



COMMONWEALTH OF VIRGINIA

Commission on Youth



Discharge Planning from Inpatient Treatment to a Public School



Will Egen

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- The Commission on Youth shall review current discharge planning sharing options in Virginia between inpatient facilities and elementary and secondary public schools. The Commission shall consider Senate Bill 1143 (Obenshain) and the concepts it addresses and make recommendations for the 2026 Session of the General Assembly.



- Identified Virginia statutes, regulations, and practices on inpatient discharge planning and information sharing with public schools.
- Reviewed Virginia Psychiatric Treatment of Minors Act.
- Researched other states and federal laws and regulations on the disclosure of private medical information to outside entities including schools.
- Analyzed legislative history of SB 575/ HB 1017 (2024) and SB 1143/HB 2353 (2025).
- Met with staff from Division of Legislative Services to discuss the drafting process of prior legislation.
- Interviewed Stakeholders.



- Legal Aid Justice Center
- Harrisonburg City Public Schools
- Inova Hospitals
- Virginia Association of Community Services Boards (VACSB)
- Virginia Department of Education
- Virginia Hospital and Healthcare Association (VHHA)
- Virginia School Counselors Association (VSCA)



Senate Bill 1143 (2025) sought to add the following language to §§ 16.1-346.1 and 37.2-505 of the *Code of Virginia*:

- If the minor is a student at a public elementary or secondary school and the facility deems that (i) the discharge of such minor poses a threat of violence or physical harm to self or others or (ii) additional educational services are needed, the portions of the discharge plan related to the threat of violence or physical harm or additional educational services shall be provided to the school's mental health professional or school counselor upon the completion of the discharge plan.



Senate Bill 1143 (2025) sought to add the following language to §§ 16.1-346.1 and 37.2-505 of the *Code of Virginia*:

- Prior to providing any portion of any discharge plan to a school's mental health professional or school counselor in accordance with the provisions of this subsection, each facility shall provide reasonable notice to the parent of such minor student of (a) the type of information that would be included as a part of any portion of the discharge plan provided pursuant to this subsection; (b) the right of the parent to refuse (1) the inclusion of any types of information in any portions of the discharge plan provided pursuant to this subsection or (2) the provision of any or all parts of the discharge plan; and (c) the period of time within which the parent shall provide written notice to the facility of any types of information or portion of the discharge plan the provision of which he refuses to allow in accordance with clause (b).



- A mental health **facility** means a state or licensed hospital, training center, psychiatric hospital, or other type of residential or outpatient mental health or developmental services facility.
- Acute **inpatient care** for mental health treatment needs occurs at a public or private acute care psychiatric unit of a hospital or free-standing psychiatric hospital. Substance abuse detox or substance abuse residential treatment can occur here.
- A **discharge plan** means the written plan that establishes the criteria for an individual's discharge from a service and identifies and coordinates delivery of any services needed after discharge.

Discharge Planning Overview – Code Sections



- The current role of discharge planning as it relates to minors is found in the *Code of Virginia* § 16.1-346.1 as part of the Psychiatric Treatment of Minors Act. This section states that the plan shall, at a minimum, specify the services required by the released minor in the community to meet his needs for treatment, housing, nutrition, physical care, and safety.
- A separate section, § 37.2-505 describes the role of the community services boards in discharge planning as it relates to state hospitals.
 - The Commonwealth Center for Children & Adolescents (CCCA) is presently the only state mental health facility for children.
- *Code of Virginia* § 37.2-505 states that “the plan shall include the mental health, developmental, substance abuse, social, educational, medical, employment, housing, legal, advocacy, transportation, and other services that the individual will need upon discharge into the community and identify the public or private agencies that have agreed to provide these services.”



Code of Virginia § 16.1-346.1 Discharge plan.

- Prior to discharge of any minor from an inpatient facility, a discharge plan shall be formulated, provided and explained to the minor.
- Copies shall be sent to
 - The minor's parents; or
 - The director or designee of the local department of social services if the minor is in the custody of the local department of social services; or
 - The minor's parents; and
 - a. If the minor is to be housed in a detention home, to the court in which the petition was filed and the facility superintendent.
 - b. If the minor is in custody of the local department of social services, to the department.
- A copy shall be provided, upon request, to the minor's attorney and guardian ad litem.



Code of Virginia § 16.1-346.1 Discharge plan.

- The plan shall, at a minimum,
 - i. Specify the services required by the released minor in the community to meet his needs for treatment, housing, nutrition, physical care, and safety;
 - ii. Specify any income subsidies for which the minor is eligible;
 - iii. Identify all local and state agencies which will be involved in providing treatment and support to the minor;
 - iv. Specify services which would be appropriate for the minor's treatment and support in the community but which are currently unavailable.



Code of Virginia § 37.2-505 Coordination of services for preadmission screening and discharge planning.

- The community services board is responsible for providing, in consultation with the appropriate state hospital, discharge planning for any individual who, prior to admission, resided in city or county served by the community services board.
- The discharge plan shall be completed prior to discharge with the involvement and participation of the individual or their representative and must reflect the individual's preferences to the greatest extent possible.
- The plan shall include the mental health, developmental, substance abuse, social, educational, medical, employment, housing, legal, advocacy, transportation, and other services that the individual will need upon discharge into the community.
 - And identify the public or private agencies that have agreed to provide these services.



Senate Bill 575 (As Introduced in 2024) Compared with Senate Bill 1143 (2025)

Senate Bills Comparison



	Senate Bill 575 (Obenshain, 2024)	Senate Bill 1143 (Obenshain, 2025)
Purpose	To amend §§ 16.1-346.1 and 37.2-505 of the <i>Code of Virginia</i> regarding the provision of minor's inpatient discharge plans to include public schools.	To amend §§ 16.1-346.1 and 37.2-505 of the <i>Code of Virginia</i> regarding the provision of minor's inpatient discharge plans to include public schools with a more refined approach to sharing specific information from discharge plans.
Scope of Information Shared	Mandated that the entire discharge plan be provided to school officials.	Narrows the scope to only "the portions of the discharge plan related to the threat of violence or physical harm or additional educational services."

Senate Bills Comparison



	Senate Bill 575 (Obenshain, 2024)	Senate Bill 1143 (Obenshain, 2025)
Conditions for Sharing	The only stated condition was the minor being a student at a public elementary or secondary school.	Sharing is conditional upon the facility determining that “(i) the discharge of such minor poses a threat of violence or physical harm to self or others or (ii) additional educational services are needed.”
Recipient of Information	The discharge plan was to be provided to the “division superintendent and the division safety official.”	The relevant portions of the discharge plan are to be provided to the "school's mental health professional or school counselor."

Senate Bills Comparison



	Senate Bill 575 (Obenshain, 2024)	Senate Bill 1143 (Obenshain, 2025)
Timing of Information Sharing	The plan was to be provided “at least 48 hours prior to the discharge of such minor.”	The relevant portions of the plan are to be provided “upon completion of the discharge plan.”
Parental Notification of Rights	No provisions were included for parental notification or the right to refuse the sharing of information.	The facility must provide reasonable notice to the parent, informing them of the type of information to be shared and their right to refuse the inclusion of any or all information in the shared portions by providing written notice.

Mental Health Inpatient Psychiatric Service for Children and Adolescents in Virginia



Provider Name	Provider Number	Status	Service	Location Name	Location City	Location Zip	Region
Carilion Clinic Roanoke Memorial Hospital	039	Active	04-005	Roanoke Memorial Hospital	Roanoke	24014	Region 3 Southwest
Centra Health, Inc.	052	Active	04-005	VBH-Krise 6	Lynchburg	24503	Region 1 Western
Children's Hospital Of the King's Daughters, Incorporated	4380	Active	04-005	Children's Pavilion	Norfolk	23507	Region 5 Eastern
CJW Medical Center	959	Active	04-005	Child/Ado Inpatient Psy	Richmond	23225	Region 4 Central
Cumberland Hospital, LLC	549	Active	04-005	Inpatient Unit 7	New Kent	23124	Region 4 Central
Dominion Hospital	962	Active	04-005	Dominion Hospital	Falls Church	22044	Region 2 Northern
Inova Health Care Services	033	Active	04-005	Inova Fairfax Hospital	Falls Church	22042	Region 2 Northern
Inova Health Care Services	033	Active	04-005	Inova Mt. Vernon Hospital	Alexandria	22306	Region 2 Northern
Kempsville Center for Behavioral Health	2172	Active	04-005	Kempsville Center	Norfolk	23502	Region 5 Eastern
Mary Washington Hospital, Inc.	004	Active	04-005	Inpatient-Adolescent	Fredericksburg	22401	Region 1 Western
Newport News Behavioral Health Center	841	Active	04-005	Acute Care Unit	Newport News	23603	Region 5 Eastern
North Spring Behavioral Healthcare, INC.	2171	Active	04-005	North Spring Psychiatric Unit	Leesburg	22075	Region 2 Northern
Poplar Springs Hospital	986	Active	04-005	Poplar Springs- West Campus-Adolescent Acute Unit	Petersburg	23805	Region 4 Central
Riverside Mental Health & Recovery Center	2713	Active	04-005	Riverside Behavioral, Inc.	Hampton	23666	Region 5 Eastern
Virginia Commonwealth University Health System Authority	142	Active	04-005	VTCC Inpatient Unit	Richmond	23220	Region 4 Central

- In addition to these private providers, Virginia has one state operated mental health facility: Commonwealth Center for Children & Adolescents (CCCA) in Staunton.
- These facilities are the entities that would have been impacted by SB 1143.



- Promote planning, communication, and support for additional educational services that are needed for the student post discharge. Especially helpful when a student is new to the school.
- Facilitate the smooth transition for student back to the school environment.
- Creates safety and awareness at the school by ensuring that a student who may pose a threat of violence or physical harm to self or others does not “fall through the cracks.”
- Allows parents’ input.



- If a minor is still deemed at risk to themselves or others they would not be let out of the facility.
- Concern that information from the plan may be further disseminated past original recipients and that information will be “used against the child.”
- Unaware of any others states that have similar provisions in their laws.
- Potential legal and administrative burden to hospitals and schools.
- Do schools actually have the ability to provide additional care or services?



Article published in *School Mental Health* identified nine steps for successful school reintegration after psychiatric hospitalization:

- (1) promptly addressing reintegration,
- (2) evaluating students' needs during the hospitalization,
- (3) providing academic and psychosocial supports,
- (4) ensuring school leadership in coordinating a school re-entry plan,
- (5) evaluating the student's needs prior to their return,
- (6) developing a plan for re-entry,
- (7) intervening to address the social environment
- (8) intervening with family, and
- (9) complementing the plan with additional supports as needed.



- Department of Behavioral Health and Developmental Services hosted an online two-part school based mental health conversation in 2023.
- Attendees included school counselors and CSB/BHA clinicians and professionals.
- Focused on strategies schools can implement including, training and professional development and developing formal transition protocols and resources.

School Re-Entry Starts at Admission



Supporting Students Returning to School After Psychiatric Hospitalization Part One



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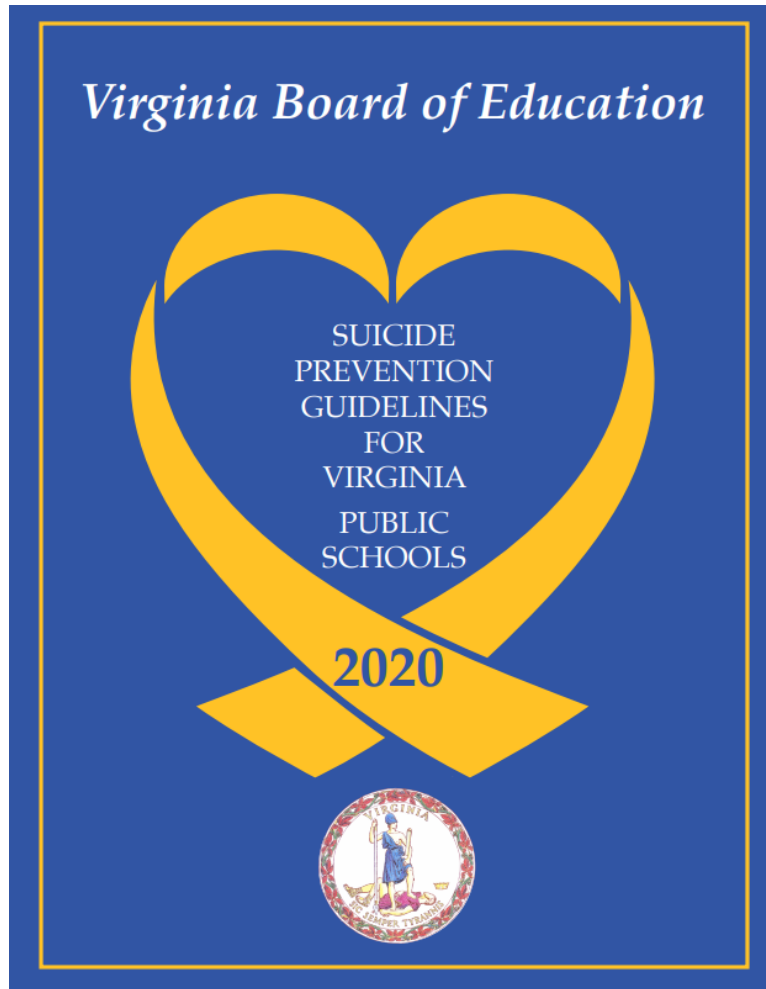


If they feel comfortable, have parents/guardians to sign a release of information so that school personnel and hospital staff can communicate regarding the hospitalization

Pro-tips:

- Schedule time to speak with hospital staff instead of cold calling
- If possible, communicating via email with quick questions may yield a faster response.

Suicide Intervention Guidelines, Example



- VDOE published suicide prevention guidelines in 2020. These guidelines focus on suicide prevention specifically and encourage larger scale prevention efforts that occur more broadly across a school.
- VDOE's website includes resources and sample forms, including a suicide risk assessment form.

Suicide Intervention Guidelines, Example



Some schools have adopted their own version of these guidelines.

- City of Alexandria: “If the student is returning after inpatient hospitalization: It is recommended that the parent/guardian provide a copy of the discharge summary from the hospital before the student reenters the school setting... In the event that the aforementioned documentation is not provided by a parent upon student re-entry and concerns about their safety continue another suicide risk screening shall be conducted.”
- Hampton City: “A Plan of Action shall be developed to provide a support system at school and help minimize stressors for the returning student... The student’s records may be made available at this meeting and a release of information shall be completed in order for the school to communicate with other service providers.”

Sample Return to Learn Support Plan

Date of Meeting:

Roles	Attendance
Student's Name	Is the student in attendance? ☐ Yes ☐ No
Parent(s), Guardian(s), or Family Member(s) in attendance:	
Assigned Case Manager:	
School Personnel in Attendance:	
Other:	

Updates:

Update on the student's status including any current mental health treatments or counseling:

Have the parent/guardians been offered the release of confidential information form to allow the school to communicate with outside mental health providers or doctors?

Are there any recommendations by outside mental health agency, therapist, doctor, etc.?

Assistance Planning:

Assistance plan for student:

Strategies and considerations for handling questions about the student's absence, missed work, communication with staff members not at the meeting.

Assistance plan for parents/guardians:

Referrals to community based teams or service providers:

Action Planning

After the meeting what needs to be done to ensure the plan is implemented?

Action/Task	Who is responsible:	Completion Date:

Follow-up Meeting Date:

Copy the signed form and give copies to the parent/guardian and case manager. The original should be maintained in a confidential location by the school; it should NOT be kept in the student's cumulative file.



Draft Recommendations



Recommendation 1: Amend the *Code of Virginia* §§ 16.1-346.1, 37.2-505, and 32.1-127.1:03 to direct mental health inpatient facilities to share portions of a minor's discharge plan with the school's mental health professional or school counselor at a public elementary or secondary school under the following circumstances:

Relevant portions of the discharge plan shall be shared only if the facility determines that (i) the minor requires additional educational services as included in the discharge plan, or (ii) the minor was originally admitted because the minor posed a threat of violence or physical harm to self or others.

This amendment shall include a provision that the facility shall provide reasonable notice to the parent of the minor prior to the release of such information. A parent may refuse disclosure of any or all portions of the discharge plan by providing written notice to the facility.

Include an enactment clause directing the Department of Education to create guidelines to place safeguards around proper use of the information obtained and to prevent further disclosure of the discharge plan beyond the purpose for which such disclosure was made.

(or)



Recommendation 2: Amend the *Code of Virginia* §§ 16.1-346.1, 37.2-505, and 32.1-127.1:03 to direct mental health inpatient facilities to notify the student's public elementary or secondary school prior to discharge from the facility if the facility determines that (i) the minor requires additional educational services as included in the discharge plan, or (ii) the minor was originally admitted because the minor posed a threat of violence or physical harm to self or others.

This amendment shall require the facility to give the parent of the minor reasonable advance notice before informing the school and allow the parent to decline such disclosure by submitting a written request to the facility.

Public schools that wish to request further information from the student's discharge plan to develop a support plan shall have guidelines in place for obtaining a written release from a parent.



- The Commission will be accepting written public comment through October 15.
- Directions for submitting public comment are posted on the Commission's website (<https://vcoy.virginia.gov>).
- The Commission will receive in person public comment and vote on draft recommendations at the October 21 Commission meeting, at 1:00 p.m. at the General Assembly Building.