



SPONSOR: Rep. Lynn & Sen. Cloutier & Sen. McDowell  
Reps. Bolden, Briggs King, Heffernan, Keeley, Kowalko,  
Longhurst; Sen. Henry

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 40

AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MENTAL AND BEHAVIORAL  
HEALTH TRANSITION PLANS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend Chapter 25, Title 13 of the Delaware Code by making deletions as shown by strike through and  
2     insertions as shown by underline as follows:

3           § 2515. Authority to order transition plan and adult mental or behavioral health diagnosis.

4           (a) When a child 17 years of age or older is in the custody of DSCYF, the Court may order the Department of  
5     Health and Social Services to determine whether the child qualifies for adult mental health or behavioral health services  
6     and, if so, to coordinate with DSCYF to develop and implement a transition plan for mental or behavioral health services  
7     for the child. The Court may further order that the transition plan include any of the following:

8                     (1) An appropriate adult mental or behavioral health diagnosis for the child.

9                     (2) A list of prospective adult services for which the child might qualify.

10                    (3) Any other information or relief that the Court finds relevant to the child's transition to adulthood.

11           (b) DSCYF or the Department of Health and Social Services, or the appropriate divisions of either, shall develop  
12     and submit the transition plan that the Court has ordered under this section in a timely manner, as the Court directs.

SYNOPSIS

This Act authorizes the Family Court to order the Department of Health and Social Services ("DHSS") to determine whether a child who is 17 years old or older and in the custody of the Department of Services for Children, Youth and Their Families ("DSCYF") qualifies for adult mental or behavioral health services. If the child does qualify for adult mental or behavioral health services, this Act authorizes the Family Court to order that DHSS coordinate with DSCYF to develop and implement a transition plan for mental or behavioral health services for the child.