



# TRANSPORTATION AGREEMENT

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*Presented by*

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October 15, 2019



**BUNCOMBE COUNTY**



# Senate Bill 630 (Session Law 2018-33)

- A 2018 Act Revising the Laws Pertaining to Involuntary Commitment (IVC) in order to Improve the Delivery of Behavioral Health Services in North Carolina
- IVC Laws provide for custody, transportation and evaluations for individuals identified as potentially having a mental illness or substance use disorder that may be a danger to themselves or others
- Previously optional, SB630 requires the governing body of a city or county to adopt a plan (transportation agreement) for the custody and transportation of respondents under involuntary commitment from one entity to another



# Requirements

- Law enforcement, local acute care hospitals, and mental health providers shall participate in developing the transportation agreement.
- This agreement may designate law enforcement officers, volunteers, or other public or private personnel to provide custody and transport for individuals undergoing involuntary commitment proceedings.
- The city has the duty to provide transportation of a respondent who is a resident of the city or who is physically taken into custody in the city limits. The county has the duty to provide transportation for a respondent who resides in the county outside of city limits or who is physically taken into custody outside of city limits. Cities and counties may contract with each other to provide transportation.



# Steps to Date

- **June 2019:** Area mental health agency/LME-MCO Vaya Health convened community partners around IVC Crisis Planning
- **July-August 2019:** Law enforcement and behavioral health representatives met to draft transportation agreement
- **August 2019:** Vaya Health released a draft Crisis Services Plan including a local recommendation to continue local practice in Buncombe County using law enforcement to IVC transportation
- **October 2019:** Buncombe County Memorandum of Transportation Agreement Drafted and ready for governing body adoption



# Draft Transportation Agreement

- Memorandum between the Buncombe County Sheriff's Office and local law enforcement agencies located within Buncombe County
- Formalizes local practices already in place related to the transport for IVCs
- Includes the need for transportation after a Magistrate issues an IVC order and after an initial evaluation, whether or not further treatment is needed
- Lists responsibilities for local law enforcement agencies to provide this transportation



# Other Parties: Local Police Departments

- A-B Tech
- Asheville
- Biltmore Forest
- Black Mountain
- Montreat
- NC Arboretum
- Weaverville
- Woodfin
- UNCA



# Next Steps

- Board of Commissioners approval of agreement
- Gather signatures from parties to the agreement
- Submit fully executed agreement to:

North Carolina Division of Mental Health/Developmental Disabilities & Substance Abuse Services; County Clerk of Court; and Vaya Health



# Recommended Motion

- Approve the Transportation Agreement

