

Virginia Continues to Unnecessarily Hospitalize Over 200 Virginians

NOTE: *The Virginia Department of Behavioral Health and Developmental Services (DBHDS) maintains an ongoing list of individuals in state psychiatric hospitals who are clinically ready to return home but cannot leave the hospital due to “extraordinary barriers” to discharge. dLCV is committed to keeping you informed about the status of the “Extraordinary Barriers to Discharge” list (EBL), as the existence of this list is an ongoing violation of these individuals’ legal and Constitutional rights to community-based care.*

DBHDS reports that as of February 2022, **208** individuals were on the Extraordinary Barriers to Discharge List (EBL). Twenty-six (26) individuals on the EBL have an ID/DD diagnosis. Some of these individuals have been waiting, needlessly, for months or even years to return home.

EBL SPOTLIGHT: Violating Rights

Each of these individuals were found by their treatment team to be Ready for Discharge (RFD). This means that they no longer require inpatient services and would be better served in the community.

Keeping individuals in a restrictive setting, such as a DBHS facility, when they do not need inpatient care is unnecessary and violates the individual’s human rights. More importantly, holding someone who is not a danger to themselves or others is both unconstitutional under federal law and illegal under state law.

By failing to discharge, DBHDS is violating the rights of over 200 people.

A state psychiatric hospital is NOT a home.

The Commonwealth must do better on behalf of our fellow citizens!