

BEHAVIORAL HEALTH ADVISORY COMMITTEE

MINUTES

February 1, 2023

10:00 a.m.

Region V Systems, 1645 N Street

MEMBERS PRESENT: Renee Duffek, Greg Janak, Corrie Kielty, Stephanie Knight, Jill Kuzelka, Sarah McEntarffer, Rebecca Meinders, Rachel Mulcahy, Laura Osborne, Gale Pohlmann, Kelsey Schwab, Kim Schroeder, Michele Vana, Evette Watts

MEMBERS ABSENT: None

OTHERS PRESENT: Tami DeShon, Renee' Dozier, Jade Fowler, Teri Effle, Wade Fruhling, Theresa Henning, Patrick Kreifels, Kayla Lathrop, Kim Michael, Sandy Morrissey, Erin Rourke, Marti Rabe, Region V Systems

HOUSEKEEPING / ANNOUNCEMENTS / INTRODUCTIONS

- Osborne called the meeting to order at 10:00 a.m. Introductions were made and included two new members, Renee Duffek and Sarah McEntarffer, who briefly introduced themselves.
- Osborne extended congratulations to Kreifels on his selection as Regional Administrator. Pohlmann commented that he was confident that the best candidate was chosen.
- Kreifels congratulated Rourke as she has accepted the position of Continuous Quality Improvement (CQI) Director, the position vacated by Kreifels on his selection as Regional Administrator.

ADDITIONS / CHANGES TO AGENDA

There were no changes to the agenda.

OPEN MEETING ACT INFORMATION

Osborne noted that Open Meeting Act information is posted at Region V Systems as required by the Open Meetings Act. Notification of this meeting and information regarding availability of the agenda was provided through a legal notice in the Lincoln Journal Star, published January 18, 2023.

PUBLIC COMMENT

There was no Public Comment.

EMPLOYEE RECOGNITION

- Morrissey and the Regional Prevention Coalition (RPC) were recognized for winning awards in three categories for their work in collaboration with KidGlov regarding opioid use. The TalkHeart2Heart website was shown briefly. The link for that webpage is: talkheart2heart.org. Kreifels commented that the awards were unsolicited and were based on results. The results are impressive as the RPC has significantly less funding available than other entities competing for these awards.
- The website addresses four areas: Parenting, Alcohol and Drugs, Mental Health, and Risky Behaviors with many resources under each tab. The RPC has been working to create new and engaging content for the website and urged attendees to follow and share the content, particularly using the social media pages that are available.
- Kreifels also commended Jade Fowler and Wade Fruhling for their efforts toward the Homeless Connect Project. Jade Fowler, Rental Assistance Program Housing Specialist, was recognized by the Lincoln Homeless Coalition for being an advocate for the vulnerable and fighting homelessness in our community. Wade Fruhling, Technology Systems Specialist, performed an instrumental part of this year's Homeless Connect event by

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assisting various organizations with load-ins to help set up the day (and load-outs) as well as took pictures at the event.

CONSENT AGENDA ITEMS

Knight made a motion, seconded by Mulcahy, to approve the Consent Agenda (Minutes – November 2, 2022, FY 22-23 Compliance Management Report, RGB Report) as presented. Voting aye: Duffek, Janak, Kielty, Knight, Kuzelka, McEntarffer, Meinders, Mulcahy, Osbourne, Pohlmann, Schwab, Schroeder, Vana and Watt. Nays none. Motion carried.

ACTION / PRIORITY ITEMS

Contracts: Morrissey provided information regarding the following Strategic Prevention Framework (SPF) contracts:

- **Lincoln Police Department:** This contract, in the amount of \$5,000, a decrease of \$2,000, is for the purpose of providing compliance checks to ensure establishments are not selling to minors in Lancaster County. The goal is to maintain a 90% compliance rate.
- **Mental Health Association:** This contract, in the amount of \$6,000, a decrease of \$5,000, is for the purpose of providing two Wellness Recovery Action Plan (WRAP) Train-the-Trainers to increase the number of qualified trainers available to Lincoln Public Schools and rural schools.
- **Partners for Insightful Evaluation:** This contract, in the amount of \$15,000, an increase of \$5,000, is to provide focus groups and evaluative data for Lincoln Public Schools 3rd Millennium Classroom Intervention participants.
- **Starfish Enterprises Ltd.:** This contract, in the amount of \$9,000, a decrease of \$3,000, is for the purpose of educating and training church teams to provide prevention/resources within their faith community.
- **Trevor Linn:** This contract, in the amount of \$3,000, is for purpose of assisting Faith Partners with promotion of training, development of list serves, creation of monthly newsletters, and other organizational duties.

Janak made a motion, seconded by Pohlmann, to recommend that the Board approve these SPF contracts. Voting aye: Duffek, Janak, Kielty, Knight, Kuzelka, McEntarffer, Meinders, Mulcahy, Osbourne, Pohlmann, Schwab, Schroeder, Vana and Watt. Nays none. Motion carried.

Evidence-based Practice Contract:

- **Intuitive Mind Training and Consulting:** This contract, in the amount of \$255,904.31, an increase of \$110,964.31, is for the purpose of providing training and consultation by Josh Smith, to implement Dialectical Behavioral Therapy (DBT) as an evidence-based and evidence-informed practice. Henning commented that providers requested that the timeline for this training be moved ahead so funding to cover additional training scheduled for FY 23-24 was pulled into this contract year.

Pohlmann made a motion, seconded by Janak, to recommend the Board approve this contract with Intuitive Mind Training and Consulting. Voting aye: Duffek, Janak, Kielty, Knight, Kuzelka, McEntarffer, Meinders, Mulcahy, Osbourne, Pohlmann, Schwab, Schroeder, Vana and Watt. Nays none. Motion carried.

Conflict of Interest Summary Report: The Conflict of Interest Report indicates any areas where a BHAC member may have a vested interest in any contract that may come before this committee. Two BHAC members reported conflicts and indicated their desire to be upfront and transparent in this regard. When voting on any contract where a conflict exists, these BHAC members will abstain. Mulcahy made a motion, seconded by Vana, to accept the Conflict of Interest Summary Report and place it on file. Voting aye: Duffek, Janak, Kielty, Knight, McEntarffer, Meinders, Mulcahy, Pohlmann, Schwab, Schroeder, Vana and Watt. Abstaining: Kuzelka, Osbourne. Nays none. Motion carried.

OTHER UPDATES/INFORMATION:

Behavioral Health/Legislative Updates:

- Kreifels discussed several attachments to the packet. The first attachment lists the members of the Appropriations and Health and Human Services Committees and includes an overview of the state legislative process. It was observed that when the document was created, the \$10,300,000 to fund a 15 percent provider

rate increase had not been pulled from the budget. The Governor's budget did pull that amount even though outgoing DBH Director, Sheri Dawson, had recommended that it be retained. The Regions will be asked to fund this rate increase with existing dollars which will limit the opportunities that had existed to re-direct funds to fill other gaps and needs in the system.

- Kreifels reviewed the following legislative bills that are of interest to the Regions and to NABHO.
 - LB362: This bill would provide a five percent rate increase across the board. Kreifels commented that the fifteen percent increase discussed earlier served the purpose of bringing the reimbursement rate to a neutral level.
 - LB276: This bill is related to the creation of Certified Community Behavioral Health Clinics (CCBHC). These entities are a departure from how services are historically delivered and CCBHCs intent is to meet all the needs of consumers, physical, behavioral health, etc. with services integrated into one setting. Region V has two of these entities, Lutheran Family Services and CenterPointe.
 - LB525: This bill is related to providers offering psychiatric diagnostic evaluation asking for a fifteen percent rate increase. Because a larger share of consumers is currently eligible for Medicaid, and because the Medicaid rate is lower than the Region rate, these providers are operating at a loss.
 - LB433: The Region is working with the lobbyist on this bill, which is asking for three things:
 - 1) More flexibility from DHHS to allow Regions to move funds up to 20 percent within their budget. Currently the Region has four opportunities, on a quarterly basis, to shift funding. Additional flexibility would allow a more immediate response to any noted gaps and needs.
 - 2) A response within 30 days for any new proposal presented to DHHS provided the proposal did not conflict with state law, and
 - 3) Any denials would include an appeals process where the appeal would be presented to a neutral party.
 - LB256: This bill would require insurance companies to pay the same rate for telehealth services as they are paying for face-to-face contacts.
- Osbourne commented that BHAC members could provide a voice in support of these bills by contacting the senators on the appropriations committee. Kreifels stated that would be helpful and BHAC members were encouraged to reach out in support of these bills. Written testimony can also be submitted for hearings. Instructions for providing that testimony will be emailed to the group.

Division of Behavioral Health Transition – Tony Green: Green is the Interim Director for the Division of Behavioral Health as Dawson was not retained by Governor Pillen. Green is currently Director of Developmental Disabilities and reports to Smith, the DHHS Director. A national search will be conducted to replace Dawson. Regional Administrators are meeting with Smith on February 14 to review various agenda items.

Network Provider Service Expansion:

- Kreifels reported that there has been some initial discussion with providers regarding re-evaluating the possibility of expanding the services within the network of providers. The proposed service expansion would apply only to current Network Providers who are providing services within the Region's service continuum for which they are not currently receiving Region V funding. The concept would result in the transfer of unused funding from one provider to another. The goal would be to enhance the continuity of care, increase access, reduce time on the waitlist, and continue to support the Region to be a safety net for individuals who are not eligible for Medicaid, are uninsured, or have a deductible they are unable to pay,
- Kreifels noted that there are a lot of unknowns currently including the impact of the Medicaid unwind and it is anticipated that 1,700 to 2,000 individuals will lose their Medicaid eligibility and come back into Region V funded services.

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Budget Plan Process and Timeline: The timeline for submission of the Regional Budget Plan was moved forward. Requests for Approval (RFA) were issued earlier this year and are due to the Region on February 22. The Region's Budget Plan must be submitted to the Division by April 1. These RFAs will be based on initial allocations.

Bipartisan Safer Community Act Grant Workplan: This document was submitted for informational purposes. It involves a four-year SAMHSA grant workplan addressing the use of supplemental funds to fill gaps in behavioral health systems.

DBH – Transformation of the System:

- Kreifels stated that the news release was issued without a lot of Director's knowledge or input and was somewhat of a surprise. The purpose of the transformation is to improve access to services for Nebraskans with disabilities. The four focus areas will be: Certified Community Behavioral Health Clinics (CCBHC), congregate healthcare settings, the Lincoln Regional Center (LRC), and Level 1 Screens for addiction (more relevant for DD clients).
- Kreifels noted there is concern individuals are being "warehoused" and forced into a level of care that is not necessarily in their best interests, may not be the least restrictive level of care, and doesn't align with the individual's choice. LRC will consider re-implementing the use of a tool called LOCUS which is designed to help people be discharged from state hospitals. The Regional Centers would have to justify continued stay based on medical need.

Lancaster County ARPA Collaborative Projects:

- Dozier reported that efforts continue to bring up a Family Resource Center. There is a meeting today to refine the service definition, a step toward being able to receive approval to issue an RFP. Dozier thanked Kuzelka and Vana for their efforts in support of this project.
- The Request for Proposals (RFP) for Voluntary Crisis Response / Mental Health Respite will be issued today. A bidders' conference will be held on the 15th, with an opportunity to dialogue with interested parties. This project is a collaboration between Lancaster County and Region V and will provide a safe place for individuals who do not meet the criteria for Emergency Protective Custody (EPC), which is involuntary. There will be 16 beds which will be capable of flexing between crisis stabilization and respite as needed.

Opioid Settlement Funds: Kreifels stated that the saga continues as manufacturers involved in the lawsuit continue to negotiate settlement dollars based on their complicity in the opioid epidemic. Nebraska is slated to receive approximately \$100,000,000. Fifteen percent of those funds will be disbursed to counties. Half of the remaining eighty-five percent will go to the Opioid Settlement Remediation Advisory Committee and the other half will be disbursed to the Regions based on their Regional percentage. For Region V this is approximately twenty-four percent. Significant barriers and challenges remain, and the Attorney General's office has been involved in negotiations.

Medicaid Continuous Coverage Requirement Unwind: This attachment provides information regarding the process that will be used beginning April 1 when the Federal Public Health Emergency is declared at an end. The Regions intent is to be the public safety net for individuals who will be losing their Medicaid benefits.

Emergency System:

- The Mental Health Crisis Center (MHCC) is an involuntary placement for persons who are deemed to be a danger to themselves or others and have a diagnosable mental health issue. MHCC was full on several occasions over the holidays. This is tied to the lack of access to LRC beds for Region V clients. Currently one client has been waiting at MHCC for a bed at LRC for over two hundred days.
- The MHCC is intended to be a short-term crisis stabilization facility and does not provide treatment as such. Lack of access to LRC beds goes back to LB1083 (Behavioral Health Reform) when the other Regions were given funding to contract with community hospitals for this service. Region V did not receive any funding but was intended to have access to up to forty beds at LRC. Currently Region V clients occupy fifteen beds. According to various dashboards and calculations, the Region should have between 54 to 74 beds available.

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- Information includes the letter that Kristin Nelson, Director of Emergency Services, provides annually to law enforcement and county attorneys. The information provides options for accessing emergency services and data for numbers of EPCs and Crisis Response Team contacts.
- Behavioral Health Threat Assessment (BETA) training is offered annually to train and support law enforcement providing information about how to best respond to individuals they may encounter who are having a mental health crisis.

Network Continuous Quality Improvement:

- Roarke reported that notifications have been sent out for four providers and LRC approving them as Dialectical Behavior Therapy providers. One- or two-year notifications were sent. Providers submitted applications back in September and are required to be in conformance with the DBT fidelity model. If a provider is found to be out of compliance, they have 90 days to share a corrective action plan that would move them into compliance.
- The Continuous Quality Improvement (CQI) team is working with providers regarding service enhancements as providers must submit a plan annually showing outcomes. DBT is showing an initial positive impact, meaning that clients are getting better sooner and using the emergency system less.

FY 22-23 Capacity Utilization Summaries: These summaries outline utilization by providers and regionally by service. For the period indicated by these summaries, drawdown should be at 41 percent; however, drawdown is currently 25 percent Regionwide. Based on this under-utilization, the Region will decrease allocations and shift funds to other services. The lack of drawdown is attributable to the number of individuals who are currently Medicaid eligible. Those numbers are expected to decrease as Medicaid “unwinds.”

Wellbeing Initiative Quarterly Report Q2: Wellbeing Initiative (WI) is a peer-run organization the Region contracts with to conduct consumer recovery efforts. Peers have been found to be able to dialogue well and engage and advocate for persons in crisis because of their own lived experiences. There are three peer-run organizations in Region V: Mental Health Association, Families Inspiring Families, and Wellbeing Initiative.

2023 BHAC Survey: Michael commented that BHAC members should have received the annual opinion survey. Surveys are due Monday, February 6. Michael noted that the Region values input from the Committee and results from the Network Provider and BHAC surveys will be included in the March agenda packet.

Training: Provided for informational purposes.

- WRAP Facilitator Training (Provided by Wellbeing Initiative, Inc)
- FY 22-23 Training Plan

ADJOURN

- There being no further business the meeting was adjourned at 11:30 a.m.

IMPORTANT DATES

- February 9 – 9:00 a.m. – Regional Prevention Coalition
- February 13 – 10:30 a.m. – RGB Meeting at Region V Services / Hybrid
- February 27 – Network Provider Meeting / Zoom
- March 1 – 10:00 a.m. – BHAC Meeting / Hybrid