

Draft Recommendations

Discharge Planning from Inpatient Treatment to a Public School

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.