

**Lincoln, Nebraska
June 10, 2009**

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

The Justice Behavioral Health Committee (JBHC) of the Community Corrections Council (Council) met Wednesday, June 10, 2009, in Classroom 2, 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
Bonnie Brown
Scott Carlson
Dave Carver
Eleanor Devlin
Kathleen Grant
Lori Griggs
Anne Hansen
Jim Harvey
Linda Krutz
Rick McNeese
Deb Minardi
Mike Overton
Bruce Prenda
Mike Reddish
Brenda Rohren
Steve Rowoldt, Co-Chair
Kathy Seacrest
Mike Tolley
Dave Wegner
Mark Weilage
Linda Wittmuss, Co-Chair

Members Absent:

Thomas Glenn
Scott Helvie
Dennis McChargue
Nancy Probst
T. Hank Robinson
Julie Scott

Council Staff Present:

Tia Bachman
Jeff Beaty

WELCOME & INTRODUCTIONS

Linda Wittmuss, Associate Regional Administrator, Region V Services and Co-Chair, called the meeting to order at 9:04 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.

Eleanor Devlin, Council, and Mike Tolley, United States Probation, were welcomed as new members to the committee.

APPROVAL OF MINUTES

Members reviewed the March 11, 2009 meeting minutes. Corrections are as follows:

Page 1, Members Present, remove Co-Chair from beside Jerome Barry and add it behind Linda Wittmuss;

Page 2, Membership Vacancy Review, “Brenda Rohren will contact Mike Kinney...”; and “Deb Minardi...brought to the attention of the Council members during...”;

Page 3, Curriculum Sub-Committee Report, “Wittmuss said a report is being prepared in consultation with the Youth...”

A motion was made by Dave Carver and seconded by Mark Weilage to approve the March 11, 2009 minutes as presented. The motion passed unanimously by acclamation.

MEMBERSHIP VACANCY REVIEW

JBHC consists of thirty-four committee members. Four member positions are currently vacant.

Kathy Seacrest, Program Director, Region II Services, proposed Ingrid Ganzebom as a designee for her position or the possibility of teleconferencing for future meetings due to the lengthy distance to be traveled. Further discussion will be needed to incorporate a designee into the bylaws and consideration will be made for teleconferencing.

Steve Rowoldt, Chief Probation Officer and Co-Chair, proposed Troy Greve as the representative or designee from United States Pretrial Services. Greve has been a member of probation in some capacity for over 20 years. *A ballot vote was conducted and Troy Greve was elected as the representative or designee from United States Pretrial Services.*

Brenda Rohren, Licensed Independent Mental Health Provider (LIMHP), Licensed Mental Health Provider (LMHP), Licensed Alcohol and Drug Counselor (LADC), proposed Mike Kinney, member of the LMHP Licensing Board, as a

representative to fill position 13 of the bylaws; Two Licensed Mental Health Providers – one must be on the LMHP Licensing Board.

Jeff Beaty, Council, said an interim discussion with Kinney revealed he is an attorney serving on the LMHP Licensing Board which disqualifies him for the position. An option exists to change position 13 of the Bylaws to state: One Licensed Mental Health Practitioner; one member of the LMHP Licensing Board. Committee members agreed it was in the best interest of the committee to leave the Bylaws as they are. Rowoldt will attend the next LMHP Licensing Board meeting to answer questions on membership to the committee.

Jerome Barry, LADC serving on the LADC Licensing Board, gave his notice of resignation to the committee and stated the June 10, 2009 meeting would be his last. Barry will request a new representative from the LADC Licensing Board. Rowoldt may also attend the next LADC Licensing Board meeting to answer any questions.

Beaty said he contacted Roxie Cillessen, Division of Medicaid and Long Term Care, Department of Health and Human Services (DHHS). Bonnie Brown, a mental health/substance abuse nurse consultant, will attend future meetings as a designee for Cillessen. A meeting commitment from 8:30 a.m. to 9:30 a.m. every Wednesday will have her arriving at the committee meetings at approximately 10:00 a.m.

Jim Harvey, Division of Behavioral Health, DHHS, said Carol Coussons de Reyes, CPS, MS, is the new Administrator for the Office of Consumer Affairs, Division of Behavioral Health, DHHS, replacing Dan Powers, Interim Director.

PROVIDER SUB-COMMITTEE REPORT / LETTER TO PROVIDERS

Judge James E. Doyle, Dawson County District Court, discussed the ongoing topic of *Quality Assurance for Providers* via teleconference. Doyle is also a judge in the Midwest Nebraska Drug Court, a post-plea felony drug court which has approximately 30 participants at any given time. The majority of participants are methamphetamine or cocaine drug users. All participants of the drug court are required to complete an alcohol, chemical dependency, and substance abuse evaluation according to the Standardized Model and participate in the required treatment program which takes approximately 18-24 months to complete. The course of treatment consists of two types: intensive outpatient followed by outpatient; or intensive inpatient followed by intensive outpatient and then outpatient. At the time of completion, the participant can withdraw their plea, the charges set aside, and the case is dismissed.

The drug court relies upon professional treatment facilities to provide evidence based programs for the participants. Providers within these facilities are required to submit treatment programs for inpatient and outpatient services so assurances can be made that what they are offering is evidence based. The concern is whether the treatment being provided to the drug court participants is evidence based and treatment that will

give them the necessary skills and the ability to change their thinking to allow them to become drug free.

Doyle requested a standard or model to measure the validity of programs that could be applied to insure that individuals participating in a treatment program, more likely than not, will achieve the desired results. The participants are court ordered to receive treatment, but no standard or peer review is available to assure providers adhere to the program and are capable of helping participants adopt a new way of living.

The State of Nebraska provides funding for the programs and taxpayers have a right to know that services being provided are effective. The majority of the funding is through the Fee For Service Voucher program (voucher). An average participant pays \$2,300 to \$3,000 in fees with approximately 80/20 voucher/participant split.

Seacrest said registered providers contracted by the regions can be audited and outcomes looked at. If they are not a contract provider, there is not a way to monitor them. Wittmuss said the regions are always in a state of revising programs. The quality assurance piece has always been up for discussion, but as of yet, has not been adequately addressed. Doyle said if the standards were a part of the drug court program, then the judges or courts could enforce the standards since the providers are under contract. Otherwise, an independent group could audit the providers.

Dave Carver, Board of Psychology, said there are regulations from the licensing boards that govern the provision of services and questioned if there are specific concerns with the treatment being received by the participants or if complaints have been voiced from other providers in the community. Mark Weilage, Ph.D., Department of Correctional Services (DCS), said there is a difference between a contract with the provider and the licensing of providers. It should be clarified as a contract issue which could be enforced since technically the treatment being provided is not out of the realm of adequate treatment.

Rick McNeese, DCS, said nationwide there is a clear body of research that shows what is effective with treating the criminally involved, chemically dependent individual. Beaty said the Provisional Criminal Justice Substance Use Disorders Standards of Practice (Provisional Standards) were developed by the committee and provisionally approved by the Council. The issue now is how to apply those standards, who will fund the audits, and who should the auditors report to. Minardi said when providers agree to become a registered provider they in essence agree to follow the Standardized Model.

Kathleen Grant, M.D., questioned if data existed to support the outcomes of evidence based practices (EBP) and quality of services being provided. Doyle said the Parole Information Management System (PIMS) will start being used on August 4, 2009 to collect that data.

Seacrest said at a minimum, the judges in charge of the drug courts, should receive the Provisional Standards. Barry cautioned that providers should receive the Provisional Standards prior to judges receiving them.

A motion was made by Kathy Seacrest and seconded by Jerome Barry to send the Provisional Criminal Justice Substance Use Disorders Standards of Practice to Judge Doyle and the registered providers and receive feedback by June 30, 2009. The Provider Sub-Committee will review the feedback and give a report at the September 9, 2009 meeting. The motion passed unanimously by acclamation.

Beaty said the cover letter to be sent out with the Provisional Standards to the registered providers will be signed by the Council. Minardi will provide the registered provider email listing to Council staff. The committee agreed the cover letter and Provisional Standards should be sent out to the registered providers by June 12, 2009 with feedback emailed to Council staff by June 30, 2009. A copy of the JBHC membership, the Provider Sub-Committee, and the Council membership list will also be included.

A motion was made by Kathy Seacrest and seconded by Deb Minardi to approve the Provider Sub-Committee to come up with some ideas to address Judge Doyle's concerns about quality assurance of services provided by the registered providers. The motion passed unanimously by acclamation.

Quality Assurance for Providers will be a standing agenda item for future meetings.

Harvey gave an update on the discussion at the April 14, 2009 *State Advisory Committee on Substance Abuse Services* meeting regarding the Provisional Standards. Jerome Barry and Julie Scott were in attendance and gave an overview of the Provisional Standards. The State Advisory Committee recommended that DHHS research and report back on how the Provisional Standards would affect the policies, contracts, and memorandums of understanding currently in place.

Wittmuss will attend the July 14, 2009 meeting to discuss the Provisional Standards further and answer any questions.

BUILDING SYSTEM CAPACITY FOR IMPLEMENTING EVIDENCE BASED PRACTICES IN SUBSTANCE ABUSE TREATMENT AND PREVENTION GRANT

Minardi gave a description of the *Building System Capacity for Implementing Evidence Based Practices in Substance Abuse Treatment and Prevention (R34)* grant. The grant is issued by the National Institute on Drug Abuse (NIDA), National Institute of Health.

The grant would provide “resources to facilitate research on the adoption, implementation, and sustainability of evidence-based clinical treatment practices,

prevention approaches, and business practices in community-based service delivery setting. It is intended to foster collaboration between service providers and entities that directly influence their capacity to deliver such practices, including Single State Agencies, other funders, licensing and regulatory bodies, referral sources, educational entities, and other social services agencies that interact with the treatment and prevention systems.”

Projects for this grant may be: changing state financing/purchasing systems to encourage the use of EBP, systems-level implementation strategies, and implementing business practices that promote quality improvement.

NIDA began taking applications for the grant in May 2009 and does not have a closing date. Direct costs are limited to \$450,000 over a three-year period, with no more than \$225,000 direct costs in a single year. The grant does not require cost sharing or matching.

Grant will review the proposed grant for time constraints and required information and relay the information to Beaty by July 10, 2009.

CURRICULUM SUB-COMMITTEE REPORT

Wittmuss gave the Curriculum Sub-Committee report. Changes to the Performance Assessment Rubrics for Addiction and Criminal Justice Professionals (Rubrics) were noted. Items highlighted in blue were suggestions by DCS, yellow by Juvenile Justice, and gray by probation.

Changes to the Knowledge of the Nebraska Criminal Justice System (Adult and Juvenile) are: replacement of “Levels of Corrections Services” with “Criminal and Juvenile Justice System Points”; and replacement of “Correctional strategies to address criminal behaviors” with “Evidenced-based interventions to address criminal behaviors”.

Add the following to Instrument Training Needs:

Brief Overview of Tools used by Justice System.

-Corrections and Probation: LS/CMI (Adult)

-OJS and Probation: YLS/CMI (Youth)

Minor changes to the Skill/Knowledge Levels categories: Level I, change “Is minimally aware of” in the second skill to “Demonstrates basic awareness of”; change “Minimally understands” to “Demonstrates basic understanding of” to the third skill; change “Minimal” to “Basic” in the sixth skill; and add “Basic” to the seventh skill. Level II, add “and demonstrates knowledge of the” to the second skill.

Additions to the Criminal Justice Personnel section include Parole Officers, Parole District Supervisors, DCS – Social Workers, Youth Security Specialists, Youth Security Supervisors, Youth Counselors, Programming Professionals (Juvenile Correctional Facility), Children & Family Services Specialists, and Children & Family

Services Specialist Supervisors. A request was made for equalization of parole and probation officer standards.

Harvey said DHHS is reviewing the mental health questions correlating to the mental health questions in the Booking Interview Questions section and will be giving a report out at the Jail Standards Board meeting on July 17, 2009. The addition of “Staff Safety – prevention of staff assault” is added to the How to respond to a suspected suicide attempt section.

In Substance Abuse, it is recommended that the booking or screening officer should know how and when to ask: Have you been taking any medication or illegal substance?; Are you currently under the influence of any medication or illegal substance?; What have you been using or taking?; and When did you last use?

The following agenda items are tabled until the September 9, 2009 meeting and will be listed first on the next agenda:

**UNIFORM DATA ANALYSIS FUND
DATA SUB-COMMITTEE REPORT
COMMUNITY CORRECTIONS COUNCIL REPORT
JUVENILE SERVICES UPDATE
PROBATION ADMINISTRATION UPDATE
PAROLE UPDATE**

ADJOURNMENT

The next meeting is scheduled for Wednesday, September 9, 2009, at 9:00 a.m., at Bryan LGH West Classroom 1 in Lincoln, Nebraska.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Tia M. Bachman