

**COMMITTEE ON HEALTH, HOSPITALS
AND HUMAN SERVICES**

8/15/2018-REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 32-0247

Thirty-Second Legislature of the Virgin Islands

August 15, 2018

An Act amending the Virgin Islands Code, titles 3, 5, 14, 15, 16, 19, 23, 27, and 34 to change all references to mental health to behavioral health; amending title 19, chapter 31, section 716 (a) relating to the Citizens Council on Mental Illness Alcoholism and Drug Dependency; repealing section 14 of Act No. 7897 and section 2, paragraph (1) of Act No. 7697; appropriating \$3,000,000 for the establishment of a behavioral health care facility on the island of St. Croix; and establishing requirements for the operation of in-patient and out-patient treatment programs at the behavioral health care facility

PROPOSED BY: Senators Novelle E. Francis, Jr., Nereida Rivera-O'Reilly,
and Kurt A. Violet
Co Sponsor: Janelle K. Sarauw

1 **WHEREAS**, there is a critical need for an inpatient psychiatric unit on the island of

2 St. Croix; and

3 **WHEREAS**, the inpatient psychiatric unit of the Juan F. Luis Hospital closed in

4 2012; and

5 **WHEREAS**, there are approximately 700 persons registered within the Virgin

6 Islands Department of Health to receive behavioral health outpatient services- 300 on St.

7 Thomas, 300 in Christiansted, 90 in Frederiksted and 26 on St. John; and

1 **WHEREAS**, the short -term intake solutions provided by the Juan F. Luis Hospital
2 and the Roy L. Schneider Regional Medical Facility are inadequate for persons needing
3 acute care; and

4 **WHEREAS**, the lack of a local facility to house persons with behavioral health
5 issues requiring long-term care requires the territory to spend several millions every year
6 to house these patients in facilities in California, Georgia, Puerto Rico and Texas; and

7 **WHEREAS**, on September 23, 2016, Governor Kenneth E. Mapp declared a state
8 of emergency in mental health care; and

9 **WHEREAS**, the Legislature finds and declares that the establishment of a behavioral
10 health care facility will benefit residents in need of behavioral health care; Now, Therefore,

11 *Be it enacted by the Legislature of the Virgin Islands:*

12 **SECTION 1.** (a) The following sections of the Virgin Islands Code are amended by
13 striking every occurrence of the term, "mental health", and inserting "behavioral health":

14 (1) Title 3, § 418, § 418a;

15 (2) Title 5, §67, §853, §2502, §2533;

16 (3) Title 14, §1721, §1725;

17 (4) Title 15, §5-207, §5-314, §5-316;

18 (5) Title 16, §99c;

19 (6) Title 19, § 153, §162, §221, §711, §712, §713, §716 (c), §721, §722,
20 §723, §723a, §4101, §4102, §4103, §4110, §4112, §4114, §4117

21 (7) Title 23, §10, §456a;

22 (8) Title 27, §169a, §169h, §169j, §201, §202, §206, §207, §2010, §2019;

23 and

24 (9) Title 34, §163, §452.

1 (b) Title 19 Virgin Islands Code, chapter 31, section 716, (c) is amended in the
2 following instances:

3 (a) by striking "Citizens Advisory Council on Mental Illness
4 Alcoholism and Drug Dependency" and inserting "Virgin Islands Behavioral
5 Health, Alcoholism and Drug Dependency Planning Council and Advisory Board";
6 and

7 (b) by adding the following at the end of the first sentence after
8 "guidelines": "including a youth representative, family members of consumers,
9 members of provider agencies, and representatives from the Department of Health,
10 the Department of Human Services and a Federally Qualified Health Facility".

11 **SECTION 2.** Act No. 7897, section 14 is repealed.

12 **SECTION 3.** Act No. 7697, section 2 is amended by striking paragraph (1) in its
13 entirety.

14 **SECTION 4.** The following sums are appropriated from the General Fund to the
15 Department of Health in the fiscal year ending September 30, 2019, for a behavioral health
16 care facility on the island of St. Croix.

17 (a) From the savings realized in section 2 of this act, the sum of \$2,000,000 is
18 appropriate for development of real property at Plot No. 184 in Estate Anna's Hope, St.
19 Croix, Virgin Islands, including the design and construction of an inpatient psychiatric
20 services facility; and

21 (b) From the saving realized in section 3 of this act, the sum of \$1,000,000 is
22 appropriated for the development of Outpatient intensive treatment program.

23 **SECTION 5.** The Department of health shall establish behavioral health facility that
24 must:

25 (1) contain a minimum of 25 inpatient beds;

1 (2) provide outpatient services, including specialized outpatient services for
2 children, the elderly, individuals who are have chronic behavioral health issues, and
3 residents of its behavioral health service area who have been discharged from inpatient
4 treatment;

5 (3) provide 24-hour-a-day emergency care services;

6 (4) provide day treatment or other partial hospitalization services, or
7 psychosocial rehabilitation services; and

8 (5) comply with all local and federal licensing and accreditation standards to meet
9 individual patient needs for children, adolescents and adults; and

10 (6) address the critical needs and recommendations identified in the Five-Year
11 Mental Health Plan.

12 **SECTION 6.** The sum authorized and appropriated in section 4 remain available
13 until expended.

14 **BILL SUMMARY**

15 Section 1 amends the Virgin Islands Code to change all references to "mental health"
16 to behavioral health.

17 Section 2 repeals section 14 of Act 7897, which appropriated 2,000,000 from the St.
18 Croix Capital Improvement Fund to the Virgin Islands Housing Finance Authority to
19 access Federal New Market Tax Credit funding for the purpose of financing the
20 construction of a new Herbert Grigg Home for the Aged.

21 Section 3 of the bill repeals section 2 paragraph (1) of Act No. 7697 which
22 appropriated \$1,000,000.00 o the Governor Juan F. Luis Hospital and Medical Facility to
23 rebuild and restore the acute care inpatient psychiatric unit.

24 Section 4 appropriated \$3,000,000 to the Department of Health for a behavioral
25 health care facility.

26 Section 5 imposes requirements for the operation of the behavioral health care
27 facility.

28 Section 6 provides for non- lapsing appropriations in the bill.

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2 ***BR17-0727/August 15, 2018/YLT***