

## MEMORANDUM

TO:

FROM: **Emily Hawes, Commissioner, Dept of Mental Health**  
**Monica White, Commissioner, Dept of Disabilities, Aging, and Independent Living**

DATE: **Aug 7, 2023**RE: **Competency Evaluations and Minimum Requirements for Evaluators**

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The Departments do not have a position as to whether to expand evaluators beyond forensically trained psychiatrists and psychologists pursuant to 13 VSA § 4814.

The Department of Disabilities, Aging, and Independent Living (DAIL) does not employ forensic evaluators.

The Department of Mental Health (DMH) has yet to expand their contracted evaluators to include doctoral-level psychologists, other than the psychologist already under contract who conducts evaluations when intellectual disabilities are potentially indicated. DMH is actively working on our overall procedure for competency evaluations to better streamline the process and reduce administrative burden, as well as developing minimum qualifications to move forward with the expansion granted under the statute. Once that work is finalized, DMH anticipates being in a better position to understand our current needs. DMH currently has 16 evaluators (many more than DMH historically had pre-COVID, which was 5).

The current waitlist for outpatient evaluations is 88 (that includes 29 sanity evaluations that were ordered pre-July 1; there is no waitlist for inpatient evaluations at this time). With the new process we will soon implement, we anticipate being able to start doing approximately 15 evaluations per week. At that rate, we should be able to fairly quickly start to see a real decrease in wait times. DMH has also been working internally on how to better track relevant data, including tracking the outcomes of the recent changes implemented in Act 28 (2023).

