

# MENTAL HEALTH AND DISABILITY SERVICES COMMISSION

December 6, 2018 - 9:30 am to 12:30 pm

Polk County River Place, Room 2

2309 Euclid Ave, Des Moines, Iowa

## MEETING MINUTES

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### MHDS COMMISSION MEMBERS PRESENT:

Thomas Bouska  
Thomas Broeker  
Dennis Bush  
Marsha Edgington  
Kathryn Johnson  
Sharon Lambert  
Brett McLain (phone)  
Mary Meyers

John Parmeter  
Rebecca Peterson  
Rick Sanders (phone)  
Richard Whitaker (phone)  
Russell Wood  
Lorrie Young (phone)

### MHDS COMMISSION MEMBERS ABSENT:

Jody Eaton  
Betty King  
Geoffrey Lauer  
Senator Mark Costello

Representative David Heaton  
Representative Scott Ourth  
Senator Liz Mathis

### OTHER ATTENDEES:

Theresa Armstrong	MHDS, Bureau Chief Community Services & Planning
Emily Berry	NAMI Iowa/Iowa OCA
Teresa Bomhoff	Iowa Mental Health Planning and Advisory Council
Deb Bush	Cherokee
Amy Cambell	IBHA/Polk County
Erin Cubit	Iowa Hospital Association
Connie Fanselow	MHDS, Community Services & Planning
Christie Gerken	Iowa Advocates for Mental Health Recovery
John Hedgecoth	Amerigroup
Linda Kellen	Department of Inspections and Appeals
Julie Maas	MHDS, Community Services & Planning
Tony Raymer	Candeo
Andrea Schaa	MHDS, Community Services & Planning
Flora Schmidt	IBHA
Rik Shannon	DD Council
Rick Shults	Division Administrator of Mental Health and Disability Services
Heather Strachan	NAMI Iowa
Kelsey Thien	House Democrats Caucus Staff
Karen Walters Crammond	Consultant

### Welcome and Call to Order

John Parmeter called the meeting to order at 9:35 am and led introductions. Quorum was established with eight members present and six participating by phone. No conflicts of interest were identified.

### **Approval of Minutes**

Tom Broeker made a motion to approve the October 18, 2018 meeting minutes. Tom Bouska seconded the motion. The motion passed unanimously.

### **Review and Vote on Approval of the Commission's Biennial Report**

John Parmeter said that in reviewing the report he would like to pose a two amendments to the Commission. The first amendment is to have the wording of the last bullet under priority 1.2 to read: "The reduction of reimbursement based upon individualized service needs or as identified in the individual's service plan has reduced the availability and access to needed services." The second amendment is for the first bullet under priority 2.4 to read: "The loss of retroactive coverage has negatively impacted thousands of Iowans."

Russell Wood made a motion to approve the Commission's Biennial Report with John's two amendments. Tom Bouska seconded the motion. The motion was unanimously approved.

### **Administrative Rules Regarding IAC 441 Ch. 25, "Disability Services Management"**

Connie Fanselow presented the administrative rule package for IAC 441 Ch. 25, "Disability Services Management" to the Commission for a vote on adoption of the rule package. Connie gave an overview of the rule adoption process including the public hearing that was held on November 14, 2018 on the rule package. Connie said that if the Commission votes to adopt the rule package the rules will go into effect March 1, 2019.

Connie gave an overview of the changes in the rule package that were made after the Commission voted to notice the rule package. Connie said that some changes were made for clarity and consistency including using the same substance use disorder terminology, changing references of serious mental illness to serious and persistent mental illness, and eliminating definitions for terms that are no longer used in the chapter.

Connie reviewed the changes made to access standards, access centers, assertive community treatment, and intensive residential service homes.

There was discussion on concerns that managed care organizations can take away level of care for individuals in intensive residential service homes and occupational therapists being included in the definition of mental health professional on an ACT team when it is not in the mental health professional definition in Iowa Code 228.

Tom Broeker made a motion to approve the rule package for adoption. Russell Wood seconded the motion. The motion to approve rule package for adoption passed unanimously.

### **Update on the Children's system State Board**

John Parmeter said that the Children's State Board submitted their strategic plan in November. John said the plan focused on the following four areas: population, required services, funding, and governance. John said the plan has the children's system covering individuals from birth up to age 23 for coordination but funding will be determined by the age of the person not by the services. John said there weren't a lot of issues about the scope of services and the board used the set of services previous groups had recommended. John said that some services would start in 2020 and some would start in 2021. John said that the board recommended the regions be responsible for regional governance with the option of having a separate children's board or using one board and adding members to represent the children's system. John said that recommendation is that funding is available but it is still up in the air where it will come from and they will wait and see what happens during the legislative session.

John said the board is taking a break from meeting but will look at more detailed information when they start meeting later on. John said the strategic plan avoided details in order to set up broad guidelines for legislation.

There was discussion on the timeframe for service development being short and not giving providers a lot of time to develop new services. There was discussion on how the Commission and Board will interact since the Commission has rule making authority. There was discussion on therapeutic foster care and how the Board was looking high level and didn't get into the specifics regarding the service.

There was discussion on the need for state responsibility over the children's system. Theresa Armstrong encouraged people to remember how the adult system was built and what's in code related to the adult system. Theresa said how it is written the state does have responsibility. The recommendation is for the regions to have responsibility to care out the legislation and the state has responsibility for oversight. Theresa said that legislation will direct the state on what they need to do related to the children's system. There was discussion on how the regions view this as a chance to provide a greater array of services and providing intervention services at a younger age will reduce the need for services as adults. There was discussion on how administrative costs for the regions will need to be addressed.

There was discussion on the funding schedule for counties being a year behind and the regions are responsible for spending county money. The counties need to know about money that is going to be spent on the children's system.

### **MHDS Update**

Theresa Armstrong thanked the Commission and committee members for their work and valuable input on the administrative rules package. Theresa said that she would start with giving the Commission a list of legislative reports they may be interested in including: children's board's strategic plan, tertiary care workgroup recommendations, implementation report on complex service needs, assertive community treatment reimbursement study, IME health homes report, ID waiver SCL tiered rates report, substance use disorder rate view (IDPH report), commitment workgroup recommendations, autism support program and children system reports.

Theresa said the legislative interim committee on regional funding has a meeting on December 14<sup>th</sup> at 9am in the Supreme Court chamber room 1. They have a report due on January 15<sup>th</sup>.

Theresa said that SF504 directed DHS to do an update report on what the regions have done related to complex service needs. The regions submitted community service plans which were very similar to what the legislation laid out and showed the regions were prepared in moving forward. The regions reported quarterly on outcomes including individuals discharged from providers without a plan, in the ER for over 24 hours, going to jail when mental health services could have been identified, in an inpatient unit over 24 hours after ready for discharge. The regions collaborated with hospitals and jails and it helped build relationships between the entities. Theresa gave an overview of where regions are at with developing services.

There was discussion about how law enforcement are now educating each other on mental health services and the importance of using the available services instead of taking people to jail.

Theresa said that the tertiary care workgroup's recommendations are for individuals at the most acute level of care and traditional psychiatric care isn't working. Theresa said that the 2 mental health institutes will serve as two of the hospitals but will need to make changes to be able to provide the services the way the workgroup is recommending. The workgroup also recommends that the hospitals use evidence based practices, have a higher staff to client ratio, have single bedrooms, security staff and address forensic patients. The workgroup recommends that DHS submit an annual report on the sufficiency of intensive psychiatric services and DHS/DIA write rules regarding admission and referral criteria.

Theresa said that Marissa Eyanson was hired to fill the vacancy that Deb Johnson left at IME when she retired.

There was discussion on employment rates and the change to tiered rates.

There was discussion on the federal government allowing states to submit waivers to expand IMD for mental health. Rick Shults said that DHS is currently reading the requirements to determine if it is something that is beneficial for Iowa and wouldn't be a cost increase.

Theresa said that for the regions Sioux Rivers will operate as a region pending all signed 28E agreements and that Woodbury is going to Rolling Hill and Lyon is joining Sioux Rivers.

#### **Public Comment**

Deb Bush said that if there is public acceptance of how children's mental health services are run it will be successful. Deb said that school districts have a prescribed process of how their boards are managed and encouraged that model to be looked at for children's mental health. Deb said that the more the processes are similar to what the public understands the smoother it will go in building a children's system.

Tom Broeker said that he has been appointed to the Medicaid Assistance Advisory Council (MAAC) and asked that if anyone has had problems with tiered rates to talk to him because they will be sharing stories with Liz Matney from IME.

The meeting adjourned at 11:34am

Minutes respectfully submitted by Julie Maas.