

**Lincoln, Nebraska  
March 11, 2009**

**JUSTICE BEHAVIORAL HEALTH COMMITTEE  
*MEETING MINUTES***

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The Justice Behavioral Health Committee (JBHC) of the Community Corrections Council (Council) met Wednesday, March 11, 2009, in Classroom 1, at Bryan LGH West, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the Lincoln Journal Star.

**Members Present:**

Jerome Barry, Co-Chair  
Scott Carlson  
Dave Carver  
Kathleen Grant  
Lori Griggs  
Anne Hansen  
Jim Harvey  
Scott Helvie  
Randy Kohl  
Linda Krutz  
Deb Minardi  
Michael Overton  
Dan Powers  
Nancy Probst  
Brenda Rohren  
Steve Rowoldt, Co-Chair  
Julie Scott  
Mark Weilage  
Linda Wittmuss

**Members Absent:**

Roxie Cillessen  
Thomas Glenn  
Dennis McChargue  
Rick McNeese  
Terri Nutzman  
Bruce Prenda  
T. Hank Robinson  
Kathy Seacrest  
Dave Wegner

**Council Staff Present:**

Tia Bachman  
Jeffrey Beaty

## **WELCOME & INTRODUCTIONS**

Steve Rowoldt, Chief Probation Officer and Co-Chair, called the meeting to order at 9:03 a.m. and announced the meeting was subject to the Nebraska Open Meetings Act. Attendance is indicated above. Each member introduced him or herself and gave a brief statement about their association with JBHC.

## **APPROVAL OF MINUTES**

Members reviewed the December 10, 2008 meeting minutes. No corrections were noted.

*A motion was made by Deb Minardi and seconded by Mike Overton to approve the December 10, 2008 minutes as presented. The motion passed unanimously by acclamation.*

## **MEMBERSHIP VACANCY REVIEW**

JBHC consists of thirty-three committee members. Six member positions are currently vacant.

Rowoldt proposed Mike Tolley as the representative or designee from United States Probation. *A ballot vote was conducted and Mike Tolley was elected as the representative or designee from United States Probation.*

Brenda Rohren will contact Mike Finney, a public member of the Licensed Mental Health Provider (LMHP) Board, to confirm his candidacy as a representative to JBHC. Further discussion is tabled until the June 10, 2009 meeting.

Linda Krutz, Executive Director of the Community Corrections Council (Council), said the Governor has not yet filled the four Council vacancies for behavioral health.

Deb Minardi, Deputy Probation Administrator for Community Based Supervision, Programming and Services, questioned if the topic of the Council vacancies should be brought to attention during the Council meeting on March 27, 2009.

Rowoldt noted the absences of Kathy Seacrest, Program Director, Region II Human Services, and said Seacrest is willing to step down as a member if another could be found, and noted Seacrest expressed her desire to continue if an alternate member could not be found. Linda Wittmuss, Associate Regional Administrator, Region V Services and Co-Chair, will contact all Regions to see if another member would be available to fill Seacrests' position and report back at the June 10, 2009 meeting.

Jeff Beaty, Council, said he contacted Roxie Cillessen, Division of Medicaid and Long Term Care, Department of Health and Human Services (DHHS), to discuss her lack

of attendance in the past year. Cillessen will check to see if anyone else in her division would be willing to serve on JBHC. Beaty will report back at the June 10, 2009 meeting.

#### **BYLAWS REVIEW**

Rowoldt discussed the addition of a representative from the United States pretrial services tabled from the December 10, 2008 meeting. Rowoldt said he contacted United States pretrial services and they are interested in having a representative attend JBHC meetings.

*A motion was made by Dave Carver and seconded by Deb Minardi to approve the addition of a representative from the United States pretrial services be added to JBHC. Roll call was conducted and the motion passed unanimously.*

Rowoldt will contact United States pretrial services for a candidate to be considered at the June 10, 2009 meeting.

#### **CURRICULUM SUB-COMMITTEE REPORT**

Wittmuss gave the Curriculum Sub-Committee report. No changes have been made to the Criminal Justice Performance Assessment Rubrics for Addiction Professionals (Rubrics). Wittmuss said a report is being prepared by the Youth Rehabilitation and Treatment Center at Geneva (YRTC-Geneva) and Terri Nutzman, Director of the Office of Juvenile Services (OJS), to add a youth aspect to the Rubrics.

Wittmuss said Kate Speck will meet with the University of Nebraska at Lincoln (UNL) research department and Dennis McChargue, Associate Director of Clinical Training for the Department of Psychology, UNL, after the youth section is completed.

#### **LICENSING BOARD RECOMMENDATIONS**

David Carver, Director of Counseling & Student Development, University of Nebraska Medical Center (UNMC) and Board of Psychology, and Mark Weilage, Ph.D., will review the psychology portion of the Rubrics. The Board of Psychology will meet again on March 20, 2009. Discussion on feedback from the Board of Psychology is tabled until June 10, 2009.

Jerome Barry, Licensed Alcohol and Drug Counselor (LADC) said the LADC licensing board meets again on April 9, 2009. Barry will wait to present the Rubrics until the youth piece is completed. Discussion on feedback from the LADC licensing board is tabled until further notice.

#### **DATA SUB-COMMITTEE REPORT & UNIFORM DATA ANALYSIS FUND**

Mike Overton, Nebraska Commission on Law Enforcement and Criminal Justice, gave the Data Sub-Committee report and Uniform Data Analysis Fund report. The Data

Sub-Committee and the Uniform Data Analysis sub-committee met conjointly on February 4, 2009.

Overton noted a need for state agencies to be standardized when reporting codes. DHHS and the Department of Correctional Services (DCS) are currently involved in determining the number of people receiving mental health care who are associated with the corrections population and where they receive services first, second, and so forth.

Overton said a request was made by a service provider to access the Nebraska Criminal Justice Information System (NCJIS). The service provider was unable to access the information because the client is pre-adjudicated and was not currently in the criminal justice system.

Minardi said an offender can go to each law enforcement agency or court they were involved with and pay a fee to obtain their criminal record. A frequently asked questions sheet is currently being developed by probation for providers and 'Where to obtain the criminal records' can also be included.

Julie Scott, Justice Treatment System Specialist, Probation Administration, said there are also instances of providers using a model other than the Standardized Model adopted by the Supreme Court to evaluate clients. Minardi noted that a non-monetary voucher is being piloted in the Problem-Solving Courts and includes using the Standardized Model on all the clients.

Rowoldt said a two hour education session will be conducted in the fall for judges that incorporates evidence based practices, sentencing, and targeting proper assessments. It may be an opportunity to include new judge orientation to assist judges in recognizing a standardized evaluation.

Barry questioned if the licensing boards can take action on providers using multiple evaluations. Carver said it would take a client filing a complaint against a provider stating that they were not given a quality evaluation and that it caused them harm. Barry said 'where providers can obtain criminal histories' and 'the use of only the Standardized Model' could be a part of the newsletters sent out by the licensing boards.

#### **PROVIDER SUB-COMMITTEE REPORT / LETTER TO PROVIDERS**

Nancy Probst, LADC, stated no meeting had been held by the Provider Sub-Committee nor changes made to the Provisional Standards of Practice since the December 12, 2008 JBHC meeting.

Beaty reminded JBHC members that the Council had changed the name from Standards of Practice to Provisional Standards of Practice during the October 17, 2008 Council meeting.

Barry suggested that the title of the document be changed again to distinguish the standards as pertaining to substance abuse disorders and not mental health disorders. Kathleen Grant, M.D., said the correct term is substance use disorders.

*A motion was made by Jim Harvey and seconded by Jerome Barry to change the title of Provisional Standards of Practice to Provisional Criminal Justice Substance Use Disorders Standards of Practice. Roll call was conducted and the motion passed unanimously.*

Jim Harvey, Division of Behavioral Health, DHHS, suggested this would be the correct time to present the Provisional Criminal Justice Substance Use Disorders Standards of Practice to DHHS and receive their endorsement. Wittmuss suggested DHHS send JBHC a letter denying the endorsement if that is the case.

*A motion was made by Linda Wittmuss and seconded by Kathleen Grant for the Justice Behavioral Health Committee to request the Department of Health and Human Services, Behavioral Health, review and endorse, the Provisional Criminal Justice Substance Use Disorders Standards of Practice. Roll call was conducted and the motion passed unanimously.*

Harvey recommended the Provisional Criminal Justice Substance Use Disorders Standards of Practice be discussed during the April 14, 2009 State Advisory Committee on Substance Use Services meeting.

*A motion was made by Jerome Barry and seconded by Dave Carver for the Justice Behavioral Health Committee to request the Department of Health and Human Services place the topic of Provisional Criminal Justice Substance Use Disorders Standards of Practice on the April 14, 2009 State Advisory Committee on Substance Use Services meeting agenda. Roll call was conducted and the motion passed unanimously.*

Minardi discussed the draft cover letter to be sent out with the Provisional Criminal Justice Substance Use Disorders Standards of Practice to the providers. The letter is a means of introduction to the providers. Additions to the letter include: "This document is intended to introduce justice providers with overarching principles." in the second paragraph; and: "As this committee moves forward in the future towards quality assurance, these Provisional Criminal Justice Substance Use Disorders Standards of Practice, will facilitate this process." to close the letter.

Rowoldt questioned what agency or body will sign the letter. JBHC does not have its own letterhead so one will have to be made. The co-chairs can sign their names to it. Krutz will discuss the letter with the Council at the March 27, 2009 meeting and receive feedback from it. Distribution of the letter will be tabled until further notice.

## **COMMUNITY CORRECTIONS COUNCIL REPORT**

Krutz said the Council has been unable to conduct a meeting since October 17, 2008 due to weather cancelations and the special session held by the legislature. The next Council meeting will be held on March 27, 2009 at Country Inn & Suites.

### **PROBATION ADMINISTRATION UPDATE**

Minardi gave an update on activities by the Probation Administration. The Specialized Substance Abuse Supervision (SSAS) program is currently undergoing an evaluation. A process evaluation is currently being conducted by Vera Institute of Justice and the results will be presented at the May 1, 2009 Council meeting.

The juvenile pilot program between the OJS and Child Welfare Services, DHHS, started on January 1, 2009. A model will be created for the continuation of services for juveniles. All current dual supervision juveniles will become either a part of DHHS or OJS.

Scott gave a presentation of populations served by the Fee for Service Voucher Program (Voucher). In January of 2008 the Voucher program was expanded to include participants of the Douglas County Adult Drug Court and in November of 2008 to include participants of the Central Nebraska Adult Drug Court.

Evaluations made up 56 percent of allotted funds for fiscal year 06-07; 37 percent of funds in fiscal year 07-08; and 33 percent of funds to date in fiscal year 08-09. Outpatient services accounted for 24 percent of allotted funds in fiscal year 06-07; 33 percent in fiscal year 07-08; and 40 percent to date in fiscal year 08-09.

Scott said a total of \$226,620 was allotted for short term residential care between July through November of 2008 for probation and non-probation clients. Parole clients used \$167,000 and probation clients used \$783,000.

### **PAROLE UPDATE**

Anne Hansen, Deputy Parole Administrator, gave an update on parole. Currently parole is working with Rick McNeese, Behavioral Health Assistant Administrator for Substance Abuse, DCS, to reduce the voucher funds spent on evaluations by obtaining the evaluations from institutional staff. Hanson noted that SSAS is over capacity in Lincoln. Parole will conduct an internal American Correctional Association (ACA) audit during the week of March 16, 2008.

### **OTHER BUSINESS**

No other business was presented.

**PUBLIC TESTIMONY**

There was no further public testimony.

**ADJOURNMENT**

The next meeting is scheduled for Wednesday, June 10, 2009, at 9:00 a.m., at Bryan LGH West Classroom 2 in Lincoln, Nebraska.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

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Tia M. Bachman