

**COMMISSION ON BEHAVIORAL HEALTH
DIVISION OF CHILD AND FAMILY SERVICES
JANUARY 18, 2019
DRAFT MINUTES**

VIDEO TELECONFERENCE MEETING LOCATIONS:
NORTHERN NEVADA CHILD AND ADOLESCENT SERVICES,
2655 ENTERPRISE ROAD, RENO, NV

AND

DIVISION OF CHILD AND FAMILY SERVICES,
4126 TECHNOLOGY WAY, 3rd FL CONFERENCE ROOM, CARSON CITY, NV

AND

SOUTHERN NEVADA CHILD AND ADOLESCENT SERVICES
6171 WEST CHARLESTON BOULEVARD, BUILDING 7
LAS VEGAS, NV

COMMISSIONERS PRESENT AT THE RENO LOCATION:

Barbara Jackson (by phone)
Debra Scott (by phone)

COMMISSIONERS PRESENT AT THE LAS VEGAS LOCATION:

Lisa Durette (by phone)
Tabitha Johnson
Natasha Mosby
Asma Tahir

COMMISSIONERS ABSENT:

Lisa Ruiz-Lee

STAFF AND GUESTS:

Jacqueline Wade, Division of Child and Family Services
Kristen Rivas, Division of Child and Family Services
Krystal Castro, Division of Child and Family Services
Alex Ruiz (by phone), Division of Child and Family Services
Rose Park, Division of Public and Behavioral Health
Yeni Medina, Aging and Disability Services Department/Autism Treatment Assistance Program
Dan Musgrove, Clark County Children's Mental Health Consortium
John Kucera (by phone), Legislative Council Bureau - Fiscal
Julie Slabaugh, Deputy Attorney General
Amber Reid, Department of Education
Michelle Sandoval (by phone), Division of Public and Behavioral Health Rural Clinics
Valerie Pavlani, Nevada Psychiatric Association
Sara Hunt, UNLV
Sarah Dearborn, Division of Health Care Financing and Policy

1. CALL TO ORDER AND INTRODUCTIONS

Vice-Chair Durette called the meeting to order at 8:30 A.M. Roll call is reflected above; it was determined that a quorum was present.

2. PUBLIC COMMENT

Vice-Chair Durette called for public comment. There was none.

3. CONSENT AGENDA

APPROVAL OF MINUTES AND AGENCY REPORTS

MOTION: Commissioner Johnson made a motion to accept the minutes from the September 18, 2018 meeting and the agency reports.

SECOND: Commissioner Mosby.

VOTE: The motion passed unanimously.

4. APPROVE DIVISION OF PUBLIC AND BEHAVIORAL HEALTH (DPBH) POLICY

• FS 3.0 NDALC VISITATION IN FORENSIC FACILITIES

Rose Park reported that they became aware that there was a section in this policy regarding the Deputy Attorney General's authority to access documents that were not current. They updated the policy and the request was made to bring it forward at this meeting rather than in March.

MOTION: Commissioner Scott made a motion to approve the changes to the policy.

SECOND: Commissioner Johnson.

VOTE: The motion passed unanimously.

5. ASSEMBLY BILL 457 (LICENSING BOARDS) COMMISSION RESPONSIBILITIES:

- LICENSING APPEALS.** There were no licensing appeals.
- APPROVE BOARD REGULATIONS**
 - REVIEW PROPOSED REGULATION R169-18**
 - REVIEW PROPOSED REGULATION R170-18**
 - REVIEW PROPOSED REGULATION R171-18**

Commissioner Durette looked through the changes and there were only minor administrative changes such as fees and time frames.

Commissioner Scott said these regulations were reviewed very carefully at that last meeting and she asked whether there had been any changes since then. Julie Slabaugh responded that these are back on the agenda because they were not an action item at the last meeting and the statute says the Commission may review and make recommendations. Do you have any recommendations to send back to the Board of Psychological Examiners? We wanted to make sure the letter of the statute was followed, and you were given the opportunity to make the recommendations if you have any.

Commissioner Scott noted at the last meeting that they were very well written and comprehensive, and she did not have any questions.

MOTION: Commissioner Johnson made a motion to accept the policy as is with the revisions.

SECOND: Commissioner Scott.

VOTE: The motion passed unanimously.

6. UPDATE ON THE REGIONAL BEHAVIORAL HEALTH POLICY BOARDS

Commissioner Durette noted that the policy boards provided updates at a previous meeting.

Dan Musgrove reported that all four pieces of legislation that the Regional Behavioral Health Policy Boards proposed were pre-filed. The bills numbers are: AB47, AB66, AB76, and AB85. Three bills are focused on crisis services. These will probably be scheduled for hearing early in the session.

The Rural Behavioral Health Policy Board bill deals with transportation which is a huge issue. When someone is needed for L2K, it usually involves taking a deputy sheriff out of his normal routine for required transport to a facility. They are looking at a pilot program for transportation. The Washoe County Behavioral Health Policy Board bill deals with expanding crisis services in Washoe and Clark County to fill the void when West Care in Reno went out of business. The Northern Behavioral Health Policy Board bill deals with a clean-up of L2K language. The Southern Nevada Behavioral Health Policy Board bill deals with data collection as well as looking at having a permanent staff member for each of the Policy Boards.

Mr. Musgrove said the Policy Boards will continue to meet. They are required to meet quarterly. They were meeting monthly. The Southern Nevada Health Policy Board has a meeting scheduled in January 2019. Ms. Rivas said she would follow up on this and Commissioner Durette asked that the information be forwarded to the Commissioners.

7. FOLLOW-UP ON ISSUES WITH DESERT WILLOW TREATMENT CENTER (DWTC)

Jacqueline Wade gave an update:

- Currently we will not be moving forward with anyone moving into Desert Willow Treatment Center.
- We will remain at 20 beds – 12 RTC and 8 acute.

Commissioner Durette asked what happens down the line as we look at the state in general and the youth sent out of state and that we have the physical space but not the clinicians and the team to run it?

Dr. Wade said she cannot answer the question at this time, but it is correct that there are 38 unfilled beds that could be utilized by Nevada youth.

Commissioner Durette proposed that this become an item to follow-up on regularly because when we look fiscally, and at clinical outcomes of youth held out of state, and we are holding 38 physical spaces that could be utilized - how are we going to serve the youth best?

Mr. Musgrove explained that the issue is that the state has already submitted their budget request. The issue with First Med was not realized until after the budget was submitted. There is only money in the current budget for 20 beds. The Clark County Children's Mental Health Consortium (CCCMHC) is going to try to work with the Legislature for them to consider funding the staff and resources to open the remaining beds. They would like the Commission's support on this maybe with a letter. They are going to get some budget numbers working with Administrator Armstrong and work with the Legislature and the Executive Branch to fund those 38 beds.

Commissioner Durette said that as far as a letter is concerned, that ties into continuing this as an agenda item. We can continue it as a possible action item because once the CCCMHC has more solid numbers that can come to the Commission which, if agreed upon could write a letter of support.

John Kucera from the Legislative Counsel Bureau Fiscal told Mr. Musgrove that he has the DCFS budget numbers and he can help coordinate any efforts for changes to DWTC in the legislatively approved budget. Let hm know how he can be helpful in the process.

8. AGING AND DISABILITY SERVICES DEPARTMENT ADSD UPDATE

Yeni Medina reported on the Autism Treatment Assistance Program (ATAP). A handout was provided. Some information was not available for December 2018 when the report was generated.

For November 2018:

- They received 32 new applications.
- They served 662 active children.
- They had 449 children on their wait list.
- The average wait time was 360 days.
- They ended the year with 605 Registered Behavior Technicians which was a significant increase over the beginning of the year.
- Will be starting children in the upcoming month and hiring more staff to support this growth.

9. MEDICAID UPDATE AND CHANGES

- **UPDATE ON MEDICAID'S NETWORK OF PROVIDERS IMPACT FROM STATE RATE CHANGES**
- **OTHER UPDATES**

Sarah Dearborn filled in for Alexis Tucey. She was not able to get exact numbers on the state rate changes and requested more clarification on what they are looking to get information on.

Commissioner Durette replied that it would be rate changes that impact behavioral health. Ms. Dearborn does not have that, but the most recent rate change was for Basic Skills Training (BST) and began on January 1, 2019. She can get with staff to provide the most up to date information. Commissioner Durette said that would be helpful along with any policy changes for behavioral health in the last few months. Ms. Dearborn said she can work on that and email Laura Adler to disseminate the information.

Updates

- It was in the Governor's budget to recommend the expansion of the Certified Community Behavioral Health Clinics (CCBHC) from three locations to ten, and to develop more services for the homeless population and for individuals for maintaining housing.
- Nevada Medicaid filled their administrator position with Susan Bierman who was previously with the Guinn Center for Policy Priorities and Medicaid for the Arkansas Department of Human Services. She will be stationed in Las Vegas and travel frequently to the north.

Commissioner Durette said the Commission will look forward to an email from Ms. Dearborn on some of the changes that happened over the last couple of months and leave this on the agenda.

10. UPDATE ON THE CHILDREN'S SYSTEM OF CARE BEHAVIORAL HEALTH SUBCOMMITTEE AND SYSTEM OF CARE GRANT

Alex Ruiz reported:

- SOC staff has been meeting regularly to decide on next steps for the remainder of the grant and to crosswalk staff's duties and workgroup outcomes with the Strategic Plan and ensure that the action plan includes all key elements needed to move forward with implementation of SOC.
- IDD Taskforce Update:
 - Met for the first time on January 9, 2019 and discussed IDD/DD children's mental health collaboration.
 - Outcome of meeting: 1. Look at current resources across agencies (ADSD, DCFS, Counties), partner with Medicaid and Nevada PEP to determine how to blend services and funding to service target population. 2) Develop recommendations for Administration to look at in the next biennium legislative session in terms of filling gaps in service array.
 - Next meeting is scheduled for January 31, 2019.
- SOC is serving 235 children right now.

11. SECLUSION AND RESTRAINT SUMMARY OF FORMS REPORT

Kristen Rivas reported that the Planning and Evaluation Unit provides each quarter an update on how many forms have been received. We received 634 forms between September 1, 2018 and January 1, 2019 from many facilities throughout the state. The report that was distributed

includes a list of all the facilities that reported and how many forms have been received and are being processed.

12. PRESENTATION OF MENTAL HEALTH CONCERNS IN THE SCHOOLS

Amber Reid from the Department of Education gave an update on some of their work:

- SafeVoice Program launched about one year ago. Since then they have had over 6,500 unique and distinct tips statewide. The largest bulk of tips is bullying. Self-harm, suicidal ideation, depression, and anxiety are always within the top five or six. Each tip has gotten a response from the school site, so they can follow through with appropriate services.
- Working with partners on school safety measures – the Governor’s School Safety Task Force.
- Received budget enhancement to expand the Social Workers in the Schools program. They serve 207 schools in 11 districts and 7 charter academies. They support 266 people through that grant. They expanded those numbers last school year by partnering with Nevada System of Higher Education (NSHE) and School of Social Work.
- Received both Stop School Violence Act grants.
- Received the second round of the School Planning Transformation Project and applied for the second round of the state Now is the Time Project Aware from SAMSHA.
- Working in partnership with Medicaid and currently working on a state plan amendment for provider services. They are working on qualifying as Provider Tech 14s and looking at 17s.
- Received approval from the Board of Examiners for Social Work on standardized application for all their districts to become a clinical internship site. Several districts and charters submitted that application and have submitted and have been approved.
- Received an ability in funding to train 350 individuals across the state in the Nevada Child and Adolescent Needs and Strengths (CANS). This included 13 folks as trainers. Partnered with SOC in DCFS and opened trainings as well.
- Held numerous adult trainings – Youth Mental Health for State and Safe Talk.
- Two bills pre-filed from the department that we are supporting:
 - SB79 regarding chronic absenteeism.
 - SB89 is the Omnibus Bill that came out of the Governor’s School Safety Force to allow them to have some policy changes that will allow them to support enhancements in the schools.
- Last session AB275 passed which required the Department to create an integrative framework of students. They insert language into their strategic plan that included SOC values. Look at NRS 388.385 you will see a lot of SOC language. They have a good document that scales up what a multi -system of support looks like in a school system, and aligning it with our partners in SOC. The goal is to get youth into services earlier and partnering with families and communities.

Commissioner Johnson asked if the schools reach out to the Marriage and Family Therapists/(MFTs)/Clinical Professional Counselors (CPCs) Board to sign up and become

approved at each site as well. MFTs are qualified to work with children and families as well and are qualified to do a lot of that work in schools. Ms. Reid responded that their grant allows them to hire both MFTs and CPCs and they do. The bulk are social workers, but they have MFTs and CPCs working in their clinical internship hours in the schools. In terms of student support services, we need all hands-on deck. We will take all the folks we can get. We advocate not to reduce school counselors or school psychologists. We advocate for the three legs of support.

Commissioner Mosby asked if there have been barriers with clinical social workers providing their treatment from the school district with student's out-patient providers? Ms. Reid responded no, if they are already established with a provider in the community, and the clinical piece is new. She can share through Laura Adler their Multi-Tiered Systems of Support (MTSS) document. The goal is that they do not want to duplicate services, they want to support services. They operate under HRSA? and HIPAA and if there is consent they have no issue sharing information back and forth. They refer out if it is necessary. Their goal with working with Medicaid is to expend every federal dollar they can for Medicaid eligible services before using state dollars to fund the things that can be done in school. They instructed school-based folks to work with the community providers as closely as they can. She is not aware of any major issues.

Ms. Reid appreciates the partnerships with SOC, DCFS and DPBH. It is new to education to support mental health. Their administrators have jumped on it largely because they know they have a safety net.

13. SELECTION OF NEW COMMISSION CHAIR AND UPCOMING POSITIONS

- **Governor needs to sign off on recommendation from Noelle Lefforge to fill the psychologist position**
- **Nominate Chair to replace Noelle Lefforge**
- **Nominate and approve appointment of a commissioner to represent the Commission on Behavioral Health on the Nevada Children's Behavioral Health Consortium.**
Pam Johnson was the representative and is no longer on the Commission

Commissioner Durette referred to NRS 232.331. We should have a total of 10 members. We have several holes - Psychologist, physician, drug and alcohol abuse.

Sarah Hunt from UNLV is a member of the Nevada Psychologist Association (NPA). NPA has submitted four names up to the Governor's office for consideration. Laura Adler reported that DCFS has not heard anything back and that might be because of the transition in the Governor's office.

There was no information about filling the Physician (not a psychiatrist) position or the Substance Abuse position.

Commissioner Durette asked if anyone wants to make a nomination or a suggestion for the position of Chair of the Commission on Behavioral Health.

Commissioner Johnson said she was willing to take the position of representing the Commission on the Nevada Children's Behavioral Health (NCBH) Consortium if someone else was willing to fill the position of chair.

Commissioner Durette nominated herself to be chair if Commissioner Johnson represents the Commission on the NCBH Consortium.

MOTION: Commissioner Mosby made a motion that Dr. Durette will be chair for the Commission and Commissioner Johnson will be the representative for the Nevada Children's Behavioral Health Consortium.

SECOND: Debra Scott.

VOTE: The motion passed unanimously.

14. SECLUSION AND RESTRAINT SUMMARY REPORT AND PROTOCOL

This was a duplicate agenda item.

15. ANNOUNCEMENTS

None.

16. DISCUSSION AND IDENTIFICATION OF FUTURE AGENDA ITEMS

- Update on the Regional Behavioral Health Policy Boards.
- Medicaid Update.
- Agency updates.
- Updates on Desert Willow Treatment Center Status.
- Nomination and Election of Vice-Chair of the Commission.
- Update on voting membership from Governor's Office.

Ms. Rivas will follow-up with the Governor's office.

17. PUBLIC COMMENT

None.

18. ADJOURNMENT OF PUBLIC SESSION

Vice-Chair Durette adjourned the meeting at 9:21 am.