

MINUTES

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

Thursday, February 18, 2016

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

Legislative Hearing Room B

II. Introductions and Welcome

III. Approval of Minutes

January minutes approved.

IV. Oversight Committee Update and Bill Discussion

The Task Force is being asked to review and submit modifications to the bill as necessary. The primary edits in the document are around ensuring that there is a mental health provider from local CMHCs. If there is no representation from a local CMHC, there must be an alternative licensed clinician from each community.

When the Bill went through the Senate there was a recommendation to include a child's parents or representatives.

It was emphasized that it is critical to maintain communication between systems and bring them together through MOUs.

CBHC has been tracking legislation and has had some concerns regarding what problem this legislation is attempting to fix. The 2004 Bill that created 1451 made it mandatory that each CMHC and BHO is required to be a part of a memorandum of understanding. There is also a statute in the bill that allows for the participants in the MOU to include any professional should they wish.

SB39 passed out of the Senate with an amendment that allowed non-community mental health members to fill the behavioral health slot on the collaborative management team when there is no local mental health center. This should not have been necessary since CMHCs are in every region in Colorado.

Colorado Psychiatric Association suggested including behavioral health providers as part of the management team.

An ISST (Individual Services and Support Team) meeting is already held with families and parents are always present.

The Legislative Oversight Committee made a lot of legislative changes to the Collaborative Management Program in recent years and is still going through transition. Part of this transition is finding a purpose for bills that go through.

The Task Force's consensus is that this bill does not need to move forward.

The Task Force does not recommend this legislation and requests further information about it to determine what the need is. The underlying premise seems inaccurate.

16 members in favor of this notion and 3 members abstaining.

IOG (Interagency Oversight Group) does not discuss individuals or specific case information at this level.

V. Housing Group Update

The Housing Group is making progress in understanding issues regarding housing within populations concerning the Task Force.

They are looking at systemic and policy issues. They are considering holding a LEAN event (a strategic planning forum).

There will be more updates next month.

The Housing Group had a one day strategic planning retreat last fall to discuss the lack of housing for people with mental illness involved in the criminal justice system.

VI. Competency/Restoration Group

The Competency/Restoration Group is at a point of recommending a structural solution for juvenile restoration. The group believes they can identify and articulate principles to govern the ultimate program that is developed.

The group will write up the principles they recommend for the next meeting.

There are two structures recommended. The first is a state supervised and county administered competency restoration system. The second is assigning or requiring staff of an agency to oversee a centralized program that is locally delivered through contracts with qualified providers.

A challenge is that there is not enough data on the amount of juvenile restorations. The Subcommittee will try to identify what agency or entity would be best to house this program.

Possibly look at the pros and cons of the restoration to competency program located in the Arapahoe county jail.

The Subcommittee can talk with Dr. Neil GowenSmith. He is the only individual doing restoration out of custody.

VII. Data and Information Sharing Subcommittee Update

The CCJJ (Colorado Criminal and Juvenile Justice Commission) asked MICJS to look at the increasing percentage of individuals with mental illness in jails. The Task Force was asked if there is anything they can do to reduce that percentage.

One of the issues looked at was the lack of continuity of care in information flowing between jails, prisons, and community mental health centers. Each place does their own assessments and information is rarely transferred.

Having a statewide criminal justice to community mental health information sharing system could improve continuity of care.

The Subcommittee applied for a Bureau of Justice Assistance Statewide Recidivism Reduction Planning Grant in order to create an information sharing system.

They completed their first report and received positive feedback. There will be a Steering Committee of all key agencies that will provide feedback. There is a Planning Subcommittee, Information Technology Subcommittee, Governance Subcommittee, and Health Provider Work Group.

The next few months they will be working with Committees and wrapping up planning by June.

The Subcommittee will need to transmit mental health information within criminal justice agencies as well as connect with the community mental health centers. There is question whether CCJJ will be able to exchange information with a non-criminal justice entity (i.e. CORHIO).

CORHIO and QHN are the health information exchange entities in Colorado. There is a minimum data set that allows a small amount of information to be transmitted to providers when someone is admitted to a hospital.

This mental health information exchange would allow a minimum data set to be exchanged between criminal justice entities through CCJJ and CORHIO or QHN. The Subcommittee is currently looking at what would be allowable.

The mental health information exchange would have to comply with HIPPA, 42CFR part 2, and state law as well.

The focus group analysis will provide more information and the full report will be available soon. The Subcommittee may consider getting updates from CBHC as CMHCs are currently accessing booking information.

There is state wide variation in how mental health centers and health providers are interpreting HIPPA and 42CFR.

In terms of funding, the money that would be applied for would go toward two things.

The first is programming to make systems to exchange information and the second is training people (on continuity of care, evidence based treatments, and so forth).

There is a Federal Bill for funding in the whole mental health arena and a large section of Federal money is going toward Colorado for mental health. This may provide additional funding.

VIII. Behavioral Health Transformation Council Update

Behavioral Health Transformation Council does not have any updates at this time.

IX. Membership Updates and Vacancies Discussion

Recommendation for Jack Zelkin to join the Task Force as an individual with a family member who was involved in the criminal justice and mental health systems.

Vacancies are nearly filled within the Task Force.

A final membership booklet is likely next month.

X. Legislative Update

Legislative updates will be provided by Oversight Committee interns.