



**Middlesex County Restoration Center
Tuesday, March 3, 2020
400 Mystic Ave., 4th Fl.
Medford, MA**

MINUTES

Attendees: Sheriff Peter J. Koutoujian, co-chair; Danna Mauch, Massachusetts Association for Mental Health, co-chair; Senator Cindy Friedman; Judge Rosemary Minehan; Chief Robert Bongiorno; Nancy Connolly, Department of Mental Health; Jim Cremer (representing Jennifer Barrelle), Department of Public Health; Mandy Gilman, Association for Behavioral Health; Eliza Williamson, National Alliance on Mental Illness (NAMI) Massachusetts; Brenda Miele Soares, Advocates; Opal Stone, Advocates; Beth Lacey, Advocates; David Ryan, Middlesex Sheriff's Office (MSO); Sonya Khan, MSO; Catia Sharp, MSO; Carl Abate, MSO; Carrie Hill, Middlesex Sheriff's Association (MSA); Mark Larson, Committee for Public Counsel Services (CPCS); Nan Whitfield, CPCS.

10:00 AM: WELCOME AND INTRODUCTION

Sheriff Koutoujian called the meeting to order and invited a round of introductions.

Sheriff Koutoujian asked Committee for Public Counsel Services (CPCS) representatives what sparked their interest in the Commission.

Mark Larson replied that as the head of the mental health unit, his interest is to decrease their caseload as much as possible (meaning decrease the number of individuals with mental illness needing defense in competency hearings and who are otherwise held in state hospitals related to criminal involvement).

Nan Whitfield added that as a criminal public defender, she has an interest in diversion.

Sheriff Koutoujian asked Chief Bongiorno to recap the trip many Commission members made the week prior to Tucson to conduct a site visit for the Commission.

Chief Bongiorno thought the trip included a great mix of our team with multiple perspectives. He thought the Tucson Police Department (TPD) did a great job, and that the ride along was amazing. He expressed how impressed he was with how the TPD are working with high risk individuals, explaining that law enforcement has evolved into a “we’re here to help” mentality. He was able to see on a ride along their intervention with homeless individuals, ultimately convincing an individual to be transported to CODAC (the detox facility). Chief Bongiorno explained the distinct roles played by the Crisis Response Center (CRC) and CODAC in the system, but how both locations work with law enforcement to make interactions seamless. He noted that neither location will turn people away and they have a relentless focus on getting officers back on the street quickly. He thinks that is how you need to do this to be effective. Chief Bongiorno expressed respect for the “A to Z services” there, and thinks it is a great model.

Danna Mauch added a couple of things she found striking: the culture in the TPD and in behavioral health providers are aligned in engaging people in need in a compassionate way, using leverage if they have it to engage people and invite them to service in a transparent way; the “no wrong door” approach to creating a seamless continuum of care; and that everyone in the system feels a sense of responsibility for serving individuals with complex needs. She noted that both CODAC and the CRC take people without question, and without second-guessing the judgement of law enforcement or others who complete drop-offs. The police are released very quickly.

Chief Bongiorno added an example in which his team went into a tunnel where homeless individuals were living. He saw the compassion of the police when one man had two active warrants, one of which was for a felony offense, and the police told him that they would deal with those warrants later. They offered to assign a liaison to deal with the legal issues, prioritizing a trip to a treatment facility first. Chief Bongiorno thought this was an excellent way to avoid jail and promote treatment.

Eliza Williamson asked what the police would have done if the person said no to treatment in that situation.

Chief Bongiorno said that the police were still not prepared to arrest the person. They gave out snacks, naran, and other needed items and made it clear that the person was committing a crime by trespassing, but that they wanted to help promote treatment by avoiding arrest for that crime.

Sheriff Koutoujian asked what the crimes were that the person had warrants for, and whether any were against a person.

Chief Bongiorno said that the crimes were not against persons, and that TPD makes that distinction. He says that they don't call it "diversion," but rather "deflection." The mindset is different, and indicates that criminal issues will still be dealt with, but that health will be prioritized. He noted that a focus on terminology was similar with their use of "familiar faces" instead of "frequent fliers."

Danna Mauch added that there is a sense of continuing ownership in the culture across services, and that they can actually deliver on the array of services that they talk about. Providers there can actually ensure aftercare services, and have the authority to do that. She added that some people in Massachusetts on our crisis teams don't have that authority, and this undercuts our continuum.

Sheriff Koutoujian added that it seems like some of the places with more successful systems are those with more centralized county and city government.

Senator Friedman said that she thought it is important to understand the authority to get people where they need to go, because maybe only the courts have that authority.

Judge Minehan asked if the authority referred to is Assisted Outpatient Treatment (AOT). She noted that only three states, including Massachusetts, don't have AOT.

Danna Mauch replied that AOT is not necessarily the linchpin. In Tucson, they actually have the services to offer, and people have come to understand that they will deliver on those services.

Mandy Gilman agreed, and added that this is critical to directing care.

Danna added that she was impressed that they had standing capacity in many parts of their continuum of care.

Sheriff Koutoujian thought that some of this we won't be able to do in Massachusetts, and what is key is to take pieces of other systems that we can implement here.

Senator Friedman pushed back, saying that she thought a lot of the things we could do here.

Sheriff Koutoujian pointed to the phenomenal amount of resources available in Bexar County, Texas, for example related to housing.

Senator Friedman said that there is something from every example that we can take, and that we need to understand how they do it because we aren't doing it. She added that the only place we currently have to get people into treatment is through the court, and that is unacceptable. She also said that whatever we do has to have the basic concept of a quick dropoff.

Brenda Miele Soares added that she thought one of the reasons they had a seamless system in Tucson is because they have a more seamless Medicaid system there. Through block grants, the regional behavioral health authority could direct parts of the system to retain open slots in care, and that is key.

Jim Cremer noted that the issue of how to ensure standing capacity comes up all the time here, and asked if this was accomplished through a rate.

Danna Mauch responded that yes, standing capacity is a systemic need that we could simply pay for here.

Senator Friedman said that is something we could do here.

Sheriff Koutoujian noted that Carrie Hill, the Executive Director of the Massachusetts Sheriff's Association, has been a driving force with regard to Medicaid reimbursement to jails and prisons for the health and behavioral health services they provide to inmates and detainees.

Carrie Hill described a federal task force composed of sheriffs, judges, and others that is seeking to address the federal Medicaid exclusion for jails and prisons. She said they are pursuing the issue related to Medicaid for detainees in particular as a constitutional violation, but that for both detainees and inmates the main issue is continuity of care. She promised to share a link with the group to the task force report that was recently released.

Sheriff Koutoujian added that this issue has been very bipartisan, and that Senator Ed Markey has been a champion of the issue. He added that money will be the main barrier to getting it done. He said that there are two strategies to get it done: legislative and judicial.

Danna Mauch asked Sonya Khan and Catia Sharp to speak to the data sharing being done in Tucson.

Catia said there was a culture of getting to “yes” instead of immediate “no” in Tucson.

Sonya Khan added that the high amount of collaboration across providers was the key to data sharing in Tucson.

Brenda Miele Soares reiterated that the regional behavioral health authority supports the data sharing by requiring reporting by providers and encouraging providers to enter into data sharing agreements with each other.

10:30 AM: LEGISLATIVE UPDATE

Senator Friedman noted that the Senate budget is coming up, so she will need a budget to react to soon for SFY 2021.

Sheriff Koutoujian noted that it is likely that the Restoration Center will require funding above the level that has been used in past years.

Senator Friedman thought that the timing of launch may allow for some creativity.

Mandy Gilman added that the Association for Behavioral Healthcare is involved in budget development with Advocates and Catia.

Senator Friedman noted that DMH and DPH and EOHHS are going to need to step up and make sure the Secretary of EOHHS and Governor Baker’s administration are involved in this process and supportive of the effort.

Mandy Gilman noted that Advocates is currently going through the list of services and benefits the state already provides to see who pays now. She added that respite is a good example of something that DMH currently pays for, but it is restricted to DMH clients. For the Restoration Center to be truly payer blind, it will need respite beds that can accept any client regardless of payer.

Sheriff Koutoujian noted that we need to be careful about quantifying the costs as well as the savings to make the case for the center.

Senator Friedman said that it is true that we expect there to be savings, but that these savings won’t necessarily be directly monetizable. There is a wrong pockets problem. Savings at DPH, for example, could be used to pay for DPH services, but there will still be a need for general fund revenue as well. For this, we will need buy-in from the Administration.

Sheriff Koutoujian added that the hospitals will save money, so maybe they will chip in for it.

Jim Cremer added that the EOHHS behavioral health redesign is happening now, and that there will be significant overlap with this project.

Danna Mauch noted that Scott Taberner, Nancy Connolly, and Jenn Barrelle (represented by Jim Cremer today) are instrumental in making sure the two projects are aligned.

Jim Cremer said that the intention is to reveal details of behavioral health redesign later this month, and that one of the goals is to deflect people from higher levels of care in part to save money.

Senator Friedman reiterated her note of caution to say that we are not in a savings place yet, and that we can't ensure that people with so many unmet needs are going to save money immediately. We are starting from scratch, but it is the right thing to do. The goal is to get people treated, even if we can't show savings yet. We should be cautious about short-term savings promises.

Sheriff Koutoujian agreed, and added that up there (the State House), you have to make the savings argument as well.

Mandy Gilman asked when the Restoration Center is expected to open, because it is an important part of the budgeting process.

Senator Friedman replied that we haven't decided yet. The legislation is very general that the 3rd and 4th year budgets are for getting the pieces in place.

Mandy Gilman said that her personal opinion is that January 1 is the absolute earliest you could do this.

There was general agreement in the room that even January 1 would be an extraordinarily fast timeline.

Before the legislative update ended, Danna Mauch noted to the group that Senator Friedman has championed a very important piece of legislation that recently passed the Senate in a large behavioral health reform package that is now before the House.

Sheriff Koutoujian agreed, adding that they had the Governor at a hearing for several hours and that Senator Friedman was amazing in running that hearing with her knowledge and management of the hearing.

11:00 AM: APPROVING THE MINUTES FROM THE LAST MEETING

Sheriff Koutoujian asked for a motion to approve the minutes from the last meeting.

Mandy Gilman made the motion.

Sheriff Koutoujian asked for all of those in favor, and then all of those opposed. The vote was unanimous in favor of approving the minutes from the last meeting.

11:05 AM: POLICE SURVEY UPDATE

Sheriff Koutoujian asked Catia Sharp to update the Commission on the police survey.

Catia Sharp shared that, thanks in large part to Sonya Khan's relationships with police departments across the county, we are up to 46 respondents to the survey. She focused on any material that had changed with the new respondents. Most information remained the same, though the utilization of ESPs by ESP response time had changed slightly.

Rosemary Minehan asked a question about slide 11 on involuntary commitments.

Catia Sharp clarified that the graph on the left represents Section 35, while the graph on the right includes data on Section 12.

11:20 AM: ADVOCATES WORK PLAN UPDATE

Opal Stone presented an update to Advocates' work plan. She shared the data work that had been done since the last meeting, which will inform the work on location selection, service model specification, and transportation options.

Opal shared three geographic regions of the county that Advocates is using for potential Restoration Center locations. She shared an estimate of the number of individuals who might enter a Restoration Center per day in each of the regions. She made clear that the number of intakes is not the only factor in assessing what region a Restoration Center ought to go in, but that this is an attempt to provide some specification of the size of the potential target populations in each area. She also highlighted that there remain some reservations and gaps in the data used to produce these estimates.

Opal highlighted that homeless individuals have some of the highest needs among subsections of the target population, and that Lowell has the highest volume of homeless individuals and has the highest rate of ESP utilization.

Senator Friedman asked why the estimate of daily intake in the southeast county region is so much higher than that in Lowell, given the higher amount of need in Lowell.

Opal showed a heat map of the ESP utilization by town of residence of client which showed that many people access ESP services outside of their town of residence. For this reason, in addition to the population of the southeast part of the county being higher, there are high estimates of Restoration Center utilization from surrounding cities and towns baked into that assumption.

Catia Sharp added that the ESP utilization patterns showed that more people used BEST and Eliot whose address of residence was outside the boundaries of the southeast part of the county than those who used those ESPs who lived in that region. Therefore, half of the southeast region bar on the bar chart showing estimated Restoration Center utilization is attributable to people coming in from outside of the region for services.

Sonya Khan asked whether the people referred to the ESP by self/family are mostly repeat ESP users or new customers (i.e., do they know the ESP serves already).

Brenda Miele Soares said that it could be either.

Opal Stone added that we don't have the information about how many people are in the sample, so we don't know how many of these are duplicates.

At slide 7, Chief Bongiorno said that Advocates was being modest, and they were the first Jail Diversion Program clinicians.

At slide 10, Senator Friedman asked if substance use was so low in Framingham because Advocates is better at identifying dually diagnosed individuals at intake.

Opal responded that it could be true that there could be a higher level of sophistication given the maturity of the program.

At slide 17, Danna Mauch noted that the estimates of utilization may be missing some sources like Section 35 diversions that could occur if family members are aware of the Restoration Center.

Catia Sharp responded that this is true. She noted that there are a few caveats with the data that was used to produce these numbers – as Danna mentioned, there are some sources that are missing,

which might mean an undercount of the number of users of a Restoration Center, but that might be offset by imperfections in the data that is included. She suggested that any estimates will be imperfect and we won't truly know until implementation. Utilization of the Center will also depend in part on marketing and outreach activities, as Opal had mentioned earlier.

Chief Bongiorno asked whether a person could go to the Restoration Center after becoming involved in the criminal justice system, for example if they were arrested and subsequently bailed out of jail.

Sheriff Koutoujian suggested that the Commission should look at that.

Senator Friedman responded that the Center is really looking at Intercept 0, which would be pre-arrest.

Sheriff Koutoujian agreed, noting that the goal would be to divert those people before arrest. He also mentioned medically managed withdrawal in the jail (detox).

Catia Sharp added that some places that are doing crisis stabilization centers, like Cook County Illinois (Chicago) and Bernalillo County, New Mexico are also using them as places to accept individuals reentering from jails and prisons in need of connections to care. For this reason, Advocates included some numbers of reentering residents from HOCs and the Doc in the estimates of Restoration Center utilization. In this respect, people bailed out of jail in need of services would not differ substantially from a person reentering the community from prison, and therefore might be a very good candidate for using the Restoration Center. In fact, bailed out detainees might be more in need of services given their potentially short stays in the jail and limited access to mental health and substance use services.

Mandy Gilman noted for Senator Friedman's benefit that ABH and Advocates are discussing barriers to the services under consideration, and wanted to highlight two potential items: the idea that the state could investigate standardizing medical clearance, and that the state could investigate standardizing HIPAA and 42 CFR data sharing forms to improve utilization and continuity of care.

Judge Minehan added that the definition of a "facility" in the language of the Section 12(a) would also need to be tweaked to add the Restoration Center.

12:00 PM: NEXT STEPS AND CLOSING

Sheriff Koutoujian and Danna Mauch adjourned the meeting.