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Governor Bryan Resubmits Landmark Behavioral Health Legislation

U.S. VIRGIN ISLANDS — During Monday's weekly briefing on June 6, Governor Albert Bryan Jr. announced that he has a resubmitted a revised version of his landmark Behavioral Health legislation after making a number of changes to his original proposal based on input from Territory stakeholders, including the 34th Legislature; the Departments of Health; the Department of Human Services; the Judicial System; the V.I. Police Department and public sector organizations.

"Commissioner Encarnacion and I have been working for the last two years to adopt comprehensive legislation to address those individuals experiencing behavioral health challenges and mental health disorders in our community. I am pleased to announce that through collaboration with Senator Novelle Francis Jr., a joint legislative and executive working group, and the input of other critical community stakeholders, we have developed a legislative proposal that will go a far way towards modernizing our approach to behavioral health in the territory," Governor Bryan said Monday.

The proposed legislation is a sweeping overhaul of the many laws scattered throughout the V.I. Code under a comprehensive and overarching Behavioral Health Act to streamline the numerous government agencies, the Judicial System, the private sector and the non-profits.

The proposed legislation, which Governor Bryan first submitted to the 33rd Legislature in mid-January 2020, addresses gaps in services to children and adults who suffer from behavioral health challenges, mental health disorders, developmental disabilities and alcoholism and drug addiction.

The Behavioral Health Act also would establish the USVI's first behavioral health, mental health, developmental disability and alcohol and substance abuse facility.

The proposed measure modernizes the government's approaches to:

- Voluntary treatment of persons suffering from behavioral health challenges
- Involuntary commitment of persons diagnosed with behavioral health challenges
- Determination of mental competency to stand trial
- Commitment and rehabilitation of individuals suffering from substance abuse disorders

The Governor's proposed legislation also codifies the establishment of a crisis intervention program; a crisis intervention team; a behavioral health council; and an interdepartmental coordinating committee.

Under the proposed measure, a Division of Behavioral Health, Mental Health, Developmental Disability, Alcoholism and Drug Dependency Services will 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 proposed legislation also establishes 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.

The Behavioral Health reform is a part of Governor Bryan's "Healthier Horizons" Initiative, which he announced in 2019 and is built on a foundation of three tenets – increasing access to healthcare; modernizing the delivery of health services to residents; and facilitating the rebuilding of the Territory's healthcare infrastructure.

The Bryan-Roach Administration is investing in the Territory's people, infrastructure and future through transparency, stabilizing the economy, restoring trust in the government and ensuring that recovery projects are completed as quickly as possible. Visit transparency.vi.gov

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