

LEGISLATIVE & POLICY COMMITTEE
of the
Wisconsin Council on Mental Health

Minutes of the August 14, 2014 Meeting

Members in attendance:

Shel Gross, Wisconsin Council on Mental Health	Paula Buege, Children & Youth Committee of the Wisconsin Council on Mental Health
William Parke-Sutherland, Grassroots Empowerment Project	Matt Strittmater, La Crosse County DHS, Wisconsin County Human Services Assn.
Mike Bachhuber, ILCW - Independent Living Council of Wisconsin	Mary Neubauer, Wisconsin Council on Mental Health
Stacy Paul	Kit Kerschensteiner, Disability Rights Wisconsin
Annabelle Potvin, NAMI – Wisconsin	Justin Odulana, Health International Network System, LLC
Carol Keen	Joanne Juhnke, Wisconsin Family Ties

Alternates in attendance:

Barbara Beckert, Disability Rights Wisconsin	Mike Lappen, Ozaukee County DHS, Wisconsin County Human Services Assn.
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DHS Staff: Dan Zimmerman (Bureau of Prevention Treatment and Recovery/BPTR), Kay Cram (BPTR), Ryan Stachowiak (BPTR), Joyce Allen (BPTR), Rebecca Wigg-Ninham (BPTR),

Guests: Dr. Rick Immler (Wisconsin Council on Mental Health), Joleen Plautz (Wisconsin Association for Marriage and Family Therapy), Tatiana Smith (Wisconsin Family Ties), Kim Eithun-Harshner (Office of Children’s Mental Health), Mishelle O’Shasky (Wisconsin Council on Mental Health)

Introductions; review and approval of the July 10, 2014 minutes.

Dr. Odulana moved to approve the minutes “as is.” Mr. Parke-Sutherland seconded the motion. The motion passed unanimously.

Announcements/follow-up from last meeting (please remember that announcements should be limited to items that can’t be communicated via e-mail, meeting minutes, the agenda, etc.)

- Mr. Gross noted the issuance of a new report entitled, “The Burden of Suicide in Wisconsin,” which may be found at <http://www.mhawisconsin.org/Data/Sites/1/media/suicide-prevention/burden-of-suicide-2014-final-electronic-version.pdf>.
- Mr. Gross indicated that the Wisconsin Council on Mental Health accepted the recommendation of the Legislative & Policy Committee and wrote a letter to the Wisconsin Congressional delegation in support of the Keeping All Students Safe Act (KASSA).
- Mr. Parke-Sutherland introduced Mishelle O’Shasky, who is the new State- Wide Network Peer Coordinator for Grassroots Empowerment Project, as well as a governor-appointed member of the Wisconsin Council on Mental Health.
- A copy of the brochure for the 2014 Milwaukee Mental Health Task Force Summit: Understanding Recovery was presented. A copy of the brochure and other relevant information may be found at <http://www.milwaukeeemhtf.org/2014/07/24/register-now-2014-milwaukee->

[mental-health-task-force-summit-understanding-recovery.html](#). Scholarships for the registration fee are available.

- Mr. Bachhuber indicated that the Independent Living Council representatives met with Division of Long Term Care (DLTC) and requested DLTC to develop a cost estimate for a home and community-based waiver program that would serve all persons who meet a Medicaid reimbursable care level in a nursing facility or intermediate care facility for individuals with an intellectual disability. The intent of such a waiver program would be to create an entitlement to funding and an opportunity for community placement. The request included a suggestion for an enhanced daily rate of approximately 5% above the usual rate to be part of the cost estimate. Mr. Bachhuber briefly discussed the Community First Choice Option which is a § 1915 (k) waiver program (in the Social Security Act).

Meaningful consumer and family involvement (Paula Buege)

The following concepts were discussed to make the Legislative & Policy Committee meetings more welcoming to others:

- Conference rooms in 1 W. Wilson that can accommodate a group the size of this committee are very limited, especially after eliminating rooms without windows. Room 630 is scheduled for the September and October meetings, which has sufficient space to permit everyone to sit at the table, but has limitations for persons who may participate by phone.
- Andrew Hanus, who is a staffer in Rep. Vos' office, has been informed of the statutory limitations related to reimbursing consumers for participation in the Council (and its committees) meetings. Ms. Allen will follow up with staff in the Office Legal Counsel regarding tax issues (e.g., Are consumers considered to be employees of the department if they are paid for their time? Will it be necessary to issue a 1099 to consumers?).
- The mileage reimbursement form is too complex. Mr. Zimmerman will send a sample of a completed form (just the portions consumers need to complete; DHS staff will complete the rest of the form, as necessary). A notation was made that if a consumer has not previously received a reimbursement check from the department, then another form will need to be completed to establish a vendor number for the consumer.
- A request was made to develop an orientation session for new members, as well as mentorship and debriefing sessions.
- Mr. Gross discussed the membership of the committee and noted that all meetings of the Council and its committees are subject to the open meetings laws.
- Use of teleconference equipment is not ideal, but videoconferencing should be explored.

MH 2.0; DHS updates; updates on implementation of budget items and bills (Shel Gross)

- Ms. Kerschensteiner and Hugh Davis, from Wisconsin Family Ties, met with Kevin Moore, the DHS Deputy Secretary, last week. Ms. Kerschensteiner indicated that Andrew Hanus, a staffer in Rep. Vos' office, was interested in the MH 2.0 paper, as well as information on how the peer respite centers are doing, the Centers for Medicare and Medicaid Services (CMS) guidance on early and periodic screening, diagnostic, and treatment (EPSDT) and home and community-based waiver program requirements. See the following papers: EPSDT - A Guide for States: Coverage in the Medicaid Benefit for Children and Adolescents, June 2014 at http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Benefits/Downloads/EPSDT_Coverage_Guide.pdf; Clarification of Medicaid Coverage of Services to Children with Autism, July 7, 2014 at <http://www.medicaid.gov/Federal-Policy-Guidance/Downloads/CIB-07-07-14.pdf>; and State: Autism Therapy a Medi-Cal Benefit

(California), August 6, 2014 at <http://www.californiahealthline.org/capitol-desk/2014/8/state-autism-therapy-a-medical-benefit>

- Ms. Kerschensteiner will try to set up a meeting with the Department of Corrections Secretary to discuss the MH 2.0 paper.
- Some advocates met with Rep. Sanfello, who had questions regarding the Opening Avenues to Re-entry Success (OARS) program, which is a treatment program for persons who have a mental illness and have been released from a correctional facility (e.g., Are DHS and DOC are on the same page? Is Medicaid reimbursement being claimed for treatment services?). Rep. Sanfello also had questions regarding Individual Placement and Supports (IPS).
- Ms. Beckert stated that the department has contracted with The Management Group and Deloitte to provide assistance in completing the study of the Milwaukee County Behavioral Health Division.
- Mr. Zimmerman indicated that as of yesterday the census at the two Milwaukee County facilities, Rehabilitation Central, a Medicaid-certified nursing facility, and Hilltop, a Medicaid-certified intermediate care facility for individuals with an intellectual disability, is 34 persons in each facility. Hilltop is scheduled to be closed as of November 1, 2014 with everyone relocated to the community and Rehabilitation Central is scheduled to be closed by December 31, 2015.
- Mr. Bachhuber reported that the Legislative Audit Bureau (LAB) is to complete an audit in early 2015 regarding the Medicaid benefit of non-emergency medical transport. LAB will look at the current cost of the benefit in comparison to the costs when the counties provided the services, as well as accessibility to the services now compared to when the counties provided the services.

Plan for meeting with providers (Shel Gross)

This agenda item was briefly discussed and it was noted that some provider representatives may not wish to discuss issues with this committee during an open meeting.

Police shootings and crisis intervention training for police (Kit Kerschensteiner)

This agenda item was deferred.

DHS transition plan for the HCBS (Kit Kerschensteiner)

Ms. Kerschensteiner encouraged everyone to look at the information in the department's Family Care Medicaid Home and Community-Based Services Waiver Renewals at <http://www.dhs.wisconsin.gov/lcure/StateFedReqs/waiver.htm>, particularly the Draft Family Care Home and Community-Based Settings Transition Plan. CMS issued new rules for home and community-based waiver programs that contain narrower definitions. Among the new requirements are details to meet to ensure that the most integrated setting consistent with each consumer's needs is used. The department is accepting comments regarding Family Care (e.g., how well are enrollee's mental health needs being met?). The CMS changes also will impact the Community Recovery Services program.

Other business/agenda items for the next meeting (Shel Gross)

- Continue to discuss meaningful consumer and family involvement and reimbursement.
- Committee membership.
- Continue to plan for meeting with providers.
- Police shootings and crisis intervention training for law enforcement officers.
- New requirements for home and community-based waivers.

- Update from La Crosse County regarding the CCS certification and other work in the consortium of La Crosse, Jackson, and Monroe counties.
- Receive information regarding the Wisconsin Early Childhood Collaborating Partners' Pyramid Model (which may be found at <http://www.collaboratingpartners.com/social-emotional-competence-sefel-pyramid.php>) to address abuse and neglect issues with children.
- Telehealth costs and issues.

Public comments

None.

The meeting was adjourned at 3:27 p.m.

Possible agenda ideas for the September 11, 2014 meeting or subsequent meetings:

1. Progress towards the committee's strategic plan.
2. Current legislative action(s) (e.g., state budget, etc.).
3. Discussion of updating s. 51.61 (1) (i), Stats., related to use of restraint and isolation/seclusion.
4. Update on federal and State mental health parity regulation.
5. Mental health services in Family Care and SSI Managed Care.
6. Have a joint meeting with the Children and Youth Committee, as well as the Criminal Justice Committee and the Adult Quality Committee periodically.
7. Have a department representative provide a description of Community Options Program (COP) funds for persons who have a mental illness and the impact of Family Care on these funds.
8. Update from DHS staff regarding Community Recovery Services (CRS).
9. Update on the Department's pilot projects related to the MH/AODA Infrastructure Study.
10. Presentation from DHS staff on increasing mental health benefits for childless adults enrolled in BadgerCare Plus Core.
11. Presentation from DOA's Division of Housing on funding and options for supported housing for persons who have a mental illness.
12. Issues related to Medicaid prior authorization requirements.
13. Health Care Exchanges.
14. Health Information Network.
15. Olmstead and active treatment issues; brainstorming regarding these issues.
16. Models of self-determination.
17. Mental health advance directives.
18. The Drug Advisory Committee should address medication therapy and alternative functional medicine, as well (medical homes).
19. An update from staff at the Office of the Commissioner of Insurance of complaints and issues related to the implementation of the mental health/substance abuse parity requirements and implementation of the Patient Protection and Affordable Care Act.
20. Quality improvement for mental health programs.
21. Update on best practices for the use of antipsychotics for children.
22. Discussion with Division of Quality Assurance staff regarding Immediate Jeopardy citations in hospitals and nursing homes (particularly Milwaukee Co. Behavioral Health).
23. Discussion with Division of Health Care Access and Accountability staff regarding the Request for Bid to select a new transportation management agency (i.e., replace LogistiCare).
24. Update from Vince Maro regarding the crisis intervention/stabilization project for Family Care enrollees.
25. Discussion of the Affordable Care Act and enrollment;

26. Discussion of the impact of the expansion of Comprehensive Community Services and other Medicaid changes may have on community support programs
27. Discussion of HMO responsibilities related to child protective services
28. Discussion regarding administrative rules related to marriage and family therapists, professional counselors, and social workers (MPSW 1 – 20), as well as substance abuse counselors (SPS 160 – 168)
29. Have department staff and staff from North Central Health Care (Langlade, Lincoln, and Marathon counties) discuss North Central's efforts to provide integrated care (medical/health home).
30. Setting up a task group to make recommendations on streamlining the diverse mental health activities/programs, and responsible agencies (both government and non-government) that could lead to the establishment of few major bodies as overseers and/or coordinators, similar to the coordinating activities of the Office of Children's Mental Health.