

## **Texas Mental Health Transformation Workgroup Meeting – December 6, 2006**

### **Attendees**

A meeting of the Texas Transformation Workgroup (TWG) was held in the Commissioner Board Room M-739 at 1100 West 49<sup>th</sup> Street, Austin, Texas on Tuesday, December 6, 2006.

#### **Transformation Workgroup (TWG) Members present:**

**Dave Wanser, TWG Chair** (Texas Department of State Health Services)

James A. Cooley (Texas State Representative Dianne Delisi)

Theresa Cruz (Office of Rural Community Affairs)

Maurice Dutton (Consumer / Family Member Representative)

Stephen Este (Texas Department of Family and Protective Services; alternate for Carey Cockerell)

Erin Ferris (Texas Department of Housing and Community Affairs)

John Fuller (Texas Workforce Commission)

Valarie Garza (Consumer / Family Member Representative)

Marc Gold (Texas Department of Aging and Disability Services; alternate for Jon Weizenbaum)

Mike Halligan (Consumer / Family Member Representative)

Kathryn Kotrla (Veterans Integrated Services Network)

Heidi McConnell (Office of the Governor)

Richard Poe (Texas Education Agency; alternate for Gene Lenz)

Terry Smith (Texas Department of Assistive and Rehabilitative Services)

Vonzo Tolbert (Texas Juvenile Probation Commission - alternate for Vicki Spriggs)

Tom Valentine (Health and Human Services Commission)

Dee Wilson (Texas Department of Criminal Justice)

#### **New Freedom Commission Members present:**

Nancy Speck

Rudy Arredondo

#### **Implementation Team Members present:**

Vijay Ganju, Project Director Mental Health Transformation

Ellen Trevino (Mental Health Transformation, Texas Department of State Health Services)

## **Texas Mental Health Transformation Workgroup Meeting – December 6, 2006**

### **Executive Summary**

A meeting of the Texas Transformation Workgroup (TWG) was held on Wednesday, December 6, 2006. TWG members approved the minutes from the November 3, 2006 meeting. The Workgroup discussed:

#### **Transformation Grant Activities**

**SAMHSA Grantee Meeting:** Representatives of the TWG attended the Second Annual Federal Substance Abuse and Mental Health Services Agency (SAMHSA) Grantee Meeting last month in Washington, D.C. Members of Governor Rick Perry's staff also attended.

**State Chief Justices Mental Health Transformation Grants:** The Council of State Governments has announced a grant program for state chief justices. Under the program, state chief justices would coordinate taskforces to investigate the criminalization of mental health in state justice systems. The Texas Supreme Court Chief Justice is considering applying for a grant. If awarded the funding, Texas would be the only state to have launched transformation efforts in all three branches of government.

**National Leadership Forum on Supportive Housing:** Erin Ferris, Texas Department of Housing and Community Affairs attended the National Leadership Forum on Supportive Housing on behalf of Dr. Dave Wanser, Deputy Commissioner of the Department of State Health Services. Representatives from other states expressed interest in the Texas data sharing initiatives.

**Veterans Services Update:** Kathryn Kotrla, Veterans Integrated Services Network, reported on various activities relating to veterans. She recently attended a national conference on transitioning recently incarcerated veterans. Texas is working on a number of initiatives designed to help veterans and their families in crisis including a website and a 211 program. She also indicated that the Veterans Administration will be sponsoring a two-day training session on Trauma on May 14-15, 2007 in Houston.

**National Conference of State Legislatures (NCSL):** NCSL recently held a conference in San Antonio. Sessions included a number of discussions of medical information technology and mental health transformation.

**SAMHSA Other State Agency Project:** SAMHSA launched the Other State Agency Project to collect data on how states spend behavioral health money across state agencies and to establish a common practice for state data collection so researchers may compare data across states.

#### **Interagency Transformation Grant Activities**

**Grant application between TYC, TJPC, and DSHS:** Texas Youth Commission (TYC), Texas Juvenile Probation Commission (TJPC), and DSHS are submitting a joint grant application to develop and implement a program addressing the needs of juveniles leaving the justice system – especially those individuals aging out of the system.

**TEA meeting with Dr. Shirley Neeley:** Dr. Wanser reported on a recent meeting with Dr. Shirley Neeley, Commissioner of the Texas Education Agency. They discussed barriers to sharing

consumer/student data across agencies. For educators, the largest legal barrier is the Family Educational Rights and Privacy Act (FERPA), a privacy act similar to HIPAA.

### **Upcoming Transformation Events**

**Focused Forum “Making the Business Case for Behavioral Health Services”:** The Texas Health Institute will host another Focused Forum on the mental health topic: “Making the Business Case for Behavioral Health Services.” The event will be held December 8, 2006.

**Consumer Voice Committee Update:** The Consumer Voice Committee has been very active – attending three of the four TWG (subcommittee) workgroup meetings (Workgroup activities presented below) and moving forward with the development of the Consumer/Family Member Listserv. Valarie Garza attended the 2<sup>nd</sup> annual SAMHSA Grantee Meeting in Washington, D.C. and was pleased to find consumer interests featured prominently.

### **Project Director Update:**

**Community Behavioral Health Collaborative:** The Texas Health Institute mailed the request for application (RFA) for the Community Behavioral Health Collaborative project to county judges on December 4, 2006. A panel will review applications and select the six counties for the collaborative efforts. As the communities work on transformation, THI will provide assistance in plan development and implementation and obtain experts to provide assistance when necessary.

**Workgroup decisions and action steps:** The four TWG workgroups met in late November to discuss issues relating to the provision of mental health as it relates to Adults, Children & Adolescents, Workforce Training, and Data Coordination & Technology. The groups generated actions steps/goals which could be achieved in approximately one year to 18 months time. Not all agencies were able to attend the meetings.

**Collaboration with federal partners:** At the recent SAMHSA Grantee Meeting, a number of representatives from the transformation states expressed interest in learning more about efforts to transform behavioral health services at the federal level. In response, the federal project officer for the TWG grant recently asked Dr. Vijay Ganju, Project Director, what information Texas is interested in learning. Dr. Ganju expressed interest in learning 1) how the federal government might ease/eliminate legal barriers to sharing data and 2) how to improve communication with the Centers for Medicaid and Medicare Services/how program funding relates to transformation. He asked the TWG members to share with him any other areas of interest and indicated he will pass suggestions along.

**The next two TWG meetings will be held on Friday, January 26, 2007 and Friday February 23, 2007.**

## **Texas Mental Health Transformation Workgroup Meeting – December 6, 2006 Meeting Minutes**

### **I. Call to Order / Approval of Minutes**

Dr. Dave Wanser, Deputy Commissioner for the Texas Department of State Health Services (DSHS) and Chair of the Texas Mental Health Transformation Workgroup (TWG), called the meeting to order at 1:45 p.m. and welcomed agency directors and representatives who constitute the membership of the Transformation Workgroup (TWG). Dr. Wanser called for the approval of the minutes from the November 3, 2006 meeting. The group approved the minutes unanimously with recommended changes.

### **II. Transformation Grant Activities**

#### **a. Federal grantee meeting**

The Federal Substance Abuse and Mental Health Services Agency (SAMHSA) held the Second Annual Grantee Meeting last month in Washington, DC. Members of the Governor's staff also attended the meeting. The meeting provided an opportunity for representatives of Transformation Grant states to gather and discuss progress/obstacles in the area of Transformation. Housing issues were a major focus for many states.

#### **b. SAMHSA Other State Agency Project**

Dr. Wanser also informed the group that SAMHSA is moving forward with its Other State Agency Project, a data collection program that seeks to understand how states spend behavioral health money across state agencies and to establish a common practice for state data collection so information may be compared across state lines. Texas initiated a similar project in the late 1990s. The Texas program required agencies (by law) to report spending on mental health issues in order to understand the provision of mental health services in Texas. The TWG Data Workgroup will work on this federal Other State Agency Project.

Dr. Wanser again requested that state agencies provide the TWG with a list of the various support services or programs offered to individuals with behavioral health needs. The programs and services included should be broadly defined (state and local) and include all counseling and support services. He requested agencies "list all resources which support improving the outcomes for people with mental illness or serious mental illness." TWG staff will send a reminder to department representatives. Dr. Wanser indicated that having a comprehensive list will be useful when session begins and committees, such as Senator Jane Nelson's Health and Human Services Committee, request TWG members to testify.

#### **c. Other meetings/events**

Dr. Wanser reported the Council of State Governments has announced a grant for state chief justices to establish taskforces to investigate the criminalization of mental health in state justice systems. The Council targeted Supreme Court justices because 1) few projects have specifically targeted the judicial branch and 2) Supreme Court members have broad authority statewide, as opposed to counties or cities. The Texas Supreme Court Chief Justice is considering applying for a grant. If awarded the funding, Texas will be the only state to have launched transformation efforts in all three branches of government.

James Cooley, Chief of Staff to Texas State Representative Dianne Delisi, offered minor clarifications/adjustments to the last meeting minutes. He indicated that on:

1. Page 7, the legislative proposal that would allow attorneys to assist in rural areas via teleconferencing, is for *attorneys ad litem* who are having consultations using telephone and video conferencing to meet demand in rural areas.
2. Page 8, the program using telemedicine in emergency room services in rural areas is not common practice. It is being experimented with in some states.
3. Page 9, the proposed data legislation seeks to establish a state agency data sharing policy – rather than just breaking down barriers.

Erin Ferris, representing the Texas Department of Housing and Community Affairs, reported that she had recently returned from a National Leadership Forum on Supportive Housing, which she attended on behalf of Dr. Wanser. She indicated that attendees from other states expressed interest in the Texas data sharing initiatives. A major issue at the conference was housing for those leaving correctional institutions. This issue is a challenge for states due to federal regulations and local public housing authorities' jurisdiction (which are funded by and answer to HUD) having jurisdiction over housing provision. She will share a CD of presentation handouts and presentations from the conference with the TWG members when she receives it.

Kathryn Kotrla, representing the Veterans Integrated Services Network, reported that she recently attended a national conference on transitioning recently incarcerated veterans. She explained that the states have had success assisting veterans with this transition back into the community through collaboration with agencies like the TVC and the criminal justice system.

She also indicated that the Network will continue working with National Alliance for the Mentally Ill (NAMI), the Texas Alliance for the Mentally Ill (TAMI), the Department of State Health Services, and the Health and Human Services Commission on the state's information referral system, 211. The program will mirror the no wrong door policy. The project is designed to get those in need services early and in a supportive way.

She also reported that a number of other initiatives designed to help veterans and their families in crisis are moving forward. For example: The Tex Vet Initiative (website), a collaboration between HHSC, Department of Defense, NAMI, and DSHS targets service members and their families. The website, funded by public and private funds, provides information to help identify when someone needs help, what help is available, and how to get it. Also, the Military Children's Education Coalition, which has its national headquarters in Killeen, Texas, will host a community forum on January 30, 2007 to discuss how to conduct outreach in schools to assist children in crisis. Finally, she informed the group that the VA will sponsor, possibly in conjunction with DSHS, a two-day training session on Trauma on May 14-15, 2007 in Houston.

James Cooley spoke about the recent National Conference of State Legislatures (NCSL) Conference in San Antonio, which he attended. He indicated medical information technology and mental health transformation segments were well attended.

The behavioral health segments focused on the cost-effectiveness of treating behavioral health issues. For example, in Washington State, the Legislature directed its state human services agency to channel Medicaid dollars to substance abuse treatment. The intent is to better serve patient needs and save the state money in health care costs. Dr. Wanser indicated that the Washington effort resulted in a savings of \$254 per month on health care in the first year and \$291 per month savings in the second year.

Marc Gold, representing the Texas Department of Aging and Disability Services (DADS), informed the group that DADS has just submitted a grant to help assist those individuals with mental health/substance abuse issues living in nursing homes transition back into the community. The program would be part of the Money Follows the Person Program, which assists long-term care nursing home patients (who want to) back into the community. The program is the result of a 1999 Supreme Court Decision, known as the Olmstead Decision, which found that states' Medicaid programs had an institutional bias – resulting in some people being institutionalized when they would have rather lived in the community. Mr. Gold indicated that DADS has also seen a cost savings in health care services when appropriate behavioral health services are provided.

Dr. Wanser concluded the discussion by informing the members that DSHS will continue to work with HHSC and the Department of Family and Protective Services to address the needs of foster children with clinically complex needs. The Commission and DSHS will sponsor a meeting in January 2007 with prescribers to help frame best practices and services and determine what supports are needed.

### **III. Transformation Activities -- Interagency**

#### **a. Grant application between TYC, TJPC, and DSHS**

Texas Youth Commission (TYC), Texas Juvenile Probation Commission (TJPC), and DSHS are submitting a joint grant application to develop and implement a program addressing the needs of juveniles leaving the justice system – especially those who are aging out of the system. [Program was discussed at the November 3, 2006 meeting.] Various state agencies may be asked to write letters of support for the grant, which will be submitted December 12, 2007.

The project will transform agencies at the local level, specifically improving the communication between agencies and revising policies and procedures which inhibit the provision of care. The types of issues which will be investigated include maintaining incarcerated youths' Medicaid enrollment eligibility so service is not interrupted when a child leaves incarceration. The current state interpretation of a federal statute suspends Medicaid services and terminates Medicaid eligibility for incarcerated youth. This termination causes a lag in health care coverage when the children are released. Cameron County is the site for the pilot project.

**b. TEA Meeting with Dr. Shirley Neeley**

Dr. Wanser reported on his recent meeting with Dr. Shirley Neeley, Commissioner of the Texas Education Agency. They spoke about barriers to sharing data across agencies such as the Family Educational Rights and Privacy Act (FERPA), a privacy act similar to HIPAA.. The federal government is considering rethinking some of the limitations of FERPA in the area of mental health to make sharing information possible. Dr. Wanser expressed his hope that implementing appropriate security measures, such as firewalls, will convince the federal government to allow data to be shared across agencies – for the good of the child. Dr. Neeley and Dr. Wanser also discussed efforts to universalize data collection so agencies could share data more easily. Dr. Neeley expressed her commitment to this issue.

**IV. Upcoming Transformation Events**

Dr. Wanser announced Maurice Dutton has joined the TWG as a Consumer/Family Member Representative, replacing Tom Hamilton. He is a veteran from the Waco area, whose son was diagnosed with paranoid schizophrenia 34 years ago and spent time in the criminal justice system.

Dr. Wanser also reminded the group that the Texas Health Institute will host another Focused Forum on the mental health topic: “Making the Business Case for Behavioral Health Services” on December 8, 2006. He urged TWG members and the public to attend.

**V. Consumer Voice update**

Valarie Garza, Consumer/Family Member Representative, presented a report on the Consumer Voice activities. She indicated that consumer representatives attended three of the four TWG workgroup meetings (TWG Workgroup activities presented below) and noted that many of the workgroup recommendations fall in line with the goals of the Consumer Voice Workgroup.

She also expressed her appreciation for the inclusion of consumer interests at the federal level. The recent SAMHSA Grantee meeting hosted a panel which focused on supporting recovery and resiliency in transformation. Issues raised by the panel included barriers to youth participation, barriers to effective consumer voice at the state level, innovative initiatives and hiring practices around consumers, and family and youth.

In addition, a presentation by Ann Denton, from Advocates for Human Potential, Inc. (Austin, TX) at the Grantee Meeting, shed light on the housing, disability, and poverty issues. In her presentation, “A Fair Share: Housing for People with Disabilities, Ms. Denton concluded that housing problems for people with disabilities are more about poverty than about their disabilities. She explained that housing prices for one-bedroom apartments, which individuals often pay for using SSI payments, consume as much as 50% to 100% of their SSI payment – leaving them without adequate funding.

Finally, Ms. Garza reported on the Coordinated Consumer Voice Network, informing the group that they have moved forward in developing the Consumer Listserv and they hope to have 100, 000 consumers included in the listserv in the coming year. Ms. Garza asked that agencies work with families and consumers to join the listserv.

Erin Ferris (Texas Department of Housing and Community Affairs) expressed concern that, while her agency serves consumers, it is not able to filter out who these consumers are. Vijay Ganju, Project Director, suggested also using advocacy organizations as a means to get information about the Coordinated Consumer Voice Network out to consumer groups. Dr. Wanser suggested that agencies continue to think proactively in terms of meetings the agencies hold which engage stakeholders of any kind. This tactic will likely generate many names of people who are interested in joining the listserv.

The next Consumer Advocacy Organization meeting will be held December 15, 2006.

## VI. Project Director Updates

### a. Community Behavioral Health Collaboratives

Next, Vijay Ganju, Project Director for the TWG, provided an update on the Community Behavioral Health Collaborative project. He reported that the Texas Health Institute mailed the request for application (RFA) to county judges on December 4, 2006. A panel will review these applications and select up to six counties for the collaborative efforts. All questions with regard to the application will be answered on the website so all applicants will receive the same information.

The Objectives of the RFA include: 1) mental health transformation at the local level, 2) community ownership and coordination of behavioral health, and 3) selection of up to six communities to participate - with at least one from a large metropolitan area, a rural area, and the Texas-Mexico border.

#### The selection criteria will include:

Broad Participation	20 points
Community Commitment and Resources	20 points
History and Experience	15 points
Proposed Activities for the Project	35 points
Sustainability	10 points

#### Timeline for deliverables includes:

RFA sent to County Judges	December 4, 2006
Last day to submit questions to THI	January 8, 2007
Final responses to questions	January 15, 2007
RFAs due	January 31, 2007
Selected communities announced	February 28, 2007

The expectations for participating communities include:

- 1) An initial meeting with collaborative by April 30, 2007;
- 2) An operational established plan by August 2007; and
- 3) A report on progress by August 2008.

THI will make three in-person site visits between March and August 2007 and coordinate support from behavioral health experts as needed. Depending on the community's readiness and the operation plan they provide, there are resources through the Transformation Grant which will support data sharing and information technology initiatives within each community.

**b. Workgroup decisions and action steps**

Dr. Ganju updated TWG members on the four workgroups' activities: the Adult Workgroup, the Child & Adolescent Workgroup, the Workforce Training Workgroup, and the Data Coordination & Technology Workgroup.

Members sought to propose workgroup deliverables which could be developed in a relatively short timeframe so that the TWG would have something to report in the next year to 18 months. Dr. Ganju summarized these preliminary actions steps as follows:

*The Adult Workgroup* (meeting held November 28, 2006) proposed to:

- Recognize that mental health is a system issue;
- Implement a holistic approach based on the concept that recovery is needed;
- Identify and inventory evidenced-based and “best” practices throughout the multi-agency system;
- Identify early intervention and prevention models for adults; and
- Develop an initiative involving implementation of telemedicine and telehealth in rural areas (could be coordinated with workforce development initiative).

*The Children and Adolescent Workgroup* (meeting held November 28, 2006) proposed to:

- Recognize that the workgroup is the only entity coordinating activities for children and adolescents across age groups;
- Develop a coordinated vision and values statement related to mental health transformation for children and adolescents;
- Identify and inventory evidence-based and “best” practices in the Texas multi-agency system;
- Explore the feasibility of obtaining a RWJ Foundation grant for mental health care and support;
- Coordinate activities and technical assistance workgroups related to children and adolescents; and
- Work closely with TEA to develop appropriate identification and technical assistance for teachers and providers in school settings.

*The Workforce Training Workgroup* (meeting held November 29, 2006) proposed to:

- Develop a statewide peer support certification program and funding for peer support systems;
- Convene meeting with universities and colleges to collaborate on career pathways, distance education and curricula and training initiatives;
- Locate and identify resources related to telehealth and teleconferencing, access requirements, and interoperability; and
- Initiate activities to develop a mental health training institute at the state level.

[Debbie Berndt from the Hogg Foundation attended to present information on the Foundation's work in the area of workforce development.]

*Data Coordination and Technology Workgroup* (meeting held November 30, 2006) proposed to:

- Identify benefits for each agency from data sharing initiatives;
- Identify legal and other barriers to data coordination and sharing at state and federal levels;
- Report outcomes that each agency reports as part of strategic planning and budgeting requirements;

- Identify data sharing initiatives and possibilities;
  - Initiate activities related to the federal project to identify mental health expenditures and services in each agencies;
  - Coordinate with DIR on statewide data warehouse project; and
  - Develop a code of ethics (values, principles) related to data sharing and uses of shared data.
- [Steven Palmer from the Governor's Office also attended the meeting.]

#### *Housing issues update*

Tom Valentine (Health and Human Services Commission) delivered an update on the Housing Workgroup's activities on behalf of Erin Ferris. The workgroup identified four barriers to housing for those with behavioral health issues:

- **Public Housing Authorities.** In the large metropolitan areas, the public housing authorities control the distribution of public housing. Because public housing authorities are not presently included in these discussions, it makes the challenge of addressing these issues more difficult. The workgroup will reach out to these authorities;
- **Criminal Records.** Another barrier to obtaining adequate public housing is an individuals' criminal record – which is a disqualification for many housing programs;
- **Consumer Choice.** The group is committed to preserving choice; however, availability of housing is often an issue. Recently, the El Paso Housing Authority has sought to require all homes be licensed. If homes choose not to be licensed, this will reduce the pool of available public housing and limit consumer choice; and
- **Access to Services.** A final barrier identified by the workgroup is individuals' access to necessary services which allow consumers to remain in public housing. If consumers do not have the services they need to maintain their health and well being, then they will be unable to remain in public housing.

The group plans to meet again in December.

#### **c. Collaboration with federal partners**

At the recent SAMHSA Grantee Meeting, a number of representatives from the transformation states expressed interest in learning more about efforts to transform behavioral health services at the federal level. In response, the federal project officer for the TWG grant recently asked Dr. Vijay Ganju, Project Director, what information Texas is interested in learning. Dr. Ganju expressed interest in learning 1) how the federal government might ease/eliminate legal barriers to sharing data and 2) how to improve communication with the Centers for Medicaid and Medicare Services/how program funding relates to transformation. He asked the TWG members to share with him any other areas of interest and indicated he will pass suggestions along. It was suggested that housing be mentioned as an issue including federal rules and funding guidelines relating to low-income housing and discriminatory practices.

## **VII. Next Steps**

The next two TWG meetings will be held on Friday January 26, 2007 and Friday February 23, 2007.