

BEHAVIORAL HEALTH ADVISORY COMMITTEE

MINUTES

Hybrid

March 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, Rachel Mulcahy, Laura Osborne, Gale Pohlmann, Kelsey Schwab, Kim Schroeder, Michele Vana, Evette Watts

MEMBERS ABSENT: Rebecca Meinders

OTHERS PRESENT: Patrick Kreifels, Sandy Morrissey, Erin Rourke, Amanda Tyerman-Harper, Marti Rabe, Region V Systems

HOUSEKEEPING / ANNOUNCEMENTS / INTRODUCTIONS

- Osborne called the meeting to order at 10:05 a.m. followed by rollcall.

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 February 15, 2023.

PUBLIC COMMENT

There was no Public Comment.

CONSENT AGENDA ITEMS

Mulcahy made a motion, seconded by Watts, to approve the Consent Agenda (Minutes – January 9, 2023, FY 22-23 Compliance Management Report, RGB Report) as presented. Voting aye: Duffek, Janak, Kielty, Knight, Kuzelka, McEntarffer, Mulcahy, Osbourne, Pohlmann, Schwab, Schroeder, Vana and Watt. Nays none. Motion carried.

ACTION / PRIORITY ITEMS

Contracts: State Opioid Response (SOR) Grant: Morrissey presented the two contracts below noting that the opioid contract was not in place prior to the beginning of the 2nd quarter.

- Marcus Media Group:** This contract, in the amount of \$35,530, is to provide movie trailers to increase awareness of the opioid crisis. These movie trailers include information about Narcan, risks related to overdose, how to use Narcan, and pharmacies where Narcan is available. These trailers will run before every movie in 32 venues until September 29 when the grant ends.
- KidGlov:** This contract, in the amount of \$20,500 will allow for management and upkeep of the opioid page on the [talkheart2heart](#) webpage and will create a digital ad campaign promoting free Narcan and other prevention information about opioid use disorder and other stimulant misuse and use disorders.

Janak made a motion, seconded by Pohlmann, to recommend the Board approve these SOR Grant Contracts as presented. Voting aye: Duffek, Janak, Kielty, Knight, Kuzelka, McEntarffer, Mulcahy, Osbourne, Pohlmann, Schwab, Schroeder, Vana and Watt. Nays none. Motion carried.

FY 21-22 Annual Report (Draft): Kreifels reviewed the various components of the annual report, noting that the report includes information regarding structure and governance, funding and expenditures, network administration, children and family services, partnerships and collaborations and Region V staff among others. Kreifels explained

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that the report is used to inform and educate Region V constituents including County Boards and State Senators. Rourke is responsible for creating content and completing the annual report. Kreifels noted that the document is in draft form, and the information related to fiscal transparency has not been updated as the Region V audit is not completed. The motion will include this caveat.

Keilty made a motion, seconded by Duffek, to recommend the Board approve the FY 21-22 Annual Report contingent on the completion of the fiscal data. Voting aye: Duffek, Janak, Kiely, Knight, Kuzelka, McEntarffer, Mulcahy, Osbourne, Pohlmann, Schwab, Schroeder, Vana and Watt. Nays none. Motion carried.

Site Visit Report (Blue Valley Behavioral Health): Tyerman-Harper presented BVBH's audit summary noting that no services fell below the 95% threshold for the unit audit, and a program fidelity audit was not required this year. BVBH demonstrates substantial compliance with Minimum Standards and contractual requirements. Mulcahy made a motion, seconded by Pohlmann, to recommend that the Board approve the BVBH Site Visit Report as presented. Voting aye: Duffek, Janak, Kiely, Knight, Kuzelka, McEntarffer, Mulcahy, Osbourne, Pohlmann, Schwab, Schroeder, Vana and Watt. Nays none. Motion carried.

OTHER UPDATES/INFORMATION:

Behavioral Health/Legislative Updates: Kreifels reviewed the following information:

- LB433:
 - Senator Jacobsen presented this bill on behalf of the Behavioral Health Regions. The bill is requesting flexibility from DHHS to allow Regions to move funds up to 20 percent within their approved budget. Currently DHHS approval is required for every shift and Regions are only allowed to request shifts on a quarterly basis. While emergency shifts are available in theory, the Region has not experienced much success when submitting an emergency request. This delay impacts the ability to draw down funds and have a more immediate response to gaps and needs in the system.
 - The Region waits on average 78 days for a response from DHHS to any new proposal. In addition to flexibility, the Regions are asking for a response within 30 days for any new proposal presented to DHHS provided the proposal did not conflict with state law, and any denials would include an appeals process where the appeal would be presented to a neutral party.
 - Kreifels commented that Regional Administrators including himself, as well as Dubas on behalf of NABHO, testified in support of the bill. Kreifels noted that Senators Hansen and Ballard, members of the DHHS Standing Committee, appear likely to support the measure. General Counsel for DHHS, Botello, testified in opposition to the bill and submitted a fiscal note in the amount of 1.4 million dollars which appeared to be an attempt to kill the bill.
 - Kreifels made two additional points. The flexibility that the Regions are requesting was in place in the past and has slowly eroded over the years. Also, for any contracts above \$10,000 the Governing Board must approve or ratify them, as the Region strives to be transparent regarding all monetary matters.
 - BHAC members were reminded that they can contact Senators to request support for this and any bill. Written testimony can be given, and citizens have the right to attend and testify at the hearings. Kreifels will send BHAC members some talking points as well as a list of Senators by District to help BHAC members identify the Senator representing their district. The bill goes in front of the Appropriations Committee on March 22.
- DHHS / DBH Biennium Budget:
 - Kreifels stated that the budget outgoing Director Dawson had submitted included the 10.3 million that had been approved by the Legislature for the 15 percent rate increases; however, Governor Pillen removed that amount when approving his budget. The impact on Region V is approximately 2.4 million dollars, with additional lost funds from county match bringing the impact to 2.7 million dollars.
 - The Governor's rationale for removing the 10.3 million was that the Regions are not pulling down the money they have been allocated. While this is not inherently wrong, Kreifels discussed several reasons why the Regions have not been able to pull down the funds in their budgets, noting that the dollars left on the

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table have been trending up since 2019 in tandem with loss of flexibility. A significant amount of the currently unutilized funds is committed to various projects which have been delayed by the time-consuming response from DHHS. As noted earlier, responses are taking an average of 78 days, with one proposal taking 288 days for approval.

- Other reasons for the lack of drawdown include restrictions in moving money; Medicaid expansion; Covid-19 Pandemic (states cannot remove people from Medicaid while the emergency persists, decreased capacity because of isolation, etc., lack of workforce, and lack of access to supplies due to supply chain issues); rigidity of funding; and the 15 percent rate increase contract amendment was not issued until the second quarter allowing a short period of time for regions to redirect the funds into services as compared to ARPA funds and recipients have up to 5 years to spend,
 - Possible repercussions related to Maintenance of Effort may affect federal block grant funding in the future.
 - Funds for collaboration with Lancaster County and other entities regarding blended ARPA funding streams must be pulled down within five years. Lack of flexibility affects the Regions' ability to work strategically to bring up several new services.
 - As funding for behavioral health is being curtailed, statistics are showing an increased need for behavioral health services for both youth and adults as an increase in anxiety, depression, and suicide rates have been observed.
 - Kreifels will send a document with bullet points listing these various concerns in more detail. Additional documents related to State Senators, the district they represent, and committee membership will be emailed. These documents can be used to provide testimony in support of these bills if someone is interested in doing so. Osborne reminded BHAC members that all citizens have the right to testify and / or attend these upcoming hearings and suggested that testimony would be more powerful if examples of the impact on an individual's community or county were cited.
- LB921: This bill was enacted last year and stipulates that Region V will have access to 30 percent of total bed capacity at the Lincoln Regional Center (LRC). To date this has not been implemented and the Region continues to struggle to place individuals on mental health board (MHB) commitment at LRC. The Region would prefer that admissions be based on acuity of need rather than other criteria. Kreifels and Nelson, Director of Emergency Services, continue to meet with LRC and DHHS and there is a sense that progress is being made, albeit slowly.
 - Division of Behavioral Health / Children and Family Services Organizational Assessment: DHHS CEO Smith announced that DHHS has contracted with a private firm to conduct an organizational assessment for DHHS Divisions of Behavioral Health and for Children and Family Services. The assessment is primarily in relationship to what DHHS should be focusing on and whether to fill the position left vacant by Dawson or merge that division with Interim Director Green's current duties.

Lancaster County ARPA Collaborative Projects: Tyerman-Harper relayed the following:

- A Request for Proposals (RFP) was issued for Voluntary Crisis Response / Mental Health Respite. A bidders conference was held with three interested providers and Lancaster County. Two Letters of Intent were subsequently submitted. Proposals are due April 7 and will be reviewed by a diverse committee with representatives from Lancaster County, law enforcement, BHAC members, and Region V staff. The group will meet on April 17 and make recommendations prior to the April 26 BHAC meeting.
- Family Resource Center: A Service Definition was submitted to DHHS on December 7, and the Region has not received resolution on that document. Six different subcommittees, including judges and law enforcement, have had input into the need for this type of service. While this has been a recognized need / gap in the system for over ten years, until the service definition has been approved, work cannot move forward.

Opioid Settlement Funds: Kreifels stated it is anticipated Nebraska will receive \$100 million dollars over eighteen years based on the opioid manufacturers' lawsuit. 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. Region V has not received any of

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this funding to date but did receive funds that were redirected from Thayer County. At this time decisions made by the Committee are being questioned, as the Committee did not adhere to requirements of the Open Meetings Act.

Emergency System: 988 continues to see the number of calls increasing with 48 calls a day being the current average with approximately 95 percent of calls being answered. Mobile crisis has been activated in Region V twenty-one times by 988. Dialogue continues with providers regarding the ability to activate a response without going through 988 to increase access to crisis response.

Network Continuous Quality Improvement / Regional Data Overview Report 2/15/2023: Rourke commented that this report on statewide data is submitted on a quarterly basis to DHHS and briefly discussed the following data points:

- **Stable Living at Discharge:** Data indicates that Region V providers are performing above the state target and the state average. The report includes information about initiatives and other action plans. Rourke noted that Region V meets with providers annually to gain insight into efforts providers are utilizing to impact these measures.
- **Labor Market Data:** This data also indicates that Region V providers are performing above the state target and state average. Short-term crisis services are not included in this data and measure only those individuals who are in the labor force. One action plan is to host a training course for providers on benefits analysis, to include education on work incentives and encourage behavioral health service providers to work with consumers to understand the limitations for persons who are on SSDI.
- Concern was expressed that consumers who currently are not financially eligible for Region V funding because they are gainfully employed, may lose their Medicaid eligibility when Medicaid begins its unwinding / review process.
- Rourke shared data for persons served by Supported Employment who were discharged; waitlist information for short-term residential programs, data about the emergency system, and reinvestment / service enhancement projects. Service enhancements are used for such things as supporting a medication prescriber at LFS, providing non-fee-for-service billing opportunities for BVBH to help keep behavioral health services available in rural areas, and improving access and decreasing wait time, allowing children to stay with their mothers while in treatment at St. Monica's (Project Mother and Child) and supporting a case worker at MHCC for up to 20 hours of group therapy due to the long stays individuals are currently experiencing in receiving inpatient treatment.

FY 22-23 Capacity Utilization Summaries: These documents, updated through January 31, 2023, were emailed on Monday. These summaries outline utilization by providers and Regionally by service.

FY 22-23 Training Plan: Provided for informational purposes. Osborne suggested that BHAC members can share this information regarding many free trainings in their community.

ADJOURN

- There being no further business the meeting was adjourned at 11:35 a.m.

IMPORTANT DATES

- March 9 – 9:00 a.m. – Regional Prevention Coalition
- March 13 – 10:30 a.m. – RGB Meeting at Region V Services / Hybrid
- March 20 – Network Provider Meeting / Teams
- March 29 – 10:00 a.m. – BHAC Meeting