

**SB176/HB888 Workgroup on Placements in Virginia for People with
Neurocognitive Disorders and Neurodevelopmental Disabilities**

Secretary of Health and Human Resources

Draft Minutes – Meeting One

July 18, 2024, 2 PM to 4 PM

Patrick Henry Building, West Reading Room

In-Person Attendance:

The Honorable Janet Kelly, Secretary of Health and Human Resources

Leah Mills, Deputy Secretary of Health and Human Resources

Nelson Smith, Commissioner of DBHDS

Angie Vardell, DMAS

Dr. Adam Kaul, Psychiatric Society of Virginia

Nathalie Moliét-Ribet, Behavioral Health Commission

Trevor Moore, Commonwealth Strategy on Behalf of PSV

Aimee Peron Seibert, Commonwealth Strategy on Behalf of VACEP

Jonathan Green, Office of the Executive Secretary

Mark Smallacombe, Virginia Hospital and Health Care Association

Catherine Harrison, Department of Aging and Rehabilitative Services

Dr. Alexis Aplasca, Office of the Secretary of Health and Human Resources/DBHDS

Elizabeth Hobbs, Virginia Sheriffs' Association

Josh Myers, Alzheimer's Association of Virginia

Karin Addison, Brain Injury Association

Jennifer Faison, VACSB

Heather Norton, DBHDS

Judy Hackler, Virginia Assisted Living Association

Nia Harrison, Virginia Board for People with Disabilities

Virtual Attendance:

April Payne, Virginia Health Care Association

Autumn Richardson, Richmond Behavioral Health Authority

Bruce Cruser, Mental Health Virginia

Katherine Coffey-Vega, MD, Carillion

Debbie Dashiell, NAMI Virginia

Grayson Lewis, Office of Senator Favola

Humaira Siddiqi, MD, Advocatee

Jennifer Fidura, Virginia Network of Private Providers

Joran Sequeira, Virginia College of Emergency Providers

Lucy Cantrell, The Arc of Virginia

Amanda Mueller, DBHDS

Angie Orange, DBHDS

Heather Orrock, VOCAL
Badr Ratnakaran, Carillion
Sandy Bryant, Mt. Rogers CSB
Christine Schein, Virginia Hospital and Health Care Association
Seb Prohn, Partnership for People with Disabilities
Teresa Champion, Advocate
Brian Unwin, Carilion
Yukiko Dove, Advocate

Welcome and Introductions – HHR Secretary Janet V. Kelly

Secretary Janet Kelly welcomed workgroup members, thanked Del. Watts and Sen. Favola for championing the needs of these populations, and discussed the importance of the recommendations the workgroup would develop.

Overview of SB176/HB888 workgroup charge, reenactment language, and Joint Legislative Audit and Review Commission (JLARC) report

Dr. Alexis Aplasca, Senior Clinical Advisor for Behavioral Health Transformation, Office of the Secretary, Health and Human Resources, and Deputy Commissioner for Clinical and Quality Management, DBHDS

Dr. Alexis Aplasca reviewed the workgroup direction from the enacting legislation and gave an overview of the origins of the workgroup in the 2023 Joint Legislative Audit and Review Commission Report. She reviewed the DSM-5 definitions of neurodevelopmental and neurocognitive disorders highlighting how these populations are distinct from one another and are broad diagnostic groupings that include individuals with a wide range of abilities and support needs. She referenced a 2023 study on Co-occurring mental illness and behavioral support needs in adults with intellectual and developmental disabilities in Virginia which shows that this population has increased rates of mental illness diagnoses than the general population.

Current Processes and Programs

- Review current Temporary Detention Order (TDO) and Involuntary Admission process
Curt Gleeson, Assistant Commissioner, Division of Crisis Services, DBHDS

Curt Gleeson reviewed the current criteria in code for temporary detention orders and civil commitments. He gave an overview of how these code requirements are operationalized by certified prescreeners. He reflected on the strengths of this process in protecting individual's civil liberties as well as common challenges encountered by stakeholders.

- Programs currently operated by DBHDS and CSBs to support individuals with neurodevelopmental disabilities and neurocognitive experiencing behavioral health challenges

Heather Norton, Acting Deputy Commissioner, Community Services, DBHDS
Suzanne Mayo, Assistant Commissioner, Division of Facilities Services, DBHDS

Heather Norton provided additional remarks on the 2023 study on co-occurring mental illness and behavioral support needs for individuals with intellectual and developmental disabilities. Ms. Norton also provided a general overview on the Department of Justice Settlement Agreement compliance indicators as they relate to the work group topic.

Suzanne Mayo presented on the various state-supported and community-based behavioral health services for individuals with dementia.

Breakout Discussions and Report Back to Workgroup

Workgroup members and attendees discussed the questions presented to the group in advance. Attendees online also participated.

Next Steps/Adjourn

Work group members and participants discussed topics for discussion and presentation at future meetings.

The meeting was adjourned at 4:10 PM.

Workgroup enactment language:

“That the Secretary of Health and Human Resources shall convene a work group of relevant stakeholders, including representatives from local community services boards, the Virginia Hospital and Healthcare Association, and the Office of the Executive Secretary of the Supreme Court of Virginia to (i) evaluate the current availability of placements for individuals with neurocognitive disorders and neurodevelopmental disabilities who would otherwise be placed in state psychiatric hospitals; (ii) identify and develop placements and services other than state psychiatric hospitals that would better support such individuals, especially individuals whose behaviors or symptoms are solely a manifestation of such disorders and disabilities, including through enhanced Medicaid reimbursements and a Medicaid waiver for individuals with neurocognitive disorders; (iii) specify any additional funding or statutory changes needed to prevent inappropriate placements of such individuals in state psychiatric hospitals; (iv) provide recommendations for training of magistrates and community services boards related to the implementation of this act; and (v) report the work group's findings and recommendations to the Chairmen of the House Committee on Appropriations, the Senate Committee on Finance and Appropriations, the House Committee on Health and Human Services, and the Senate Committee on Education and Health by November 1, 2024.”

Discussion Questions

1. How do the treatment needs of individuals with primary diagnoses of neurocognitive disorders and neurodevelopmental disabilities differ?
2. What are the top three most significant barriers and needs in Virginia's system of care for people with neurocognitive disorders and neurodevelopmental disabilities?
3. What supports (e.g. regulatory changes, licensing changes, etc.) do existing congregate care residential settings (residential treatment, group homes, sponsor homes, family homes, assisted living facilities, nursing homes) need that they don't currently have to admit and successfully support individuals with neurocognitive disorders when they exhibit challenging behaviors?
4. Same question as above but for individuals with neurodevelopmental disabilities?
5. What programs and services have you heard about or experienced in Virginia that have been effective or successful that you would like to see have greater access or be expanded? What about in other states?