

## Legislative History: Secure Residential Facility

Act	Relevant Language	Comments
<p><b>2012 Acts and Resolves, No. 79</b> (An Act relating to Reforming Vermont's Mental Health System)</p>	<p><u>“(a) The commissioner of mental health is authorized to establish and oversee a secure seven-bed residential facility owned and operated by the state for individuals no longer requiring acute inpatient care, but who remain in need of treatment within a secure setting for an extended period of time. The program shall be the least restrictive and most integrated setting for each of the individual residents.”</u></p>	<p><i>Act 79 also authorized the Commissioner to establish a temporary hospital until the State-owned facility was operational.</i></p>
<p><b>2013 Acts and Resolves, No. 50</b> (FY 2014 Big Bill)</p>	<p><u>“(a)(1) The Mental Health Oversight Committee and the Health Care Oversight Committee shall hold a joint meeting in November 2013 for the purpose of evaluating the capacity needed to treat patients in the care and custody of the Commissioner of Mental Health, specifically regarding the capacity needed within the Level 1 system of care as established in 2012 Acts and Resolves No. 79. The evaluation shall include:</u></p> <p style="padding-left: 40px;"><u>(A) an assessment of the census trends for the Level 1 system of care during the last fiscal year;</u></p> <p style="padding-left: 40px;"><u>(B) the status of the census capacity at Rutland Regional Medical Center and Brattleboro Retreat's Level 1 unit;</u></p> <p style="padding-left: 40px;"><u>(C) the status of the construction at the state-owned and -operated psychiatric hospital in Berlin;</u></p> <p style="padding-left: 40px;"><u>(D) the status of the census capacity at the intensive and secure residential recovery programs; and</u></p> <p style="padding-left: 40px;"><u>(E) an assessment of whether the budget provides adequate capacity for Level 1 treatment through the end of the 2014 fiscal year and the estimated budget need for the duration of the 2015 fiscal year.</u></p> <p><u>(2) The evaluation shall include a projection of the daily census need for Level 1 inpatient care in excess of the six beds projected to operate at the Rutland Regional Medical Center and the 14 beds projected to operate at the Brattleboro Retreat as of April 1, 2014. The Committees shall solicit input from those hospitals providing Level 1 care that will be discontinued once the state-owned and -operated hospital is opened. The Committees' evaluation shall be submitted to the House and Senate Committees on Appropriations on or before December 15, 2013.</u></p> <p><u>(3) The evaluation shall assess the number and type of personnel necessary to staff the state-owned and -operated hospital in Berlin as of April 1, 2014. On or before December 15, 2013, the Mental Health Oversight Committee and the Health Care Oversight Committee shall make a recommendation to the Joint Fiscal Committee as to</u></p>	<p><a href="#">2013 Report of the Mental Health Oversight Committee</a></p>

	<p><u>the number and type of personnel needed to operate the state-owned and -operated hospital on April 1, 2014.</u></p> <p><u>(4) It is the intent of the General Assembly that the 2015 fiscal year budget provide adequate resources to fund fully the community programs as funded in fiscal year 2014 and inpatient capacity established in 2012 Acts and Resolves No. 79, including the 25 beds at the state-owned and -operated hospital in Berlin. If the Mental Health Oversight Committee and the Health Care Oversight Committee in their evaluation and recommendation to the Joint Fiscal Committee find that less need exists than anticipated, the Joint Fiscal Committee may recommend reconsideration by the General Assembly.</u></p> <p><u>(b) Each month between June and December 2013, the Department of Mental Health shall provide the following information to the Mental Health Oversight Committee and the Health Care Oversight Committee:</u></p> <p><u>(1) The number of Level 1 patients receiving acute inpatient care in a hospital setting other than the renovated unit at Rutland Regional Medical Center, the renovated unit at the Brattleboro Retreat, and the Green Mountain Psychiatric Center in Morrisville, including the number of individuals treated in each setting and the single combined one-day highest number each month;</u></p> <p><u>(2) The number of individuals waiting for admission to a Level 1 psychiatric inpatient unit after the determination of need for admission to emergency departments, correctional facilities, or any other identified settings is made and the number of days individuals are waiting;</u></p> <p><u>(3) The total census capacity and average daily census of new intensive recovery residence beds opened in accordance with 2012 Acts and Resolves No. 79, and the annual daily census of the secure residential recovery facility in Middlesex. The census capacity shall not include a duplicate count for beds that replace those currently in operation elsewhere.”</u></p>	
<p><b>2013 Acts and Resolves No. 51 (FY 2014 Capital Bill)</b></p>	<p>Sec. 40. SECURE RESIDENTIAL FACILITY</p> <p><u>Pursuant to the Level 1 Psychiatric Care Evaluation required by the Fiscal Year 2014 Appropriations Act, Sec. E.314.2, the Commissioner of Buildings and General Services shall develop a proposal to establish a permanent secure residential facility no later than January 15, 2015.</u></p>	
<p><b>2014 Acts and Resolves No, 178 (FY 2015 Capital Bill)</b></p>	<p><u>(13) Permanent secure residential facility, proposal for siting and design (as described in Sec. 40 of this act):</u> <u>\$50,000.00</u></p> <p style="text-align: center;">* * *</p> <p>Sec. 35. 2013 Acts and Resolves No. 51, Sec. 40 is amended to read:</p> <p>Sec. 40. SECURE RESIDENTIAL FACILITY</p> <p>Pursuant to the Level 1 Psychiatric Care Evaluation required by the Fiscal Year</p>	

	<p><u>fiscal year</u> 2014 Appropriations Act, Sec. E.314.2, the Commissioner of Buildings and General Services, <u>in consultation with the Commissioners of Mental Health and Corrections</u>, shall develop a proposal to establish a permanent secure residential facility no later than January 15, 2015.</p>	
<p><b>2015 Acts and Resolves No. 26 (FY 2016 Capital Bill)</b></p>	<p>Sec. 29. 2013 Acts and Resolves No. 51, Sec. 2, as amended by 2014 Acts and Resolves No. 178, Sec. 1, is amended to read:</p> <p>Sec. 1. 2013 Acts and Resolves No. 51, Sec. 2 is amended to read:</p> <p style="padding-left: 40px;">Sec. 2. STATE BUILDINGS</p> <p style="padding-left: 80px;">* * *</p> <p style="padding-left: 40px;">(c) The following sums are appropriated in FY 2015:</p> <p style="padding-left: 80px;">* * *</p> <p style="padding-left: 40px;">(13) Permanent secure residential facility, proposal for siting <del>and design</del> (as described in Sec. 40 of this act): \$50,000.00</p> <p style="padding-left: 80px;">* * *</p> <p>Sec. 30. SECURE RESIDENTIAL FACILITY; PLAN FOR SITING AND DESIGN</p> <p style="padding-left: 20px;">(a) <u>The Secretary of Human Services shall conduct an examination of the needs of the Agency of Human Services for siting and designing a secure residential facility. The examination shall analyze the operating costs for the facility, including the staffing, size of the facility, the quality of care supported by the structure, and the broadest options available for the management and ownership of the facility.</u></p> <p style="padding-left: 20px;">(b) <u>The funds appropriated in 2013 Acts and Resolves No. 51, Sec. 2, as amended by 2014 Acts and Resolves No. 178, Sec. 1, and Sec. 28 of this act, shall only become available to the Department of Buildings and General Services after the Secretary of Human Services notifies the Commissioner of Finance and Management that the examination described in subsection (a) of this section is completed.</u></p> <p style="padding-left: 20px;">(c) <u>On or before February 1, 2016, the Secretary of Human Services shall present the results of the examination described in subsection (a) of this section to the House Committees on Appropriations, on Corrections and Institutions, and on Human Services, and the Senate Committees on Appropriations, on Health and Welfare, and on Institutions.</u></p>	<p><a href="#">Report on Secure Residential Facility: Plan on Siting and Design</a></p>