

MINUTES

Task Force Concerning the Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems

Thursday, July 16, 2015

10:00 a.m. to 12:30 pm

Legislative Hearing Room B

I. Call to Order

• *Susie Walton, Park County Department of Human Services*

II. Introductions and Welcome

• *Susie Walton, Park County Department of Human Services*

III. Approval of Minutes

• **June 18, 2015**

Minutes were approved as written.

IV. Oversight Committee Update

• *Susie Walton, Park County Department of Human Services*

The Oversight Committee has been fully appointed with a chair and a co-chair. The first meeting has been set for Tuesday, August 18, 2015 at 1pm in Senate Room 356 and is expected to last from 2 to 3 hours. This first meeting will be reviewing the activities of the Task Force Concerning the Treatment of Persons with Mental Illness in the Criminal Justice System. Susie encouraged those who have information to share regarding these activities to attend the meeting on August 18.

Amanda King shared that members appointed to the Oversight Committee. Representative Beth Martinez Humenik is the chair of this committee and Representative Jonathan Singer is the vice-chair. Other members include Senator Laura Woods, Senator Guzman, Representative Pete Lee, and Representative Steve Humphrey.

There was a request for a committee overview of the charge of the committee that will outline the duties of the task force as well as those of the committee. Amanda King addressed the group with what she has been told to date.

At the Oversight Committee meeting there will be a discussion of the bill drafting process to structure this committee more like the other interim committees. Rather than the task force working with bill drafting people, the task force will come back to the Oversight Committee with concepts for legislation and outlines. The Oversight Committee will be the group to actually work with the bill drafters. If any legislation ideas come out of the task force this year, the tentative plan would then be to have the task force present their ideas and concepts to an Oversight Committee meeting in September, yet to be scheduled. Then there would be a final meeting in October where the Oversight Committee would then approve final bill drafts.

Senator Martinez Humenik has also made a request for the following information to be presented at the Oversight Committee meeting: an overview and history of why this task force was created; what was the need; what has been addressed; what the task force top priorities are; what long term and short term goals the task force has; what bills have been brought forth; which bills were successful; which bills were not and why not. There will also be a brief public comment period at the Oversight Committee meeting.

Amanda King then provided a rough outline of what will be discussed at the Oversight Committee Meeting on August 18, 2015. She will provide some introductory remarks and a walk through of the charge memo, Jane Ritter with legal service will be there to provide an outline of the bill drafting process, then the meeting will be turned over to the Chair of the task force to provide the information requested by Senator Martinez Humenik.

Susie voiced her thoughts on what the task force would have to share with the Oversight Committee. In regards to legislation, there is not much to share except getting some answers on where to go with the juvenile competency bill. Karen Knickerbocker, Camille Harding and Michael Ramirez offered to help Susie prepare the information requested by the Oversight Committee. Karen and Michael agreed to get back to Susie as to whether or not they would be able to attend the Oversight Committee meeting.

Susie asked the group what their priorities were for the Oversight Committee meeting. Some items suggested were:

- Discussion should be structured around the historical perspective and the kinds of things this task force has done in the past, the work the task force has done with legislative committee in and what the task force sees as priority for the next year or two.

After some discussion, it was suggested that once the priorities are outlined, some historical information specific to those priorities can be included for perspective purposes.

- May want to highlight some of those outcomes from the task force that may not be specific to legislation. Group accomplishments and successes going back to 1999 should be highlighted.

- Data integration: present the problem we are working on as we might ask for legislation assistance in the near future.
- Collaborating with other committees with similar subject matter. There are a lot of groups doing different things with a fair amount of cross over. How does the Oversight Committee envision this task force working with these other committees?
- Inquire as to where our focus should be, from the Oversight Committee's perspective?
- One of our charges is to study data collection across systems, which we know would inform the rest of our work.
- It was also noted that this task force could really use more administrative support; this need to be brought to the oversight committee.
- All members of this group were encouraged to attend the oversight committee

V. Housing Update

Adam Tucker with IDD spoke. The Center for Medicaid/Medicare just released a bulletin that addresses what role Medicaid agencies can take in the world of supportive housing and what services it can develop to support people in finding housing, maintaining housing and those pieces. The Housing First Model is being looked at as a way to support driving down those costs and creating better health outcomes. IDD is also still trying to define how to do that. Perhaps this task force can have a broader scope on criminal justice side in helping with transitional services out coming of jails or as an alternative to jails.

Fernando shared his experience with intensive residential treatment. This was a community corrections environment where people were referred for a 90 day stay. When they are released there is no good protocol around follow up. While there is a high successful discharge rate for these individuals, there is a high failure rate as well. Housing drives everything within this population.

This issue seems to boil down to two key pieces. There is a lack of affordable housing units in the community and the low reimbursement rates for Medicaid supportive services are also an issue.

The Coalition for the Homeless is partnering with the City of Denver and the Mental Health Center of Denver to look at targeting the 300 highest utilizers of the jail system in Denver. They are also looking at a research project with the Urban Institute on working with these 300 individuals and moving them into Housing First programs. They are in the planning phase of this work and hope to start implementing in January. There will be some research around what can help to reduce jail days and what could be a plan to transition into the community from jail. There is a question as to how this can be a sustainable project as the social impact bond set up for this is for a five year period.

There is a concern that, fundamentally, when the behavioral health resources aren't available to people, the criminal justice system and jails become the default system to serve them. There is a lack of education among many that is creating a fear around housing mentally ill individuals in the community. Judges and DA's are the decision makers for those mentally ill individuals caught up in the criminal justice system, so the correct information needs to get to them. Housing tends to be the theme that comes up year after year.

It was also voiced that the wraparound services for individuals coming out of jail are just as important. The work around this housing piece should include those wraparound services. Perhaps this can be a focal point for this group. There are some models around the country that would be good for this group to look at in regards to this piece.

This led to discussion around the insurance piece. In Colorado, if an individual is not attached to insurance or Medicaid, they are limited in resources. There are those individuals in jail that are not eligible for Medicaid. This is an issue that requires attention.

Deidre Parker spoke to the treatment of those with mental illness. These individuals are locked up in jail and no support is offered once they are released. She believes there needs to be a massive overhaul around this. People with mental illness are being housed in the jails where they are not offered the supports they need. What can we do?

This led to discussion around scheduling a full day for this task force to have a Strategic Planning day to more fully explore these issues.

There are many overlaps with all of these issues. We need to continue to work on this and finding and focusing on that cross connect might provide the focus this group is looking for and a longer meeting or retreat will allow for some of this focus.

There was some discussion around what sort of screening process is set up in jail setting for those with mental illness. While some of the metro areas require mental health screenings upon intake, this may not be the case in more rural counties. Perhaps this can be an issue for this group to address.

There was discussion around whether our focus should be on legislation only, or change on a broader level. It was clarified that this was not why the task force was created. Sometimes the oversight committee appreciates the recommendations of this task force, but sometimes those recommendations are irrelevant. It ends up being an incredible amount of work to track legislation. The years where the task force was most successful in regards to legislative items were the years when we had people on the task force who were already doing that work for other organizations and who were able to provide those updates.

The WICHE (Western Interstate Commission of Higher Education) study was given as an example. This was a study done by the Office of Behavioral Health. This study took a look at the mental health needs for the State of Colorado, and the task force can certainly partner with efforts that come from that study. Patrick Fox will be attending next month's meeting and will be providing more information

around this study to the group. It was also suggested that we should also invite the lobbyists for CDHS , HCPF and CBHC to next month's meeting. Melinda will invite these lobbyists.

VI. Data and Information Sharing Update

Camille Harding, Health Care Policy & Financing

Peggy Heil, Colorado Division of Criminal Justice

Peggy Heil and Camille Harding presented information regarding data and information sharing efforts, specifically the federal planning grant that has been filed to address this. It is anticipated that grant announcements will be made in October. One of the goals is to have some common definition of "serious mental illness" that can be used across all agencies. We are lacking some standardization for counting and defining individuals with mental illness. This consistency would help to track whether what we are doing is impactful. Another issue being addressed is trying to create the ability to electronically transfer mental health, behavioral health, information across criminal justice agencies. Right now, that information does not travel with the individual. In the future, there may be a need for some funding for the infrastructure of this, and there is an implementation part of the planning grant that is being pursued, should Colorado receive this.

There was a request for more discussion around the use case. This was written for the grant application. This information can also be sent out again for those in need of a refresher. This basically walked through different settings that individuals could present at and the lack of data that follows between different settings. This also included a process map that shows where this information does and does not flow. Stevie Fuller, a med student working with Peggy and Camille to develop a series of questions and holding some focus groups to get a sense of how jails are counting or defining these two data points. This should be ready to use sometime in November. Michael Ramirez said that on the face it seems simple but when you get down to the details it is not so simple. Part of the value is it has to inform our work from a prevention approach. There are competing priorities and lack of clarity of information. Some of the barriers to data sharing are legal. If we want to address this issue as a task force, it is an appropriate legislative issue. Perhaps this should be presented to the Oversight Committee.

Melinda Cox suggested that we reach out to Meg Williams as she had previously presented some information to this group around a juvenile information sharing project that was completed over a five year period. Part of that effort included extensive research into the statutes, federal and state, that impact information that can be shared and how. There were concerns voiced around what legislative changes this group could make as well as the vulnerability created when sharing this sensitive data.

Camille shared that they are working with all of their new vendors for the Commit Project which is updating our claims processing system, data analytics system, and their pharmacy benefits system. In talking through that there was the legislation that was passed in 2009 that said they would have the "suspend" functionality within the MMIS system. They are working through the requirements for that functionality. Further updates will be provided when they begin implementation.

VII. Health Care Policy & Financing and Medicaid Updates

No additional updates.

VIII. Behavioral Health Transformation Council Update

- *Dr. Richard Martinez*
- There has not been another meeting. There has been no further discussion around Collective Purchasing since last month. Peggy can attend the Oversight Committee to provide an update on this.

IX. Election of Chair and Co-Chair of the Task Force

There were two nominations for the Chair and Co-Chair and those were Susie Walton and Camille Harding. Kathy McGuire moved to elect Susie Walton as Chair and Camille Harding as co-Chair and Michael Ramirez seconded this. The group agreed.

Susie commented that she and Camille would continue to need active support from the members of this task force.

X. Other Updates

- *Field trip to Ft. Lyons – possible dates, August 21st or August 28th – Lisa Thompson, Colorado Coalition for the Homeless* It was decided that the Ft. Lyons dates didn't work for enough people and that this will be postponed so the retreat can be prioritized this fall.
- *Task Force Membership Booklet* A reminder to review your bio with Bethe Feltman who is finishing this project.
- *Reminder: Dr. Patrick Fox's Presentation at August Meeting*

XI. What's Happening at Your Agency?

Meeting Adjourned