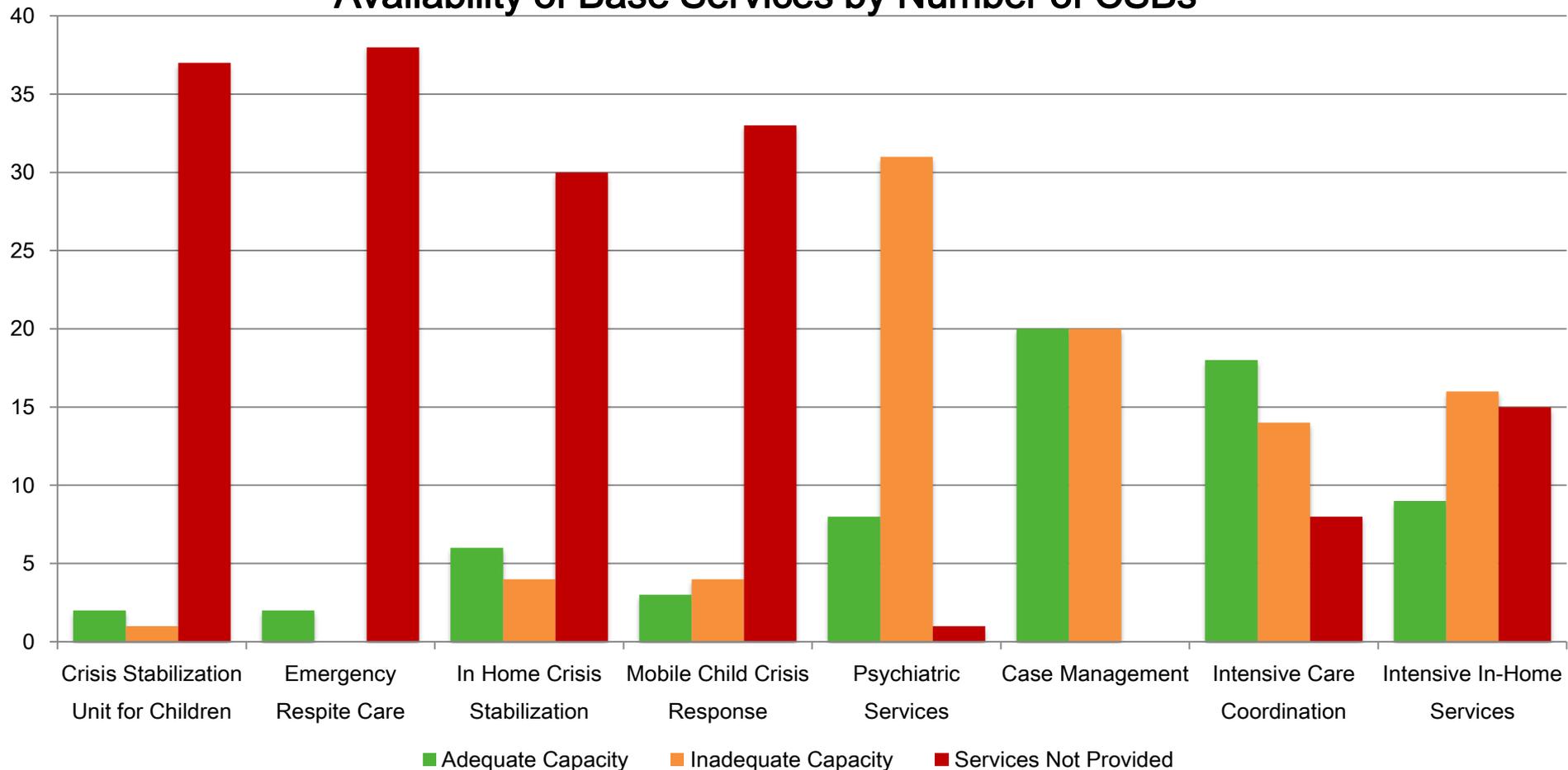
## Report Recommendations

1. Define and promote through DBHDS the full comprehensive service array as the goal and standard for children's behavioral health services in every community.
2. Expand the array and capacity of services to assure a consistent base level of services for children and families statewide. (crisis stabilization, mobile crisis teams, psychiatry, case management & in-home services)
3. Establish a children's behavioral health workforce development initiative to be organized by DBHDS.
4. Continue the current role of the CCCA for the foreseeable future, and until more adequate community-based services are in place.
5. Establish quality management mechanisms to improve access and quality in behavioral health services for children and families.

# Children's Services

Virginia's behavioral health services for children faces multiple challenges including an incomplete, inconsistent array of services, inadequate early intervention services, a need for workforce development and inadequate oversight and quality assurance.

## Availability of Base Services by Number of CSBs



# Mobile Child Crisis Response Governor's Executive Amendment

**\$1 million in General Funds over the biennium** for two pilot programs to provide mobile crisis services to children with behavioral health disorders.

Fiscal Year	General Funds
FY 2013	\$500K
FY 2014	\$500K
<b>TOTAL</b>	<b>\$1M</b>

# Behavioral Health and Developmental Services Trust Fund (§37.2-319)

- In 2011, \$30M in General Funds were deposited in the BHDS Trust Fund.
- The intent of this funding, as passed by the General Assembly and signed by the Governor, is to “facilitate transition of individuals with [intellectual disabilities] from state training centers to community-based services.”
- Public Hearings were held in each Training Center Region (Summer 2011) to receive input on uses of the Trust Fund money. Stakeholders included:
  - Individuals living at training centers
  - Family members
  - CSBs
  - Private providers
  - Other interested parties

# Approved BHDS Trust Fund Expenditures

- Five key positions deal with these functions:
  - Coordination of Trust Fund (one position)
  - Facility Operations Compliance (one position)
  - Community Integration (two positions)
  - Coordination of Network of Crisis Programs (one position)
- 60 Intellectual Disability (IT) Waiver slots for transition from training center to community in FY12
- Total Trust Fund commitments \$2,210,040 through 12/31/11

# BHDS Trust Fund Governor's Budget

## The Governor's Budget includes \$30 million in FY13

- Key positions are now in place and efforts will focus on transitioning individuals from training centers to new community homes.
- Accomplishments since transitioning efforts began in November 2011:
  - DBHDS has identified 60 individuals, 40 at SVTC and 20 at CVTC that could safely move to the community by June 30, 2012. These individuals have either approval or expressed interest from their family members or authorized representatives.
  - 16 have moved from SVTC as of 2/2/2012.
  - 4 individuals have moved from CVTC and one more person will move this month.
  - DBHDS staff meets daily and weekly with various staff, families, and CSBs involved.

# Implementing the Settlement Agreement

The settlement agreement details many requirements to carry out the terms. Broadly, those requirements include:

- Working with training centers to improve discharge processes & with individuals/families to educate about community options
- Working with partners to expand community capacity – housing, employment/day activities, family support, crisis response
- Implementing community oversight, quality improvement, risk management, and data reporting
- Independent review

# Summary of DOJ Settlement Agreement Costs/Savings (in millions)

	FY12 GF	FY12 NGF	FY13 GF	FY13 NGF	FY14 GF	FY14 NGF
DBHDS – Facility	\$0.2	(\$0.1)	(\$3.2)	(\$3.0)	(\$14.9)	(\$13.3)
DBHDS - Community	\$5.0		\$8.2		\$13.2	
DBHDS – Admin/QM	\$5.3	\$0.2	\$1.5	\$1.0	\$1.8	\$1.3
DMAS – Waiver Slots	\$13.1	\$13.1	\$30.9	\$30.9	\$47.2	\$47.2
DMAS – Admin/QM			\$1.7	\$4.1	\$1.6	\$2.6
Independent Review	\$0.1		\$0.3		\$0.3	
<b>Total</b>	<b>\$23.7</b>	<b>\$13.2</b>	<b>\$39.4</b>	<b>\$33.0</b>	<b>\$49.2</b>	<b>\$37.8</b>

# Summary of Anticipated Expenditures and Resources

	GF/Trust	NGF/Match
<b>Costs:</b>		
DBHDS	\$17.1	(\$13.9)
DMAS	\$98.8	\$98.4
Independent Review	\$0.7	
<b><i>Subtotal</i></b>	<b>\$112.3</b>	<b>\$84.5</b>
<b>Resources:</b>		
Trust Fund	\$60.0	
Base Appropriation	\$51.0	
<b><i>Subtotal:</i></b>	<b>\$111.0</b>	
<b>Net</b>	<b>(\$1.3)</b>	