



COMMONWEALTH of VIRGINIA

DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

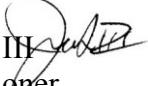
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JAMES W. STEWART, III
COMMISSIONER

August 15, 2012

To: CSB Executive Directors
DBHDS Mental Health Facility Directors
Interested Stakeholders

From: James W. Stewart, III 
DBHDS Commissioner

Subject: Mandatory Outpatient Treatment Guidance

As you know, the 2012 General Assembly enacted House Bill 475 (Chapter 501) and House Bill 476 (Chapter 300), which amended §§37.2-805 and 37.2-817 of the *Code of Virginia* related to mandatory outpatient treatment (MOT). Among the most significant changes in these bills is a new procedure allowing certain persons to file a motion requesting a hearing prior to discharge to determine whether a hospitalized individual should be ordered to MOT. Substantive changes also include lengthening the maximum period of MOT following discharge to 90 days, changing the conditions under which MOT can be ordered, and clarifying other aspects of these statutes. Both bills became effective on July 1, 2012.

HB 475 and HB 476 were intended to improve the MOT process and to make MOT a more useful and usable disposition option for Virginia courts and providers. CSBs, hospitals and other stakeholders have raised many questions about how to implement these changes. In response to these questions, DBHDS has developed the attached ***Implementation Guidance for HB 475 and HB 476***.

Effective implementation of HB 475 and HB 476 will require a high degree of collaboration and proactive planning among CSBs, courts, inpatient hospitals and other stakeholders. Our hope is that the attached ***Implementation Guidance*** will help CSBs and other practitioners be better prepared to effectively implement MOT orders in their jurisdictions.

Many of your organizations were involved in preparing or reviewing the ***Implementation Guidance*** and I appreciate your contributions to this important work. I hope this effort will assist you in serving and supporting the many Virginia citizens and families who live with behavioral health disorders on a daily basis. If you have any questions about the attached, please contact Jim

Martinez in the DBHDS Office of Mental Health Services at jim.martinez@dbhds.virginia.gov or 804-371-0767. Thank you.

Attachment

c: The Honorable William A. Hazel, Jr., MD
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