



COMMONWEALTH of VIRGINIA

ALISON G. LAND, FACHE
COMMISSIONER

DEPARTMENT OF
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

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October 19, 2020

The Honorable Janet Howell, Chair
Senate Finance Committee
Pocahontas Building
900 East Main Street
Richmond, VA 23219

Dear Senator Howell,

Item 321 D of the 2020 Appropriation Act requires the Department of Behavioral Health and Developmental Services (DBHDS) to provide alternative transportation for adults and children under a temporary detention order and report annually. The language reads:

D. Out of this appropriation, \$4,500,000 the first year and \$4,500,000 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to provide alternative transportation for adults and children under a temporary detention order. The department shall structure the contract to phase in the program over a three-year period such that in year three the contract will result in the provision of services statewide. The department shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees on the effectiveness and outcomes of the program funding by October 1 of each year.

Please see attached the report pursuant to Item 321 D of the 2020 Appropriations Act. Staff are available should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Alison Land".

Alison G. Land, FACHE
Commissioner

Department of Behavioral Health & Developmental Services

CC:

Vanessa Walker Harris, MD
Susan Massart
Mike Tweedy

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The Honorable Luke Torian, Chair
House Appropriations Committee
Pocahontas Building
900 East Main Street
Richmond, VA 23219

Dear Delegate Torian,

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October 19, 2020

Governor Ralph Northam
Patrick Henry Building
1111 E Broad St
Richmond, VA 23219

Dear Governor Northam,

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**Alternative Transportation Program
Annual Report
(Item 321.D. of the 2020 Appropriation Act.)**

October 19, 2020

DBHDS Vision: A Life of Possibilities for All Virginians

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Alternative Transportation Program Annual Report (Item 321 D of the 2020 Appropriation Act)

Preface

Item 321 D of the 2020 Appropriation Act requires the Department of Behavioral Health and Developmental Services (DBHDS) to provide alternative transportation for adults and children under a temporary detention order and report annually. The language reads:

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Alternative Transportation Program Annual Report

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Introduction

Currently, Virginia has a law enforcement based involuntary commitment process for individuals in a mental health crisis. Article 4, Chapter 8, of Section 37.2 of the Code of Virginia describes this process that includes an emergency custody order (ECO) and a temporary custody order (TDO). Individuals can be detained under an ECO through a petition to a magistrate who issues the order for a dispatched law enforcement officer to take the individual into custody (§37.2-808) or through self-determination by a law enforcement officer to take an individual into custody who presents as a danger to themselves or others (known as a “paperless ECO”). In both situations, the individual is transported by law enforcement to a hospital’s emergency department or other designated assessment location for an evaluation. If a community services board (CSB) evaluator determines the individual is in need of hospitalization, a magistrate may issue a TDO. Under a TDO, the individual would need to be transported to a state or private hospital for psychiatric care.

In FY18, there were over 25,000 TDOs and it is estimated that law enforcement transported 99% of those individuals. This number includes both children and adults. The number of TDOs executed remained fairly consistent throughout FY19.

DBHDS Region	FY 2018 TDOs Executed	FY 2019 TDOs Executed	FY 2020 TDOs Executed
Region 1	4589	4585	4680
Region 2	4240	3943	3734
Region 3	6337	5990	5075
Region 4	4746	4750	4418
Region 5	5767	5937	5605
Total	25,679	25,205	23,512

Law enforcement transporting individuals under a TDO puts a strain on resources and staff for law enforcement agencies across the state and also creates an environment that stigmatizes the individual’s illness and prolongs the crisis, making treatment more difficult.

In 2015, the Department of Behavioral Health and Developmental Services in conjunction with Mount Rogers Community Services Board piloted a program to contract with a vendor to provide non law enforcement transportation for individuals under a TDO. This pilot was successful and in 2017 the General Assembly required DBHDS and the Department of Criminal Justice Services (DCJS) to convene a workgroup to develop a model to provide alternative transportation across the Commonwealth (HB1426 and SB1221, 2017).

Based on the recommendations from the HB1426 and SB1221 report, in 2018 the General Assembly allocated \$2.5 million the first year of the biennium and \$4.5 million the second for DBHDS to contract and provide alternative transportation services across the Commonwealth (Item 311 E.).

As required by the current budget item for alternative transportation, Item 321 D of the 2020 Appropriations Act, this report provides an update on the program and the use of these funds.

Request for Proposal Development

During the HB1426 and SB1221 report and workgroup process, DBHDS issued a Request for Information (RFI) to determine possible vendors, costs, and models. To issue a Request for Proposal (RFP) for Alternative Transportation in a timely manner, DBHDS used this RFI as a template for the RFP. The Scope of Work in the RFP was based on the standards developed in the workgroup that describes the criteria for vehicles, drivers, and processes. The goal for the scope of work was to assure individuals are served in a safe, least restrictive and non-stigmatizing manner and that all interactions related to TDO transport be respectful and supportive, focused on the individuals' engagement in treatment, and convey a demonstrable commitment to the individuals' recovery.

DBHDS decided to pursue a statewide contract in order to allow for economy of scale and uniform services across all five DBHDS regions. The contract does allow the vendor to subcontract if needed in order to cover the entire Commonwealth but, to date, this option has not been used.

Procurement and Contracting Process

DBHDS followed state procurement laws and procedures. The RFP was issued October 15, 2018 and a contract was awarded to G4S Secure Solutions, Inc. on May 20, 2019. Activities and expenditures by G4S in FY20 have been focused on start-up activities, hiring and training staff, stakeholder training and the rollout operations which will be detailed later in this report.

The contract requires monthly reporting from the vendor on the number of transports, result of transport, and any incidents that occur. The vendor is paid monthly after DBHDS receives an invoice based on staffing hours, mileage and a fixed cost for the 24/7 dispatch operation located in Arlington, Virginia.

DBHDS has hired two full time employees to manage this contract, develop necessary policies and procedures, assure compliance with related sections of Code, provide training, manage stakeholder relations, coordinate each regional rollout and develop and lead regional Quality Assurance Councils. In FY20, \$179,354 of the appropriation was used to support the employment of the DBHDS Alternative Transportation Coordinator and the Alternative Transportation Liaison. The remaining appropriation is reserved for the G4S contract.

Program Expectations

Based on the results of the Mount Rogers pilot program, DBHDS and the HB1426/SB1221 workgroup determined that an alternative transportation provider is expected to provide 50% of the TDO transports. This is the expectation included in the contract language. The number of transports has started off at a lower percentage and the expectation is that it will increase as

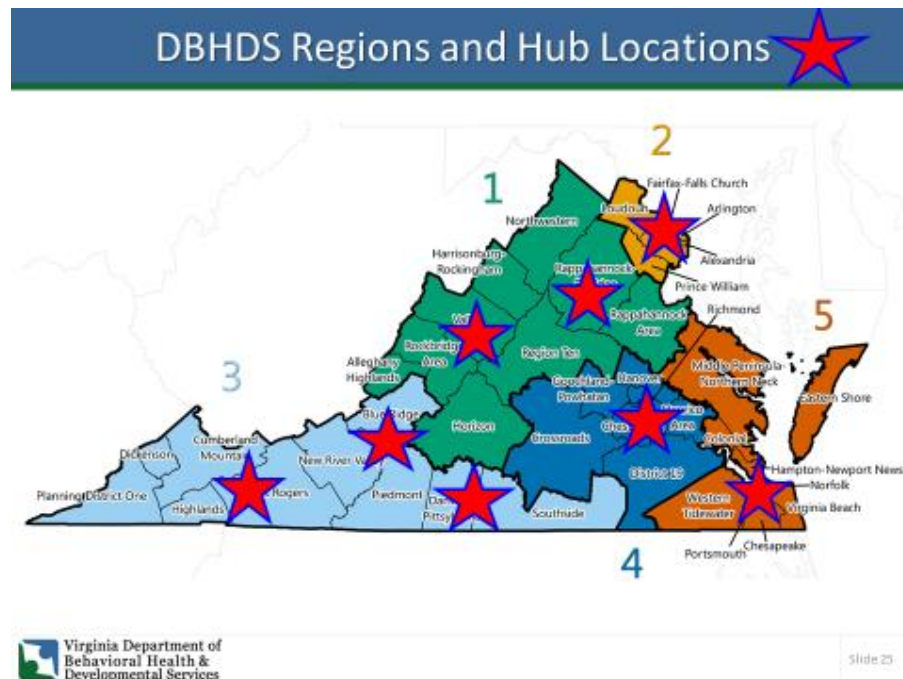
CSBs, law enforcement, and magistrates become more comfortable and utilize the program more.

Law enforcement continues to transport individuals who are at risk for elopement, pose a risk of harm to themselves or others that cannot be mitigated by the security of the vehicle and staff training, or if for other clinical reasons are determined to be safer in law enforcement custody.

DBHDS remains committed to ensuring that utilization of alternative transportation will result in a more positive experience for the individual who is under a TDO, thereby destigmatizing the process and creating a recovery focused experience that supports individuals in accessing care during a crisis.

Summary

DBHDS began activities related to Alternative Transportation in 2018 (issuing RFP, reviewing proposals and recruiting program staff, identifying and meeting with key stakeholders across the state). After the contract was awarded, DBHDS and G4S immediately began plans for a structured, regional rollout to be completed prior to the June 2021 deadline for both adults and children. The dispatching center was set up in Arlington, Virginia, where G4S already had office space for other services the company provides. Potential hub locations were identified statewide that would allow for maximum efficiency and allow G4S to meet its contractual obligation to be



on scene for patient pick-up within two hours, 90% of the time. In their original proposal, G4S suggested five primary hub locations with “hover” stations supplementing the hubs. However, upon further discussion and travel throughout the state, the decision was made to establish eight hub locations in order to meet the contractual demands. The graphic to the left shows where hubs are located.

Region 3

Meetings with CSB executive directors, CSB Emergency Services staff, regional advocates, hospitals, magistrates, and law enforcement began in DBHDS Region 3 in July of 2019. Region 3 was selected as the first region to begin the service since the original program was piloted in this region and, historically, had the highest number of TDOs. In addition, individuals from

Region 3 were being transported the farthest for available inpatient beds. G4S began services to Region 3 on October 7, 2019. Since that time, **658** individuals from Region 3 have been safely transported to their TDO location. A recent email received by the G4S Project Manager dated May 26, 2020 from Angela Tallman of Piedmont Community Services Board is a testament to how the program is working in that area:

“Piedmont Community Services in Partnership with SOVAH Health Martinsville, Henry County Sheriff’s office, Martinsville City Sheriff’s office and Franklin County Police Department have begun to utilize and look at G4S as our primary transportation and the police department as the secondary or the actual alternative transport. We all have had very professional and exceptional experiences with the PSS drivers, the dispatchers, and the Supervisors that have come to visit. Our prescreeners have begun to know the drivers and dispatchers by name, the clients are now asking if they can go by ATP because they either are repeat clients or they have heard about the program. The partnership our Region has is amazing and now with ATP/G4S as a partner we feel even more equipped to meet our client’s needs in the most professional manner possible.”

Region 1:

Stakeholder trainings on the program were held throughout Region 1 in the first two weeks of December 2019 and G4S began providing the service on January 28, 2020. Region 1 was slower to refer to the program from the onset and then the COVID-19 pandemic spread with stay at home orders being implemented in March 2020. As of the end of June, G4S has transported 100 individuals from Region 1 to their TDO location. DBHDS has partnered closely with stakeholders in Region 1 to increase utilization.

Continued Rollout to Regions 2, 4 and 5:

The COVID outbreak caused some setback in the planned rollout schedule. Region 2 had scheduled stakeholder trainings at the beginning of April 2020, which had to be postponed due to prohibitions on large gatherings. DBHDS staff then developed webinar-based training to take the place of the previously planned in-person meetings. Region 2 elected not to move forward with the planned opening of the service at the beginning of May due to the impact and stress on their system of care due to COVID 19. DBHDS began working with Region 5 stakeholders who agreed to move forward with training activities via webinar. The first of these was held with all of the Region 5 CSB Emergency Services workers on June 23, 2020. Subsequent training of stakeholders including law enforcement, magistrates, and hospitals is being held with a go-live date in Region 5 of August 25, 2020. G4S plans to go live in Region 2 in November 2020 and Region 4 will go live in January 2021, completing the statewide implementation for adults.

Children and Adolescents:

A stakeholder group was convened in June 2019 to finalize protocols for the children’s alternative transportation program. A final version of these protocols was completed in August 2019 with some outstanding concerns around the contract language in which G4S was required to transport parents/guardians of children and adolescents under a TDO and return the parent/guardian home after admission to the TDO facility. On January 9, 2020, DBHDS received a letter from G4S Vice President, David Kamperin, requesting a review of this requirement due to legal and liability concerns around transporting someone who is not the subject of the TDO and the clinical appropriateness of providing such transports. Since the stakeholder group had

similar concerns, DBHDS leadership felt guidance from the Attorney General's office may be of help. The resulting guidance led to a contract modification in March 2020, in which the requirement to transport parents/guardians was taken out of the contract to reduce the risk of concerns raised by both the stakeholders and G4S's legal team and to align with the successful business practices G4S has in their North Carolina programs.

With protocols finalized, G4S is prepared to pilot the service for children and adolescents in the fall of 2020 in Region 3. The service will be available statewide by March 2021, after the buildup of the infrastructure for the adult service is complete and all G4S staff are hired and trained.

Challenges and Successes:

Challenges:

- The most significant barrier to completing statewide operation of alternative transportation this year has been the COVID outbreak. However, after developing capacity to train stakeholders via webinar instead of in-person meetings, the rollout is back on track and scheduled to be operational statewide on time by the June 2021 deadline.
- As was noted in the pilot program, it takes time for all entities in the complex ECO-TDO process to become familiar with the program and determine who can be safely transported by G4S vs. law enforcement. Region 3 was building capacity quickly prior to the COVID pandemic and reached its highest percentage of TDOs transported via alternative transportation in January 2020 (26.3%) after only three months of operations. Utilization of alternative transportation has been slower in Region 1 but DBHDS staff is working closely with the Region 1 Quality Assurance Council to determine barriers to utilization and provide continuing education about G4S capacity and training to safely transport individuals.
- In January 2020, after analyzing response times and staffing needs, it became apparent that G4S would need to establish eight hubs throughout the state instead of the originally proposed five in order to meet the required response times and build capacity to transport 50% of the TDOs statewide. This addition of three hubs adds to costs and staffing needs in addition to the need for additional vehicles. These costs were covered in the FY20 budget since G4S did not begin operations until the second quarter of the year.
- DBHDS projected that, given current costs, G4S's costs for running the program would exceed the allocation once fully operational. DBHDS staff directed G4S to develop a plan for FY21 that would meet the allocated budget amount in the coming year. The challenge with running a 24/7 operation is that staff are paid to wait to be dispatched. G4S has submitted a plan that would adjust their staffing patterns to better regulate how they staff for peak demand times and reduce costs at times when transport requests are lower. While it is hoped that this cost saving measure will alleviate budget concerns, this will remain a focus as G4S completes infrastructure and builds capacity in the coming year.

Successes:

- G4S has successfully built capacity and is working towards meeting the goal of providing services statewide, on time, and as required by their contract with DBHDS. Feedback

from individuals using the service and from stakeholders where utilization is higher has been positive.

- To date, the program has saved law enforcement over 1,945 hours which they would previously have spent on the road doing mental health transports but are now able to be in their communities.
- G4S continued full operations during the COVID pandemic and continues to transport individuals as needed.
- G4S developed a data gathering tool through the use of SmartSheets which allows DBHDS to gather real-time data on transports and generate reports for monitoring utilization.
- DBHDS staff has developed Quality Assurance Councils in each DBHDS Region that is operational. These Councils review data on a monthly basis, troubleshoot problem areas, and make recommendations to the G4S program and monitor program quality. Participation in the regional councils has been excellent with all stakeholders engaged including law enforcement, magistrates, hospitals, and CSBs.

DBHDS is pleased to be able to provide individuals with this more recovery-oriented form of transportation in the midst of crisis and looks forward to the continued build-up of the program statewide.