

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: SB460

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Marsden

3. Committee: Courts of Justice

4. Title: Parental admission of minors for inpatient treatment.

5. Summary: Clarifies that for the purposes of admission of a minor to a willing mental health facility for inpatient treatment, the finding required to be made by a qualified evaluator that the minor appears to have a mental illness serious enough to warrant inpatient treatment may include a finding of substance abuse and such inpatient treatment may be related to such mental illness or substance abuse. The bill also specifies that a temporary detention order shall not be required for a minor 14 years of age or older who objects to admission to be admitted to a willing facility upon the application of a parent. This bill is a recommendation of the Virginia Commission on Youth.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No fiscal impact.

8. Fiscal Implications: This legislation would allow a “willing mental health” facility to accept a minor for inpatient mental health treatment for either mental health or substance use treatment. State operated behavioral health facilities, including the Commonwealth Center for Children and Adolescents (CCCA), currently do not provide treatment for individuals with a sole or primary diagnosis of substance use disorder (SUD). CCCA does, however, provide care for minors who have a primary diagnosis of a mental health disorder in addition to a secondary diagnosis of SUD. The care provided to these individuals is not specifically focused on treatment of adolescent SUD which may require acute detox and medical stabilization services, as well as individualized treatment plans relating specifically to SUD. Because this legislation does not exclusively pertain to admissions to state operated facilities, nor does it contain language directing DBHDS to provide care for minors who have a primary or sole diagnosis of SUD, there is no anticipated fiscal impact to state facilities.

The bill also amends § 16.1-339 to specify that a temporary detention (TDO) order shall not be required for a minor 14 years of age or older who objects to admission to be admitted to a willing facility upon the application of a parent. CCCA only admits individuals who have been placed under a TDO, therefore this legislation is not anticipated to increase admissions to CCCA.

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

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is a companion to HB772.