

**Department of Behavioral Health and Developmental Services
2014 Fiscal Impact Statement**

1. Bill Number: HB243

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Yost

3. Committee: Courts of Justice

4. Title: Temporary Custody Order; duration, extension

5. Summary: This bill provides for the Temporary Detention Order to be issued without a bed being identified.

6. Budget Amendment Necessary: See fiscal implications below.

7. Fiscal Impact Estimates: Indeterminate.

8. Fiscal Implications: The fiscal impact associated with this legislation is indeterminate due to the unknown factors involved with the bill. Based on a recent study completed by the Institute of Law, Psychiatry, and Public Policy at Virginia Commonwealth University using data from April, 2013, the Department of Behavioral Health and Developmental Services has projected that a small number, approximately 3.6 percent (or 736 individuals), of Emergency Custody Orders go beyond the current six hour limit during which an evaluation must be completed and a bed located prior to issuance of a Temporary Detention Order (TDO). If, as permitted by this legislation, a Temporary Detention Order is issued without a bed, the individual could potentially be left with local law enforcement, in emergency room, or other temporary location for the duration of the TDO period (currently limited to 48 hours), waiting for a bed. Assuming that law enforcement would be required to be present between the issuing of a TDO and the location of a bed, additional costs would be incurred based on the amount of time they are required to stay. There are also possible costs to the emergency room or other temporary location where the individual is being held for the provision of shelter, food, and medical, crisis or psychiatric treatment if necessary.

9. Specific Agency or Political Subdivisions Affected: DBHDS, Community Services Boards, State Police, local sheriff departments.

10. Technical Amendment Necessary: No.

11. Other Comments: None.