



State of Wisconsin

Wisconsin Council on Mental Health
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MEETING OF THE LEGISLATIVE AND POLICY COMMITTEE OF THE WISCONSIN COUNCIL ON MENTAL HEALTH
November 9, 2017, from 12:30 pm to 3:00 pm
1 West Wilson Street, Conference Room 630, Madison, Wisconsin and Conference Call

Members of the Wisconsin Council on Mental Health (WCMH) Legislative and Policy Committee (LPC) in

Attendance: Shel Gross, Karen Iverson Riggers, Crystal Hester, Chris Wirth, Phil Robinson, Joanne Juhnke, Kit Kerschensteiner, Mike Lappen (via teleconference), Barbara Beckert (via teleconference)

Department of Health Services (DHS) Staff: Ryan Stachoviak, Kay Cram, Joyce Allen

Guests in Attendance: Mishelle O'Shasky (WCMH), Marc Herstand (National Association of Social Workers), Lauren Kelly (National Association of Social Workers), Jenny Kleinert (National Alliance on Mental Health Wisconsin), HJ Waukau (Wisconsin Medical Society)

MINUTES

1. Call Legislative and Policy Committee Meeting to Order

Review and approval of the minutes of October 12, 2017

J. Juhnke moved to approve the minutes of October 12, 2017.

K. Kerschensteiner seconded the motion.

Motion carried unanimously, minutes approved.

Announcements

Kathie Knoble-Iverson will be the new Independent Living Council primary representative on the LPC.

M. Lappen announced that Milwaukee County has received a proposal to provide a new acute psychiatric facility. M. O'Shasky discussed a reentry summit held in Milwaukee.

Wisconsin Council on Mental Health (WCMH) Updates

K. Iverson Riggers provided a briefing on the WCMH. The Council will discuss strategic planning at the November 15 meeting. Each committee will provide a briefing on their strategic initiatives for consideration in the planning process. Possible strategic topics for the LPC include State Budget priorities for the next legislative session, healthcare and Medicaid reform, LPC membership, diversity of providers, continued challenges with access to behavioral health services, the role of peers, forming a diverse peer workforce. The LPC should also continue to look at how to increase consumer and family involvement in advocacy and committee work. How can the LPC

support people who do not have a formal training in advocacy? Discussions would also be valuable around the topics of committee and WCMH bandwidth, how much can these groups reasonably take on.

Committee Co-Chair Update/Discussion

S. Gross will be stepping down as LPC co-chair beginning next month. C. Hester stated that she would be willing to take on the role of co-chair. S. Gross would be willing to take on bill tracking. K. Iverson Riggers and S. Gross invited other members to provide feedback on the co-chair position.

Update on combined meetings with Children and Youth (CYC) and Criminal Justice Committees (CJC)

Many of the combined meetings in the past have been to discuss budget priorities. A meeting in May would be advantageous for this process. J. Juhnke noted that the CYC is considering moving to an every other month meeting schedule. The CYC is open to holding a combined meeting. The CYC and LPC will discuss this meeting in the near future.

Public Comment

No public comment was made.

2. Legislative and Policy Updates, Discussion, and Action

State Legislation

S. Gross provided a briefing on current State legislation. It is anticipated that legislature will adjourn in January or February. As such the LPC should be focused on what the committee would like to address in the remaining time. Members of the LPC discussed legislation that the Committee should address. M. Herstand discussed AB542; the legislation would change administrative rules for mental health services provided in schools.

Members of the LPC discussed AB 589/ SB 465, legislation which would address access and oversight concerns regarding Sign Language Interpreters. Current licensure requirements are out of date and this legislation would create a sign language board that would grant American Sign Language (ASL) interpreters licenses, in particular for medical and legal settings.

Members of the LPC discuss AB305/SB243. The bill requires the Department of Health Services to create a grant program for language interpretation services provided in medical clinics and hospitals that are located in rural areas or that serve medically underserved populations.

B. Beckert moved that the LPC ask the WCMH to support AB589/SB465.

C. Hester seconded the motion

Motion carried unanimously.

C. Hester moved that the LPC ask the WCMH to support AB 305/SB 243 with amended language to include American Sign Language (ASL) interpretation.

B. Beckert seconded the motion

Motion carried unanimously.

S. Gross discussed a proposal that would create a centralized unit for ASL services. The proposal, from the LRB, would provide an access point for anyone in Wisconsin who is D/HOH and has mental health, substance abuse or developmental disabilities to obtain advocacy, support, referral, and, when appropriate, culturally appropriate direct treatment services. The proposal would also provide support for positions. The legislation may not be passed this session but this could be legislation that could be addressed in a future budget.

S. Gross moved that the LPC recommend that the WCMH support a proposed expanded Office of the Deaf and Hard of Hearing Services.

Chris Wirth seconded the motion.

Motion carried unanimously.

Review of LPC Bill Tracking and Bills to Review and Approve

K. Kerschensteiner discussed AB570/SB492 which sets up a process for disclosure of a victim's mental health records in a criminal proceeding. The defendant has a right to make a motion that they need to look at victim's mental health records. The legislation contains no limitations on the crime to which this would apply. If a judge makes the determination a person's mental health records could be allowed for use by the defendant. The victim can refuse to disclose the records, but if they do so the fact they refused could be disclosed. Members of the LPC discussed the importance of a person's right to decline this disclosure and balance the rights of the accused and the victim. The LPC will continue to track this legislation and follow up at a future meeting.

K. Kerschensteiner discussed LRB-4637 relating to Supported Decision Making. The legislation creates an avenue for people with a functional impairment to have someone assist them with decision making. This would be an alternative to guardianship. The legislation gives a more recognized rule to people who want to help a person, for example parents of an adult person, and the role would be more powerful than power of attorney as it goes beyond healthcare. C. Wirth noted there could be some conflict for providers regarding HIPAA. The LPC will revisit this legislation at a future meeting.

Review of Revised Statement on Firearm Legislation

S. Gross discussed the WCMH Statement of Firearm related legislation being proposed by the LPC. Additions were made from the version presented at the previous LPC meeting. The statement will provide an avenue for a Council rapid response to legislation. Language was added regarding points of data. K. Kerschensteiner recommended that the document's title reflect its focus on suicide. P. Robinson suggested the LPC and WCMH in the future look at developmental competencies as they relate to firearm use among families.

S. Gross moved that the LPC provide the statement on firearm legislation to the WCMH for approval and adoption.

C. Hester seconded the motion.

Motion carries unanimously.

S. Gross discussed updates on Peer Run Respite (PRR). Earlier in the budget process there was some discussion regarding statutory changes regarding the PRR legislation. The DHS currently is not advocating to changes to the legislation and is hoping for the current locations to learn how to operate under the current legislation. K.

Kerschensteiner suggested the PRR legislation would benefit from being its own legislation rather than being under the CBRF rule. The LPC will continue discussing the PRR legislation at a future meeting.

S. Gross discussed SSI Managed Care Expansion. A key concern right now is the proposed roll out in six months across six regions. The change would 28,000 people across the state in a region by region roll out. Many stakeholders are concerned that this roll out is at too fast of a pace. People will need to be contacted, many of whom may be difficult to contact. People will then have to make decisions regarding their enrollment. Many people have spent time putting together a set of providers that works for them, and this change could have a big impact on their healthcare situation. Perhaps an alternative would be to build in breaks in the roll out to identify problems and find solutions. B. Beckert noted that a large number of the people who will be impacted are people with mental illness; many receive county behavioral health services. There may be opportunities to provide additional support for people during this transition through the counties.

3. Division of Care and Treatment Services (DCTS) Updates

J. Allen provided a briefing on the DCTS. The DCTS is working on rules for Crisis Stabilization Facility for Youth. The DCTS is looking to increase the numbers of counties providing Comprehensive Community Services (CCS). Several counties are in the process of applying and implementing the services. The DCTS will provide additional updates in the near future. The DCTS is looking to provide an increase number of trainings for Certified Peer Specialists in 2018.

4. Agenda Items for December 2017 Committee Meeting

Agenda items that were noted:

- Legislative Council studies
- Combined meetings with the CYC and CJC in April
- Additional papers regarding firearm legislation

5. Adjourn

K. Iverson Riggers adjourned meeting at 3:04pm.