



COMMONWEALTH OF VIRGINIA

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CRAIG BURNS
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January 5, 2024

Laura Wilborn
Information Specialist
Division of Legislative Automated Systems (DLAS)
900 E. Main Street
Pocahontas Building, Suite W528
Richmond, VA 23219
Attention: Legislative Documents and Reports Processing

Dear Ms. Wilborn,

The Compensation Board presents a PDF document to the Division of Legislative Automated Systems (DLAS): 2023 Progress Report on the Implementation of Funding for Behavioral Health Case Management in Local and Regional Jails (12 pages). The 2023 Progress Report is also available on our website at <https://www.scb.virginia.gov/docs/2023BHCMreport.pdf>.

The statutory mandate for this report document is Chapter 2, Item 72, Paragraph P. of the 2022 Virginia Acts of Assembly, Special Session I.

Please contact me for questions on this report. My phone number and email address are 804-225-3439 and robyn.desocio@scb.virginia.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robyn M. de Socio".

Robyn M. de Socio
Executive Secretary
Compensation Board

cc: Jeffrey Palmore, Chairman, Compensation Board (w/o enclosure)
Staci Henshaw, Ex-Officio Member, Compensation Board (w/o enclosure)
Craig Burns, Ex-Officio Member, Compensation Board (w/o enclosure)
Mark Pellett, Financial and Management Analyst, Compensation Board (w/o enclosure)

Progress Report

Implementation of Funding for Behavioral Health Case Management in Local and Regional Jails

Compensation Board

102 Governor Street, Richmond, Virginia 23219

www.scb.virginia.gov

November 1, 2023

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Introduction

The Compensation Board is pleased to present this report summarizing the implementation of positions and funding for Behavioral Health Case Management in local and regional jails in Virginia in FY23.

In the 2022 Special Session I of the General Assembly, positions and funding were appropriated to the Compensation Board for allocation across Virginia's local and regional jails during FY23. Authorizing language for the funding also required a progress report to be submitted regarding allocation and use of the positions. As the content requested for the report dovetails with the work the Compensation Board already completes each year in gathering data and reporting on the incidence and treatment of mental illness in jails in Virginia, the compilation of data for the two reports was handled simultaneously; additional requests for data were added to the Compensation Board's annual jail mental health survey for the purposes of providing the requested progress survey. The mental health survey was provided to jails for completion in the summer of 2023 for activities through the end of FY23.

Further, in order to report on the progress of implementation of positions and funding across jails for behavioral health case management, results from the mental health survey were incorporated as a new section of the annual Mental Illness in Jails Report. Incorporating these results into the annual report will eliminate the need to require future separate progress reports on behavioral health case management. To complete the 2023 reporting requirement, excerpts from the 2023 Mental Illness in Jails Report are included in this report. The full 2023 Mental Illness in Jails Report (as well as prior annual reports) is available on the Compensation Board's website in the Publications section.

The Compensation Board would like to thank the Sheriffs, Regional Jail Superintendents, and all jail staff involved in the collection and reporting of the data requested in the 2023 Mental Health Survey, including the added sections regarding the implementation of behavioral health case management and medical positions. The Board and Staff are thankful for the cooperation and efforts of jail leadership and staff in this reporting process.

Questions or comments regarding this report should be directed to Robyn de Socio, Executive Secretary for the Compensation Board, at (804) 225-3439 or via e-mail at robyn.desocio@scb.virginia.gov.

Authority

Chapter 2, Item 72, paragraph P. (2022 Special Session I Virginia Acts of Assembly)

“P. Out of the amounts appropriated in this item, \$7,332,246 the first year and \$9,835,820 the second year from the general fund is provided for additional behavioral health case managers and medical treatment positions in local and regional jails. The Compensation Board shall provide a progress report on the implementation of these positions, including but not limited to the amount of funding allocated to each jail and how the jail utilized the funding, behavioral health screening and assessment of individuals committed to local correctional facilities, the type of mental health services provided, the number of individuals with serious mental illness assessed as requiring behavioral health services who (i) needed and (ii) received discharge planning upon release from the local correctional facility, and barriers to implementing the initiative. A progress report shall be submitted to the Governor, the Secretary of Administration, the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, and the Director, Department of Planning and Budget, on or before November 1, 2022 and November 1, 2023.”

BHCM and PMED Positions Funded

Every year, jails report that housing mentally ill offenders creates unique challenges. To assist in addressing those challenges, the 2022 Special Session I of the General Assembly appropriated \$17 million in additional funding to the Compensation Board for behavioral health case managers and partially-funded medical and treatment positions in local and regional jails. As a result of this appropriation (\$7,332,246 in FY23 and \$9,835,820 in FY24) 127 new partially-funded medical positions and 125 new behavioral health case manager positions were allocated to jails in FY23. Positions designated for medical and treatment services in jails by the Compensation Board are established under a shared funding mechanism, where 2/3 of the designated Compensation Board salary is payable by the Compensation Board, and the local government/regional jail is required to pay the remaining 1/3 of the salary amount. Consequently, such positions are designated with the term “partially-funded”. Positions allocated for behavioral health case management were not established under this shared funding mechanism (although local governments and jails may still provide local salary supplements to increase salary levels).

Funding was appropriated based on the cost to provide 50% of the total number of positions due according to Compensation Board staffing standards established for these position types, with half of the funded positions allocated on 8/1/22 and the remainder on 1/1/23. Position allocation to each jail was based on current Compensation Board staffing standard methodologies.

The number of BHCM (behavioral health case management) positions due in each jail is based on a ratio of 1 position per every 160 inmates of ADP, with a minimum of 1 position in each jail. This was a new standard, not previously funded, established as recommended in a report prepared by the Department of Criminal Justice Services (in conjunction with the Compensation Board and DBHDS) in July, 2021, estimating costs to meet minimum standards proposed by the Board of Local and Regional Jails for mental and behavioral health services in Virginia jails (a link to the report may be found here: <https://rga.lis.virginia.gov/Published/2021/RD292/PDF>).

The number of PMED (partially-funded medical) positions due in each jail is based on a ratio of 1 partially-funded position per every 25 inmates of ADP or Board of Local and Regional Jails (BLRJ) rated capacity, whichever is greater. This staffing standard is not new, but many of the positions due for this function had not previously been funded. In the interest of ensuring jails had minimum staffing allocated for the existing standard for medical and treatment positions, new positions were allocated in jails where the standard was not previously funded.

A list of the number of BHCM and PMED positions and funding allocated to each jail in FY23 is as follows:

| Jail | Jail Name | BHCM Positions Allocated 8/1/2022 | BHCM Positions Allocated 1/1/2023 | BHCM Salary Allocated | PMED Positions Allocated 8/1/2022 | PMED Positions Allocated 1/1/2023 | PMED Salary Allocated | FY23 Total Cost |
|------|---|-----------------------------------|-----------------------------------|-----------------------|-----------------------------------|-----------------------------------|-----------------------|-----------------|
| 001 | Accomack County Jail | 0 | 1 | \$52,500 | 1 | 0 | \$22,509 | \$44,720 |
| 003 | Albemarle-Charlottesville Regional Jail | 1 | 1 | \$52,500 | 0 | 1 | \$22,509 | \$82,549 |
| 005 | Alleghany Regional Jail | 0 | 1 | \$52,500 | 1 | 0 | \$22,509 | \$44,720 |
| 013 | Arlington County Jail | 1 | 0 | \$52,500 | 0 | 0 | \$0 | \$48,151 |
| 023 | Botetourt-Craig Reg Jail | 1 | 0 | \$52,500 | 0 | 0 | \$0 | \$48,151 |
| 037 | Charlotte County Jail | 0 | 1 | \$52,500 | 1 | 0 | \$22,509 | \$44,720 |
| 041 | Chesterfield County Jail | 1 | 1 | \$52,500 | 0 | 1 | \$22,509 | \$82,549 |
| 047 | Culpeper County Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 059 | Fairfax County Jail | 2 | 1 | \$52,500 | 0 | 0 | \$0 | \$120,378 |
| 061 | Fauquier County Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 067 | Franklin County Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 069 | Northwestern Regional Jail | 2 | 1 | \$52,500 | 2 | 4 | \$22,509 | \$202,956 |
| 073 | Gloucester County Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 087 | Henrico County Jail | 3 | 2 | \$52,500 | 14 | 4 | \$22,509 | \$522,917 |
| 089 | Henry County Jail | 1 | 1 | \$52,500 | 0 | 0 | \$0 | \$72,227 |
| 103 | Lancaster County Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 107 | Loudoun County Jail | 1 | 0 | \$52,500 | 5 | 2 | \$22,509 | \$172,018 |
| 119 | Middle Peninsula Reg Jail | 1 | 0 | \$52,500 | 0 | 0 | \$0 | \$48,151 |
| 121 | Montgomery County Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 131 | Eastern Shore Reg Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 135 | Piedmont Regional Jail | 1 | 1 | \$52,500 | 2 | 1 | \$22,509 | \$123,838 |
| 137 | Central Va Reg Jail | 1 | 1 | \$52,500 | 0 | 0 | \$0 | \$72,227 |
| 139 | Page County Jail | 0 | 1 | \$52,500 | 2 | 0 | \$22,509 | \$65,365 |
| 141 | Patrick County Jail | 0 | 1 | \$52,500 | 1 | 1 | \$22,509 | \$55,042 |
| 143 | Pittsylvania County Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 153 | Prince William-Man Reg Jail | 2 | 1 | \$52,500 | 0 | 0 | \$0 | \$120,378 |
| 161 | Roanoke County Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 163 | Rockbridge Reg Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 165 | Rockingham-Harrisonburg Reg Jail | 1 | 1 | \$52,500 | 5 | 1 | \$22,509 | \$185,772 |

| Jail | Jail Name | BHCM Positions Allocated 8/1/2022 | BHCM Positions Allocated 1/1/2023 | BHCM Salary Allocated | PMED Positions Allocated 8/1/2022 | PMED Positions Allocated 1/1/2023 | PMED Salary Allocated | FY23 Total Cost |
|--------------|----------------------------------|-----------------------------------|-----------------------------------|-----------------------|-----------------------------------|-----------------------------------|-----------------------|--------------------|
| 175 | Southampton County Jail | 0 | 1 | \$52,500 | 1 | 1 | \$22,509 | \$55,042 |
| 183 | Sussex County Jail | 0 | 1 | \$52,500 | 2 | 0 | \$22,509 | \$65,365 |
| 193 | Northern Neck Reg Jail | 1 | 0 | \$52,500 | 2 | 2 | \$22,509 | \$110,085 |
| 460 | Pamunkey Reg Jail | 1 | 1 | \$52,500 | 0 | 0 | \$0 | \$72,227 |
| 465 | Riverside Reg Jail | 3 | 2 | \$52,500 | 0 | 5 | \$22,509 | \$244,216 |
| 470 | Virginia Peninsula Regional | 1 | 1 | \$52,500 | 0 | 2 | \$22,509 | \$92,871 |
| 475 | Hampton Roads Reg Jail | 1 | 1 | \$52,500 | 0 | 0 | \$0 | \$72,227 |
| 480 | New River Regional Jail | 2 | 2 | \$52,500 | 5 | 6 | \$22,509 | \$309,610 |
| 485 | Blue Ridge Regional Jail | 3 | 3 | \$52,500 | 0 | 3 | \$22,509 | \$247,647 |
| 491 | Southside Regional Jail | 1 | 0 | \$52,500 | 3 | 1 | \$22,509 | \$120,407 |
| 492 | Southwest Virginia Regional Jail | 4 | 4 | \$52,500 | 4 | 8 | \$22,509 | \$454,064 |
| 493 | Middle River Regional Jail | 2 | 2 | \$52,500 | 5 | 5 | \$22,509 | \$299,288 |
| 494 | Western Virginia Regional Jail | 2 | 2 | \$52,500 | 3 | 4 | \$22,509 | \$247,676 |
| 495 | Meherrin River Reg Jail | 1 | 1 | \$52,500 | 0 | 0 | \$0 | \$72,227 |
| 496 | RSW Reg Jail | 1 | 1 | \$52,500 | 0 | 0 | \$0 | \$72,227 |
| 510 | Alexandria City Jail | 0 | 1 | \$52,500 | 0 | 0 | \$0 | \$24,076 |
| 550 | Chesapeake City Jail | 3 | 2 | \$52,500 | 0 | 0 | \$0 | \$192,605 |
| 590 | Danville City Jail | 1 | 0 | \$52,500 | 1 | 1 | \$22,509 | \$79,118 |
| 620 | Western Tidewater Reg Jail | 2 | 1 | \$52,500 | 0 | 0 | \$0 | \$120,378 |
| 630 | Rappahannock Reg Jail | 3 | 3 | \$52,500 | 0 | 5 | \$22,509 | \$268,292 |
| 650 | Hampton City Jail | 1 | 0 | \$52,500 | 0 | 0 | \$0 | \$48,151 |
| 690 | Martinsville City Jail | 1 | 0 | \$52,500 | 0 | 0 | \$0 | \$48,151 |
| 700 | Newport News City Jail | 1 | 1 | \$52,500 | 0 | 0 | \$0 | \$72,227 |
| 710 | Norfolk City Jail | 2 | 2 | \$52,500 | 0 | 0 | \$0 | \$144,454 |
| 740 | Portsmouth City Jail | 1 | 0 | \$52,500 | 0 | 0 | \$0 | \$48,151 |
| 760 | Richmond City Jail | 2 | 1 | \$52,500 | 0 | 0 | \$0 | \$120,378 |
| 770 | Roanoke City Jail | 1 | 1 | \$52,500 | 0 | 0 | \$0 | \$72,227 |
| 810 | Virginia Beach Jail Jail | 3 | 2 | \$52,500 | 4 | 5 | \$22,509 | \$326,794 |
| Total | | 63 | 62 | | 64 | 63 | | \$6,497,768 |

Note that the FY23 appropriation for this funding initiative exceeded FY23 cost by \$834,478 and the FY24 appropriation is insufficient to fund annualized costs of positions funded in FY23 for a partial year by \$1,269,332.

In 2023 questions were added to the Mental Illness in Jails survey to collect data related to the use of the new positions, as well as any possible barriers to implementation.

BHCM Positions

Of the 58 local and regional jails, at least one BHCM position was allocated to each jail.

- 9 of 49 reporting jails have hired for All of Them
- 6 of 49 reporting jails have hired for Some of Them
- 34 of 49 reporting jails have hired for None of Them

Of the jails who have not filled their BHCM positions,

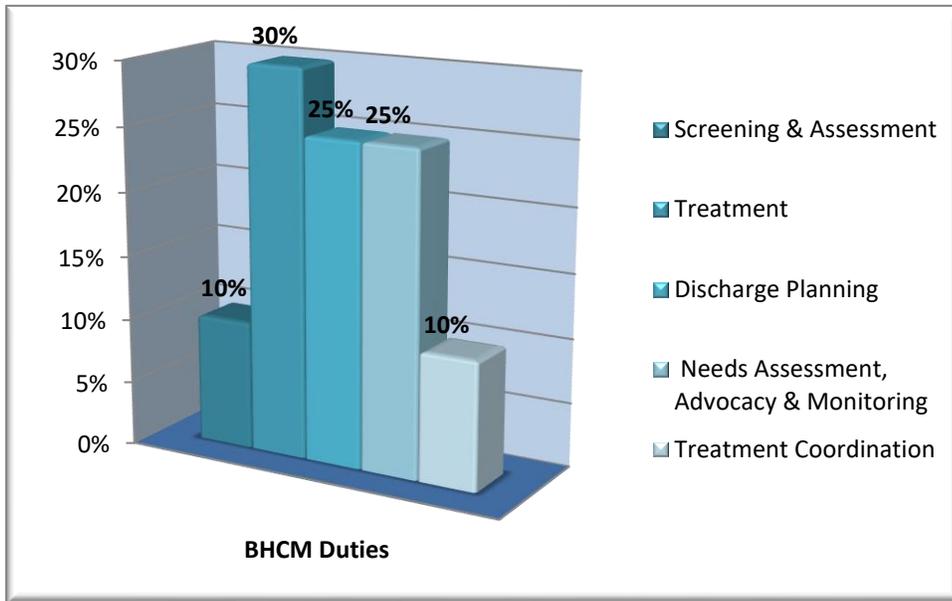
- 10 jails reported it is because funds are used to cover the cost of a medical services contract where the BHCM responsibilities are provided under the contract.
- 5 jails reported it is because those funds are used to pay the salary of a Community Services Board (CSB) employee working full time within the jail to provide services.
- 15 jails reported it is due to lack of availability of qualified professionals seeking employment in a medical capacity
- 15 jails reported that the positions were not hired due to other reasons

(note individual jails may have provided more than one response)

The Compensation Board does not provide job descriptions for positions in local and regional jails, as classification levels and duty assignments are the responsibility of the elected Sheriff or appointed Superintendent. Depending upon region, average daily jail population, total jail staff and other factors, the duties of a position in a particular classification, such as PMED or BHCM, may vary. However, in the July, 2021 report estimating costs to meet minimum standards for mental and behavioral health services in jails, the recommendation for staffing included behavioral health case managers with direct responsibility for overseeing discharge planning among other elements of effective case management (QMHPs or individuals otherwise qualified to provide mental and behavioral health case management).

Figure 1 reflects the basic BHCM job duties reported by jails who have filled their new BHCM position(s) or intend to fill them soon.

Figure 1: Job Duties of BHCM Positions Allocated in FY23



Some jails who have contracted with an outside provider (private or CSB) for mental/behavioral health treatment have opted to use funds from the newly allocated positions toward those contracts to provide behavioral health case management services. Transfer of funds for such use would require jails to request approval from the Compensation Board annually. The Compensation Board may approve an annual transfer of the salary funds from these positions to another budget category to reimburse the contracted expenses.

Of the jails that maintain a private contract for mental/behavioral health, ten (10) reported that the number of employees and/or hours of mental/behavioral health treatment from their contractor have been increased since the additional positions (budgeted funds) were allocated to their jail. No jails have reported that their locality has reduced local funding allocated to mental/behavioral health at this time as a result of the allocation of additional state funds.

Of the jails that contract with their local CSB for mental/behavioral health, four (4) reported that the number of employees and/or hours of mental/behavioral health treatment from the CSB have been increased since the additional positions (budgeted funds) were allocated to their jail. No jails have reported that their locality has reduced local funding allocated to mental/behavioral health at this time as a result of the allocation of additional state funds.

Fourteen (14) jails also reported having mental/behavioral health staff in their jail funded by a grant, for a total of thirty-five (35) grant funded mental/behavioral health staff members.

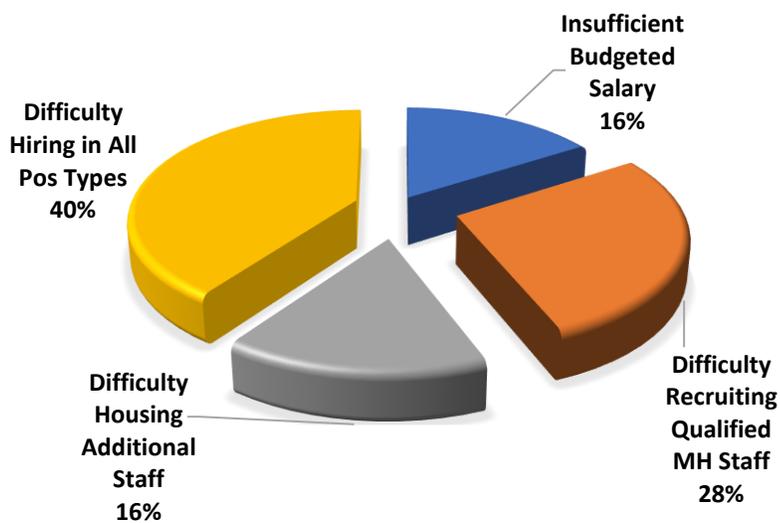
Of the jails with grant funded positions, the sources identified are shown in Figure 2 below.

Figure 2: Number of Jails with Grant-funded Mental/Behavioral Health Positions by Source of Grant Funding

| | |
|-----------------------------------|---|
| DBHDS Forensic Discharge Planning | 6 |
| Federal | 2 |
| DCJS | 6 |

For Sheriffs/Superintendents who wish to direct-hire into these new positions in lieu of transferring funds to fund a medical services contract, but experienced difficulties doing so, the barriers to hiring reported are shown in Figure 3.

Figure 3: Reasons for Difficulty in Hiring BHCM



Fourteen (14) jails reported that they are able to offer additional services since receiving one or more BHCM positions. Examples of new services provided are: additional re-entry services that allow staff to follow clients into the community; supervision of other clinicians; supervised peer counseling; discharge planning; group counseling; medication assisted treatment (MAT) services.

Fifteen (15) jails reported that they have been able to improve existing services since receiving one or more BHCM positions. Examples of improvements to existing services are: expediency of evaluation and treatment; expansion of re-entry services to a larger subset of the jail population; greater scope and efficiency of discharge planning; stronger provider-patient communication with seriously mentally ill inmates; expansion of Opioid Use Disorder (OUD) services; increase in amount of QMHP availability, particularly during usual off-hours.

Additional explanation for barriers to hiring for BHCM positions provided are: budgeted salary is low, without a salary supplement from the locality hiring would be difficult; limited physical space for housing/treating MI inmates; lack of qualified mental/behavioral health professionals willing to work in a correctional setting; rural location; competing with nearby jurisdictions for qualified professionals.

The only barrier to implementation of additional services reported this year was in regard to discharge planning. One jail reported difficulty in identifying release dates in order to execute robust discharge planning due to the fluidity of the LR jail population and the need to wait for release date notification from DOC in the case of the SR jail population.

PMED Positions

Of the 58 local and regional jails, at least one additional PMED position was allocated to 26 of them. Jails who did not receive any PMED positions were not found to be due additional positions in accordance with the staffing standards methodology.

Of the 26 jails who received one or more additional PMED positions,

- 1 jail has hired for All of Them
- 1 jail has hired for Some of Them
- 24 jails have hired for None of Them

For the jails who have received a PMED position that remains unfilled

- 9 jails reported it is because funds are used to pay for services through the cost of a medical services contract
- 11 jails reported it is due to lack of availability of qualified professionals seeking employment in a medical capacity
- 5 jails reported it is due to an insufficient budgeted salary
- 14 jails reported that the positions were not hired due to other reasons
(note individual jails may have provided more than one response)

Ten jails reported that the number of employees and/or hours of medical treatment from their medical contractor have been increased since the additional PMED positions (budgeted funds) were allocated to their jail. No jails have reported that their locality has reduced local funding at this time as a result of the allocation of additional state funds.

Note that some jails may have provided more than one explanation for unfilled new positions; note also that the Culpeper County Jail did not respond to survey questions regarding the use of new positions.

Further Information

Language directing the progress report also seeks information regarding behavioral health screening and assessment of individuals committed to local correctional facilities, individuals with serious mental illness assessed as requiring behavioral health services, and the types of mental health services provided. The Compensation Board's 2023 Mental Illness in Jails Report covers these areas extensively for the same time period as this report, was prepared in conjunction with this progress report, and can be found under the Publications section of the Compensation Board's website, under the Jails heading at <https://www.scb.virginia.gov/reports.cfm>.