



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2021-1168      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 9/23/2021      **In control:** Metropolitan Council

**On agenda:** 10/5/2021      **Final action:** 10/5/2021

**Title:** A resolution approving a contract between the State of Tennessee, Department of Mental Health and Substance Abuse Services, and The Metropolitan Government of Nashville and Davidson County for establishing agreed rates for court ordered evaluations and treatment for defendants charged with misdemeanor crimes.

**Sponsors:** Burkley Allen, Kyonzte Toombs

**Indexes:**

**Code sections:**

**Attachments:** 1. RS2021-1168 Contract

Date	Ver.	Action By	Action	Result
10/6/2021	1	Mayor	approved	
10/5/2021	1	Metropolitan Council	adopted	
10/4/2021	1	Budget and Finance Committee	approved	

A resolution approving a contract between the State of Tennessee, Department of Mental Health and Substance Abuse Services, and The Metropolitan Government of Nashville and Davidson County for establishing agreed rates for court ordered evaluations and treatment for defendants charged with misdemeanor crimes.

WHEREAS, T.C.A. Title 33, Chapter 7, Part 3 authorizes general sessions judges to order a defendant charged with a misdemeanor crime to undergo outpatient or inpatient mental health evaluations and treatment; and,

WHEREAS, The Metropolitan Government is responsible for the payment of the direct costs of such evaluations and treatment conducted at the State’s Regional Mental Health Institutes; and,

WHEREAS, the attached agreement establishes reduced rates for the cost of the evaluations and treatment ordered by the court; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that this contract be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: That the contract, by and between the State of Tennessee, Department of Mental Health and Substance Abuse Services, and the Metropolitan Government of Nashville and Davidson County, establishing reduced rates for the evaluations and treatment of defendants charged with misdemeanors, a copy of which is attached hereto and incorporated herein, is hereby approved.

Section 2: That this resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution approves a contract between the Metropolitan Government and the Tennessee Department of Mental Health and Substance Abuse Services. Under Tenn. Code Ann. § 33-7-301, et seq., judges are authorized to order defendants charged with misdemeanors to undergo outpatient or inpatient mental health evaluations and treatment. When a General Sessions, Criminal, or Circuit Court orders such evaluation and treatment, the Metropolitan Government is responsible for the payment of the costs incurred at the State's Regional Mental Health Institutes.

This agreement outlines the services the State would provide and the cost for each service, which range between \$100 and \$900 per outpatient service and \$450 per day for inpatient evaluation and treatment. If a court determines that a defendant has the financial means to pay for part or all of the evaluation treatment services, Metro would be required to seek reimbursement from the defendant. The term of this agreement would be from July 1, 2021 through June 30, 2022.

*Fiscal Note: Actual expenditures for FY2020-2021 was \$41,900 according to the General Sessions Court's office.*