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Bryan Introduces Legislation Aimed at Reforming the USVI's Mental Health System

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Homeless Man in the Sunny Isle area on St. Croix. By. KAREEM ALEXANDER FOR VI CONSORTIUM

Governor Albert Bryan has submitted legislation to the 33rd Legislature to overhaul and reform the territory's mental health system with sweeping changes that address gaps in services to residents who suffer from behavioral health challenges, mental health disorders, developmental disabilities, alcoholism and drug addiction, Government House made known Thursday.

The legislation, called the Virgin Islands Behavioral Health and Developmental Disability Act, would establish the territory's first behavioral health, mental health, developmental disability and alcohol and substance abuse facility, the administration said.

The Act will also allow for interdepartmental coordination between the court, government agencies, private and public facilities, health professionals and non-profit organizations to address Virgin Islanders' mental health needs through the creation and expansion of new divisions, programs, treatments and patient rights policies.

According to the administration, cross-agency coordination will facilitate, establish and expand:

- Residential psychiatric facilities
- Community-based crisis services
- Inpatient and outpatient behavioral health services with case management
- Medication-assisted treatment and associated recovery support
- Detoxification services
- Affordable supportive housing

“I’m proud to submit this legislation, which is long overdue, so Virgin Islands residents who have mental illnesses or developmental disabilities and those in the community who suffer from alcoholism and drug addiction can get proper support,” Mr. Bryan said. “There is a pressing need in our community for these services that became even more pronounced in the wake of Hurricanes Irma and Maria. We must address this problem immediately. It can wait no longer”

The territory's leader said the current mental health provisions are scattered throughout the V.I. Code and date back to 1965.

“This comprehensive bill is an effort to restructure all behavioral and developmental disabilities provision into a cohesive structure in one place,” he said.

According to Government House, a key component of the legislation calls for the establishment of at least one mental health and developmental disability facility. The director of the facility would be appointed by the governor, and the position would be partially supported by funds from the Casino Revenue Fund, with 15 percent going to hospitals and health, 1 percent for gambling education programs and 5 percent for the University of the Virgin Islands.

Another key component to the modernization and reform of the current system, the administration said, is the use of telemedicine and telepsychology. The Act enables the use of psychological services via electronic transmission, such as telephone, email, Internet, etc., to facilitate diagnosis and treatment when local professionals are not available. The legislation also sets out the requirements for licensing and regulation of practitioners of telemedicine and telepsychology services.

The Act also mandates the formation of the Behavioral Health Council of the Virgin Islands, a citizens advisory board comprising seven members and development of an enforceable set of standards for public and private treatment facilities.

Government House said the administration and development of the reformed mental health system falls primarily under the management of the Virgin Islands health commissioner, and the Dept. of Health will closely coordinate program development with the Department of Education, Bureau of Corrections, Virgin Islands Police Department, Judiciary, Department of Human Services and other relevant departments or agencies.

A Division of Behavioral Health, Mental Health, Developmental Disability, Alcoholism and Drug Dependency Services would be created within the Department of Health and overseen by a director required to be a licensed medical practitioner in the field of behavioral health or mental health or a qualified professional who has had a minimum of five years training and experience in relevant social-medical problems and treatment services.

The Act would also establish community service networks to coordinate and ensure continuity of care; establish a crisis intervention program and crisis intervention team; provide for protective custody for persons who may be a danger to themselves or others; provide behavioral health training for first-responders and education personnel; and actively participate in competency hearings and other judicial proceedings and criminal issues relating to persons with behavioral and mental health problems.

Additionally, the Act sets enforceable rules, procedures and policies governing all aspects of the treatment of behavioral health problems, developmental disability issues, alcoholism and drug dependency, including but not limited to voluntary and involuntary commitment; progressive treatment programs; patient care and patients' rights, including for children and young adults; hospitalization outside the territory and transfers to other facilities; and the use of medication.

"I am calling on the 33rd Legislature to act swiftly to enact this legislation, which will overhaul reform and modernize the piecemeal system that exists now into a coordinated and comprehensive mental health care system," Mr. Bryan said. "The current system is failing and neglecting some of our most vulnerable residents, and it is time for that to change."