



State of Wisconsin

Wisconsin Council on Mental Health
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Meeting of the Legislative and Policy Committee (LPC) of the Wisconsin Council on Mental Health (WCMH)
October 12, 2017 from 12:30 pm to 3:00 pm
1 West Wilson Street, Conference Room 630, Madison, Wisconsin and Via Conference Call

Members of the LPC in Attendance: Joanne Juhnke, Crystal Hester, Shel Gross, Kit Kerschensteiner, Chris Wirth, Phil Robinson, Mary Neubauer, Barbara Beckert (via teleconference), Justin Odulana (via teleconference)

Guests in Attendance: Mark Herstand, Peter Welch, Mary Madden (via teleconference),

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

MINUTES

1. Call to Order

Review and approval of the minutes of September 14, 2017

K. Kerschensteiner moved to approve the minutes of September 14, 2017.

J. Odulana seconded the motion.

Motion carried, minutes approved, M. Neubauer abstained.

Announcements

M. Neubauer announced NAMI-Greater Milwaukee has a theatrical production of Pieces: In My Own Voice on October 25, 2017. All performances will also now have interpretation services for people who are Deaf or Hard of Hearing.

B. Beckert announced the Disability Rights Wisconsin (DRW) 40th Anniversary event will be held on October 14. Awards will be given to people in recognition of their advocacy. Brenda Wesley will be receiving the Heart Award for her years of advocacy.

Wisconsin Council on Mental Health (WCMH) Updates

C. Hester provided an update on behalf of Council Vice-Chair Karen Iverson Riggers. A workgroup will review the strategic plan and will bring back recommendations to the Council. K. Iverson Riggers will also be connecting with the Division of Care and Treatment Services (DCTS) to discuss efforts around Certified Peer Specialists.

Open Co-Chair discussion

S. Gross announced that he is planning on resigning as Chair of the LPC effective December 1, 2017, and plans to remain as a LPC member. S. Gross asked that any member who is interested in becoming the new co-chair to let the Chairs know.

Review Committee roster

The LPC is in need of a new representative from the Independent Living Council as Mike Bachhuber is no longer with the organization. The LPC is also working with Grassroots Empowerment Project (GEP) to identify who from the organization would be a good fit for ongoing participation on the Committee.

Public Comment

No public comment was made.

2. Budget Wrap Up

S. Gross provided an update regarding the State budget. The DHS will move ahead with the changes to the Medicaid Purchase Plan (MAPP). The DHS is also moving forward with the Veterans Peer Run Respite. The Projects for Assistance in Transition from Homelessness (PATH) program is also in the process of being transferred from the Department of Administration (DOA) to the DCTS. The Opening Avenues to Reentry Success (OARS) program will be also expanding. Additional budget items were changes to Children's Long Term Support and expansion of the Child Psychiatric Consultation Program.

3. Legislative and Policy Updates and Discussion

State Legislation: Chapter 51/Crisis Intervention Team

C. Hester and M. Madden from NAMI-Waukesha provided information regarding the proposed legislation to modify Chapter 51. The legislation would add trained Crisis Intervention Team (CIT) officers to the list of those who can conduct an assessment for the purpose of an Emergency Detention (ED). M. Madden noted that it is believed that the legislation largely stems from issues in Waukesha County. Changes to Chapter 51 in 2016 were interpreted by the Waukesha County Corporation Counsel in a conservative manner requiring Emergency Detention assessments must be conducted in person by professional. Chapter 51 does allow for this assessment to be conducted in person or via telephone.

Waukesha has also recently expanded crisis services to a 24 hour mobile crisis team. The procedures in place in Waukesha County have created bottle necking given the geographic size of the County and the limited mobile crisis members on staff at any given time. Members of the community have been meeting in the hopes of finding a solution to the problem. There is also a proposal in the county to pilot a program that would train CIT officers on assessment and provide clinical supervision to those officers. The intent would be for an officer to conduct an assessment and then have a clinical professional review the assessment.

M. Neubauer suggested that Waukesha County may benefit from looking to Milwaukee County as their CART team model has been successful and has reduced the number of people who have required an ED.

The LPC will monitor this legislation and revisit at future meetings to determine if action is required.

Review of LPC Bill Tracking

Members of the LPC discussed the following legislation and discussed whether any action should be taken.

- LRB 2661/1 relating to: crisis intervention team grants and making an appropriation. The legislation increases the amount that DCTS is required to distribute for CIT from \$250k to \$1 million. C. Hester will track the legislation.
- LRB 1983/1 relating to: transfer for emergency detention and warning of dangerousness. K. Kerschensteiner noted that there the legislation was largely developed by the Wisconsin Hospital Association (WHA). There are some concerns regarding the definition of medically appropriate and how that language is interpreted in the legislation. How this impacts custody is also not addressed and that is concerning. K. Kerschensteiner will track the bill.
- LRB 0917/P6 relating to: rights of and protections for teachers “Teacher Protection Act.” J. Juhnke provided a briefing on the legislation. On a broad level the legislation undercuts confidentiality and creates a new offense that is currently not a crime, physical assault, or a student touching another student with an object or body part with intent to injure. Any such occurrence would be included as a tracked suspension item and could force administrators to report such events to police. Teachers would also be able to go above school leadership to a school board to force a suspension hearing. If a student is taken into custody law enforcement must inform school administrators, and these arrest records would then be shared with all the teachers. This could create stigma and could often be based on hearsay. Previously these juvenile justice records would be sealed but this bill would allow for them now to become part of a permanent record at school. J. Juhnke will track the legislation.
- AB 525 relating to: a study on alternatives to the solitary confinement of inmates. K. Kerschensteiner will track the legislation.
- SB 393 relating to: the treatment of a pregnant or postpartum person in prison or county jail. The LPC recommended this bill be referred to the Criminal Justice Committee for consideration.

Motion: Propose statement to WCMH regarding firearm related legislation

S. Gross introduced a motion to adopt a statement guiding WCMH responses to firearm related legislation. Suicide prevention is a key initiative for the WCMH. The statement addresses current laws, how they are associated with reducing suicide and suicide related deaths. The statement would support legislation that would help reduce firearm deaths by suicide. Some caveats are that the legislation could not be based solely on the presence of a mental illness and that there must be due process for the removal of firearms.

Members of the LPC voiced their support for the statement. K. Kerschensteiner recommended that the statement should address legislation that can have the unintended consequences of having a disparate impact on people that the legislation is not directly intended to impact. The statement should also address the importance of tying removal of firearms to proximal events. S. Gross will make edits and bring the statement back for further review by the LPC.

M. Herstand provided an update on AB29, regarding licensing requirements for Social Workers. The National Association of Social Workers continues to meet and negotiate with State Senator Nass on the required hours of training included in the bill. M. Herstand asked for continued support for the WCMH.

M. Herstand updated the group on legislation to create an occupational license review council. Many associations are coming together in opposition to this legislation. Occupational license review council, M Herstand went to this group. Efforts are also underway to develop a child victim act that would eliminate the statutes of limitations on child sexual assault.

4. Division of Care and Treatment Services Updates

Presentation on the new Recovery Thermometer

L. Lampe discussed the Wisconsin Recovery Thermometer. A team from DHS came together to develop the tool, championed by former DCTS evaluator Mike Quirke. The group was looking for a way for consumers to easily measure their own recovery. There were many measures to address treatment but not as many that focused on how treatment impacted people's lives. The group worked to develop a Wisconsin specific measure based on good research that was available. The group initially developed a longer version but it was slowly pared down, statistically analyzed, and reviewed by a group of Certified Peer Specialists across Wisconsin. The intent is that the tool be used by an individual for self-assessment on their recovery. It could be used by programs with their clients, but it is more so a tool for individuals.

Federal Legislation

The President signed an executive order creating association health plans only for businesses. This would not impact individuals. Changes may lead more insurers to pull out of the healthcare market place.

C. Wirth announced that S1879/HR3023 was introduced which would change language so that Marriage and Family Therapists and Licensed Professional Counselors could provide services under Medicare Part B. There appears to be bipartisan support. The legislation would help improve access to services.

5. Agenda Items for November 2017 Committee Meeting

Members of the LPC reviewed the 2018 Committee schedule. The group will look at meeting with the Children and Youth Committee and Criminal Justice Committee at some point in the coming year. CYC an LPC will continue to meeting at some point in the year.

6. Adjourn

Meeting adjourned at 2:50pm.