

Behavioral Health Advisory Council Meeting Minutes for November 16, 2018

Members Present: Julie Barron, Karen Cashen, Elmer Cerano, Sara Coates, Mary Chaliman, Norm DeLisle, Erin Emerson, Kevin Fisher, Greg Johnson, Arlene Kashata, Mark Maggio, Kevin McLaughlin, Paula Nelson, Malkia Newman, Stephanie Oles, Jamie Pennell, Marcia Probst, Mark Reinstein, Ben Robinson, Kristie Schmiede, Larry Scott, Jane Shank, Sally Steiner, Jennifer Stentoumis, Jeff Van Treese, Brian Wellwood, Mark Witte

Members Absent: Ricardo Bowden, Linda Burghardt, Deborah Garrett, Benjamin Jones, Neicey Pennell, Eva Petoskey, Patricia Smith, Sarah Williams, Cynthia Wright

Others Present: Lorianne Fall, Belinda Hawks, Phil Kurdunowicz, Dr. George Mellos, Katherine O'Hare, Miranda Pearson, Melissa Rai, Millie Shepherd, Brenda Stoneburner

Welcome and Introductions: Mark Reinstein called the meeting to order and introductions were made. Mark called the attention of council members to the copy of Nick Lyon's response letter to the council regarding the direct care wage increase.

Section 298 Update – Phil Kurdunowicz

Phil provided the council with a copy of the 11/1/18 Section 298 Progress Report and reviewed the items contained within. All info and action plans can be found at the 298 website https://www.michigan.gov/mdhhs/0,5885,7-339-71550_2941_76181---,00.html. The pilot sites (including the CMHSP's and MHP's) are developing a report to the legislature regarding the challenges and activities this far. The RFP is still under development and will hopefully go out before January. The Kent County demonstration project (Total Health Collaborative) has submitted a revised plan to the department and an MOU & final plan are expected in January. Questions were raised about any predicted legislative movement on 298 in the lame duck session. Phil indicated that MDHHS has not been made aware of any legislative plans at this time. The legislature is interested in seeing the report from the pilot sites. Council members expressed interest in how the incoming administration might impact 298 since there have been messages communicated prior to the election that they might not see the value. Mark R. asked when the Canfield Report will be released. Phil indicated that he would follow up with MSA to find out the status. Elmer talked about the Crain's Summit in Dearborn and asked if MDHHS is continuing to develop and sustain ways to obtain consumer input in all these changes. Phil indicated that the original recommendations to the 298 process have not been forgotten. Also, consumer and family input is being included at the local level in the pilot sites and at the state level with councils and advisory groups. This will continue and expand as the process moves forward. Phil indicated that the focus of new administration will drive how the process does look in the future. Mark R. reminded the council that 30 or more affinity groups were held as 298 was starting to obtain consumer and family input, which was that the 298 proposal was not what the consumers or families wanted, and the legislature did not respond to that input.

Review and Approval of Minutes

The Council reviewed the meeting minutes from August 17, 2018. Elmer moved, Kevin seconded approving the minutes as written. Council approved unanimously.

BHAC Officer Elections

Council unanimously elected Kristie for BHAC Chair, Council unanimously elected Jamie as BHAC Vice Chair, Council unanimously elected Malkia as Secretary. New officers terms begin in January.

MDHHS/BHDDA Update – Dr. Mellos

Dr. Mellos introduced himself to the BHAC and gave a little background on himself. Stephanie O. wanted to emphasize the importance of addressing homelessness as we look at behavioral health care as well as recognizing the disproportionate minority representation in the homeless population. Kevin M. wanted Dr. Mellos to know more about recovery peers in hospitals. Mark R. asked if there was any information on the MDHHS Office Of Recipient Rights review of Harbor Oaks. Dr. Mellos said the report is in process and the department is looking forward to seeing it was well. Dr. Mellos indicated that the report will be available to the public. Mark asked about BHDDA's stance on the new federal opportunity for an 1115 Waiver Demonstration Project. Dr. Mellos indicated the department is excited about this opportunity but he is not at liberty to discuss plans at this point. Malkia asked about plans to address the shortage of doctors and psychiatrists. Dr. Mellos indicated the telepsychiatry is an approach and also increasing the presence of Physician Assistants and Nurse Practitioners. The state is also looking at ways to support students entering these fields, like loan forgiveness. Elmer asked about people with mental illness in jail. Dr. Mellos indicated that the Diversion Council is looking specifically at this but progress is incremental. Greg J. from the DOC indicated that beyond diversion, the care of prisoners with mental illness is important as well. Dr. Mellos indicated that the collaborative meetings are scheduled between BHDDA and DOC to discuss this. Kevin asked about serving people waiting to get into the Forensic Center at other state hospitals. Dr. Mellos said over 50% of the current state hospital population is forensic and there are no beds at the state hospitals either. He indicated that moving people out of the hospitals back to the community is a large part of the issue when looking at waiting lists and bed shortages. He also indicated he was not a fan of hospital discharges after 3-4 days for economic reasons. Kristie asked about state oversight of SUD services and Dr. Mellos indicated that the transition to the new administration will guide any changes there. In discussing work groups and councils, Dr. Mellos indicated that simply producing a report does not ultimately change things but needing a champion and people who move things forward in the legislature is important.

2019-2020 BHAC Membership - Karen Cashen

All current BHAC members terms end December 31, 2018. Applications for membership have been received but have not yet been reviewed. There may be some turn over in membership as some brand new applications were received and a few individuals have

decided not to re-apply. Karen hopes to have all applicants notified of their status by the end of December.

Home and Community-Based Services HCBS Waiver - Millie Shepherd and Belinda Hawks

Millie and Belinda presented information on the HCBS Final Rule to the BHAC. A power point was presented and hard copies provided to the Council.

Medicaid Update – Erin Emerson

The Section 1867 boilerplate report (requested by Rep. Canfield) will most likely be released in January. Michigan received approval for a State Plan Amendment which allows drug effectiveness to be included in negotiations with drug manufacturers. Theoretically, the state can now establish outcomes in a drug class that must be met at a consumer level or the manufacturer will have to pay the state additional rebates for having covered those drugs in the Medicaid plan but not seeing the agreed upon efficacy of those drugs. This is very preliminary and no drugs or manufacturers have been selected yet. This amendment just gives Michigan the option to negotiate this way. Michigan is the only the second state in the country to get an amendment like this approved. A written report on the parity workgroup will be requested from Dave Schneider at MSA.

Behavioral Health Reports due to SAMHSA – Karen C., Jennifer S., and Larry S.

Karen reviewed the adult mental health performance indicators, Jennifer reviewed the child mental health indicators and they discussed the children's set aside and the maintenance of effort for state mental health services. Karen indicated that the URS tables are also submitted with the Mental Health Implementation Report. Larry reviewed the substance use disorder performance indicators. Larry indicated that the approval of legislation to legalize recreational marijuana for adults in Michigan creates some concern at the state about how this may impact youth use of marijuana in Michigan. There is a work group that has been established to look at some of these issues. Larry reviewed the Synar Report that is submitted to the federal government. Sally moved, Brian seconded that Mark provide a letter indicating the Council reviewed and supports the reports. Council approved unanimously.

State-Run Hospital Wait Lists – Phil Kurdunowicz

Phil indicated that Dr. Mellos could give a more in-depth report on this at a future meeting. However, Phil indicated that at a high-level, staffing challenges at all levels at the hospitals is limiting the number of individuals that can be served. Also, the need for forensic services has been increasing over the last few years, and MDHHS has been pursuing several actions to alleviate the waiting time for forensic examinations. MDHHS has also been working on improving the "careflow" for individuals who were receiving state hospital services and are now ready to return to the community, which requires a strengthening of the entire continuum of care for both adults and children. The Department is looking at various ways to address those issues.

LARA SUD Rules – Kristie Schmiede and Larry Scott

Larry indicated that ORSC has not heard anything definitive from LARA since the public comment period ended on these rules. There were a lot of concerns from providers and consumers voiced during the public comment period. Kristie explained some concerns with the licensing and certification proposed rules as they limit opportunities for staff to be appropriately licensed and certified to provide services that are publicly funded. Kristie attended a meeting with LARA to discuss these and other concerns. LARA is reconsidering some of the restrictions they had originally proposed but not all of them. There will also be another round of rules review in the upcoming year and there may be additional revisions coming up. ORSC will wait to see the final rules before any changes are made to SUD contracts. If the Joint Commission on Administrative Rules does not move on these rules before the end of the legislative session, these proposed rules would have to go back to the drawing board.

Public Policy – Mark Reinstein

H.B. 5625 Mediation Options in Recipient Rights Complaints may come up in the lame duck session. Currently, mediation cannot happen until a recipient rights investigation has been completed. This legislation moves the opportunity for mediation further upstream and doesn't change any other options for complaint and appeal.

Stephanie O. – Basic standards for emergency shelters – these included not turning people away who are under the influence of substances which offers the opportunity to serve more people. Also, MHSDA is getting up to speed on the LGBTQ services and updating policies where they have been lacking historically.

Kristie – There is a federal bill that has been proposed that would align the CFR, H.R. 6082 and HIPPA.

Public Comment

Malkia asked if the council would consider sub committees that could meet between BHAC Meetings. Mark indicated this issue should be addressed by the new officers.

Karen indicated the current meeting schedule for the next year is:

Friday, March 15, 2019

Friday, June 14, 2019

Friday, August 23, 2019

Friday, November 22, 2019

The council agreed to a shorter phone call meeting in January, date and time to be determined. (9 -11 am on January 25, 2019 was proposed). Council members are free to meet informally whenever they choose to discuss issues important to them.

Julie asked if any of the council members know of anyone who could present at the Peer Conference on advisory councils.

Announcements

Mark R. - Partners in crisis conference flyer was available on the info table.

Kristie S. – Thanked Mark for his services as the BHAC Chair.

Kevin M. – Working with Pine Rest to offer recovery services. December 18, 2018 they are hosting an event.

Kevin F. – NAMI Awards – nominations are now being accepted. Forms available on the NAMI website. December 9, 2018 My Healthy Mind will focus on Kevin's Law and Assisted Outpatient Treatment. Kevin will send broadcast info to the BHAC.

Mark R. – Is now doing trainings on AOT statewide. Contact Mark if you want a training.

Mark adjourned the meeting.