

RECIPIENT RIGHTS ADVISORY COMMITTEE
PROPOSED MINUTES

January 14, 2021

1:00 PM – 3:30 PM

Via Microsoft Teams due to pandemic

OPENING REMARKS

Jennifer Gorman

- ❖ Call to Order. The meeting was called to order at 1:05 PM
 - RRAC MEMBERS PRESENT VIA TEAMS: Jennifer Gorman (chair); Dianne Baker; Norman DeLisle; Liz O'Dell; Margaret Stooksberry,
 - RRAC MEMBERS PRESENT VIA TELEPHONE: Dr. Robert Lagrou and Tish Watson
 - RRAC MEMBERS ABSENT: Liz Healy (excused), Price Pullins (unexcused); Shaun Thompson (excused).
 - ORR STAFF PRESENT VIA TEAMS: Raymie Postema (Director), Andrew Silver, James Klingenberg, Julie Markham (recorder)
- ❖ Approval of Agenda
 - Agenda approval motioned by Dianne Baker; Margaret Stooksberry seconded the motion.
 - Discussion: Agenda states minutes were from September and not November, but minutes were reviewed and found to be from November 2020.
 - Roll call vote taken and RRAC members present via Teams and via Telephone approved agenda, as amended.
- ❖ Approval of Meeting Minutes (November 2020)
 - November 2020 RRAC meeting minutes approval motioned by Dianne Baker.; Margaret Stooksberry seconded the motion.
 - Roll call vote taken and RRAC Members present via Teams and via Telephone approved minutes, as written.

NEW BUSINESS

Jennifer Gorman

- ❖ Elizabeth Hertel 1:30 – 2:00 pm
 - Position: Chief Deputy Director of Administration. Responsible for Administrative Functions, IT, Legal, Support Function in MDHHS. Helps everyone complete their mission and program responsibilities.
 - Question posed regarding concerns about licensed hospitals across the state.
Response: Ongoing discussion between department, legislature and administrations on what authority is, etc. Continue to make progress with private hospitals as well as LARA. Need to forge a partnership from MDHHS, program payment and rights perspective. Still waiting on Memo of Understanding (MOU) with LARA. Good path forward if partnership continues.
 - Question posed on how RRAC Committee can advise MDHHS leadership.
Response: Given statutory structure on how RR came to be, there is a separation between MDHHS and ORR. Chief Deputy Director Hertel wants to be accessible for conversations, stay in communication and develop relationship.

- Information shared from RRAC regarding needed changes to Chapter 7 of the Mental Health Code. Explained RRAC subcommittee meetings took place and looked at six specific areas to address. Question posed on how to recommend changes and push forward with next steps.
Response: Start within MDHHS thru ORR forwarding suggestions onto legislative affairs office liaison, Emily Schwarzkopf.
- Question posed regarding informing RRAC regarding system transformation.
Response: Initial overture of section 298-streamlining behavioral health system and the way it is structured. Can strive to do better and should do better. System transformation has been put on hold for the next couple of years. Department in interim settlement regarding services to children and the focus is on this for now: outcomes for children. CCBHC: CMH running pilots trying to bring together more holistic approach between behavioral health and medical. Community -based health center 6-7 years ago received grants. Last year we were awarded a grant. PRTF. Alternative to larger inpatient hospital settings. Another access point that is more appropriate than six-day acute setting. Another licensing category for emergency or short-term crisis residential specific for BH issues – AFCs. Statute too broad.
- ❖ Director Gordon Letter sent on 1-7-21
 - Letter sent to Director Gordon advising him of the need for state oversight of the rights protection system in licensed psychiatric hospitals.
- ❖ Dianne Baker's Introduction.
 - Dianne has been in RR since 1986, starting with Clinton, Ingham, Eaton CMH. Joined MDHHS-ORR in 1993 as the deputy manager of the office under John Sanford. Stated she "hired in just about everyone that works for ORR". Dianne has been trying to become part of the RRAC committee for a while and is proud of what the committee does to advise the director and protect the office.

ORR UPDATES AND REPORTS

Raymie Postema

- ❖ Review of spending plan. Plan was reviewed and no recommendations were made by the committee.
- ❖ Hiring freeze
 - Freeze has been lifted. One vacancy approved for KPH.
- ❖ KB lawsuit.
 - Raymie was invited to be an interviewee by external consulting firm hired by MDHHS to make recommendations to the Department. Lawsuit was brought by several plaintiffs that were family members of children who were unable to get in-home services,
- ❖ Passage of Senate Bill 813
 - Passed into law. Specifically changed/added to Section 720 of MHC. Language states the department shall provide annual statistical report to house and senate related to deaths and causes of death including within 48 hours after discharge from state facilities. In the report, the department must include information regarding the investigations of the deaths. Section 721 addition states department must investigate all deaths, deaths by suicide or unknown causes. It has not been determined who will do the investigations, but may be assigned to ORR.
- ❖ NGRI Workgroup
 - Currently working on policy. Discussion ensued.
- ❖ COVID updates for AFC homes and HFA (Home for the Aged)
 - Conducting once-a-week presentations for providers.. There is a new webpage for the information on MDHHS COVID-19 page under Resources, includes full list of

presentations for review and are Public Health, MSA, MDHHS-wide resources. Mailbox set up for questions.

- ❖ MDHHS Registry
 - This was brought up by CMH contract group. Met with Jeff Wieferich and Al Janzen to talk about it. Everyone agrees it should be implemented, but unsure how can it be operationalized. Previously suggested language regarding a registry will be shared with RRAC members.

Education, Training and Compliance Unit

Andy Silver

- ❖ ETU quarterly report.
 - Finished assessment season. Some difficulty doing remotely but overall worked out well. DWIHN was especially difficult with almost 300 cases. They were very good about providing information. Assessment took two months to get through. ORR will provide revised standards for next year; sending materials out to CMH's this week. Start of assessment season is March 2021.
- ❖ Training
 - Large increase in numbers for rights on-line training. ORR offered online rights training to CMH's.
 - Long awaited online rights training course models for telepsychiatry (CMH staff and LPH staff and psychiatrists) is ready to go. Training needs to be checked one more time and then ORR will send out a link. ORR wants to encourage staff psychiatrists to go through training modules.
- ❖ Conference
 - There has been a start to working on the ORR 2021 annual conference in September 2021. The expectation is it will be on-site, located at Crystal Mountain Resort.

Investigation Unit

James Klingenberg

- ❖ Position open at KPH
 - Sue Witting filled the right specialist position vacancy. Position for KPH rights advisor posted this week Monday thru next week Thursday. Will look at candidates the following Monday.
- ❖ Vaccines
 - A lot of ORR staff have received their first vaccine through the State Hospital Administration.
- ❖ Student Assistants
 - Some facilities had students in the past. Wondering, with the hiring freeze open, if they can hire students now. Raymie indicated there was \$23,000 in discretionary spending and she would contact Mike DeRose regarding the status of bringing back students.
- ❖ Community Transition Program
 - Program currently has six locations that have current recipients in them that are being provided rights protections through MDHHS-ORR. As that number of placements grow, ORR may need more personnel to cover additional duties.
- ❖ Building Blocks
 - Being presented next week. The class is currently full.
- ❖ Jim attended New Supervisor Institute Training
- ❖ Reports
 - Will get quarterly report to the Director and RRAC for next meeting, March 2021.

OLD BUSINESS

Jennifer Gorman

- ❖ Pursue additional invitations to MDHHS leadership.
 - Jennifer Gorman shared she was happy that Elizabeth Hertel could come today. Dr. Mellos and Mr. Jansen will be invited for the next RRAC meeting and Elizabeth Hertel will be invited to attend all meetings if she is able. Emily Schwarzkopf, Director of Legislative Affairs may also be a person to invite to a future RRAC meeting.
 - Jennifer and Raymie are meeting the week before RRAC meeting to finalize agenda. Can always add items to agenda, just let either of them know.
- ❖ Recommending MHC revisions.
 - Jennifer will give subcommittee recommendations to Dianne Baker to review. Dianne will send subcommittee recommendations to Raymie, who will then send to Emily Schwarzkopf.

ADDITIONAL BUSINESS

Committee

None

PUBLIC COMMENT

None

ADDITIONAL ITEMS FOR NEXT MEETING

None

ADJOURNMENT

Motion for adjournment was made by Liz O'Dell and seconded by Dianne Baker. Meeting was adjourned at 2:27 PM.