



FINAL REPORT

Select Committee on Mental Health and Substance Abuse Services

I. Introduction and Background

A. Committee Composition

1. Senate Appointees

Senator John Schiffer, Cochairman
Senator Pat Aullman
Senator Ken Decaria
Senator Rae Lynn Job
Senator Wayne Johnson
Senator Tony Ross

2. House of Representatives Appointees

Representative Colin Simpson, Cochairman
Representative Keith Gingery
Representative Patrick Goggles
Representative Jerry Iekel
Representative Doug Osborn
Representative Jane Warren

B. Scope of Study

The Select Committee on Mental Health and Substance Abuse Services was created by 2005 Wyoming Session Laws, Chapter 195 (attached hereto as Appendix 1), and was charged with the responsibility to report its findings and recommendations to the Joint Appropriations Interim Committee, the Joint Labor, Health and Social Services Interim Committee and the Joint Judiciary Interim Committee not later than November 1, 2004 with respect to:

1. Funding sources and levels of funding for mental health and substance abuse services in the state, including levels of funding from federal, state, local and private sources;
2. Availability of and access to mental health and substance abuse services in the state, including but not limited to:
 - a. The number of beds available in institutions and hospitals for mental health and substance abuse treatment;

- b. The training available for and levels of training achieved by health care providers providing mental health and substance abuse services; and
 - c. The number of persons utilizing health care and substance abuse services annually in this state and estimates of the number of persons needing, but not utilizing, those services.
 3. The mental health and substance abuse system of care, to assess the viability of creating service continuums within prescribed regions of the state, including but not limited to:
 - a. Child, adolescent and family mental health and substance abuse clinical and support services, including a Medicaid waiver;
 - b. Adult mental health and substance abuse clinical and support services;
 - c. Recruitment and retention of psychiatrists and other clinical and support staff.
 4. Cost effective alternatives to current delivery of substance abuse and mental health services;
 5. Funding issues including incremental and significant erosion of ability to compete for clinical and support staff and evaluate funding and program issues related to vocational and educational services;
 6. Accountability activities with respect to comprehensiveness and appropriateness including standards, contracting, data collection, report generation and fiscal management procedures, as appropriate;
 7. Assessment of progress made in, and sufficiency of, mental health and substance abuse treatment programs;
 8. Possible revisions of Title 25 of the Wyoming statutes concerning involuntary commitments pertaining to persons with mental illness to achieve the following:
 - a. Improvement to procedures to assure that the most appropriate assessments, evaluations and treatments are available, in the shortest possible time and in the most appropriate location, for persons detained under this law, while protecting all rights of individuals involved and considering the best value to the state;
 - b. Cost management challenges to be met between the state and each county.

II. Summary of the Select Committee on Mental Health and Substance Abuse Services Study

A. Review of Relevant Background Materials

Prior to beginning its study, the Select Committee on Mental Health and Substance Abuse Services was provided background material, including:

1. Copies of the reports submitted by the Select Committee on the State Hospital and Mental Health Services in Wyoming (1996-2000).
2. Others relevant materials, including:
 - Various LSO generated memoranda;
 - Other materials describing the existing mental health and substance abuse system of care provided by the Department of Health, Mental Health Division, Substance Abuse Division and the Wyoming State Hospital;
 - Reports and other information from UPLIFT, a consumer advocacy organization;
 - Data from The Wyoming Association of Mental Health and Substance Abuse Centers (WAMHSAC);
 - Executive summaries of DATACORP reports, dated January 1, 2005;
 - Executive summary of a WYSAC technical report, dated October, 2004.
3. All the materials referenced in this report are available and can be viewed at the Legislative Service Office .

B. April, 2005 Meeting

The Select Committee on Mental Health and Substance Abuse Services met at the Wyoming State Hospital on April 26-27, 2005, to receive testimony from representatives of the Department of Health, Mental Health Division, Substance Abuse Division, the Wyoming State Hospital, the Wyoming Association of Psychiatric Physicians, WAMHSAC, Sweetwater County Memorial Hospital and other interested parties.

The committee heard testimony about the current status of the mental health and substance abuse delivery system in the state and problems that exist with respect to delivery of treatment on a statewide basis. The shortage of appropriate psychiatric health care professionals at the Wyoming State Hospital and in most regions of the state was discussed extensively.

Senator Schiffer advised that the charge given to the committee by the Legislature was extremely comprehensive and the committee may have to focus only on those portions of the legislation that are achievable in the short term and consider if the committee may have to seek reauthorization to continue its study of long term solutions next year. To facilitate studying selected issues, Senator Schiffer established two subcommittees and appointed members to the subcommittees.

One subcommittee was appointed to study access to, and delivery of, services. Members appointed to that subcommittee included Senators Schiffer, Aullman, Decaria, Johnson and Ross, and Representatives Gingery, Goggles, Iekel and Osborn. Another subcommittee was appointed to review funding issues. Members appointed to that subcommittee were Senator Job and Representatives Simpson and Warren.

A copy of the Summary of Proceedings for the April 26-27, 2005 meeting is attached hereto as Appendix 2.

C. June 2, 2005 Meeting

The Funding Subcommittee met in Room H10 of the State Capitol on June 2, 2005 to discuss the objectives of the subcommittee and to consider reports received by the subcommittee. Dr. Brent Sherard, Director, Department of Health, and staff provided information with respect to staffing and the costs of relevant programs. The subcommittee expressed frustration with a long-identified need for outcome based measurement systems and the lack of progress in implementing a system to measure outcomes.

A copy of the Summary of Proceedings for the June 2, 2005 meeting is attached hereto as Appendix 3.

D. June 27-28, 2005 Meeting

The Access/Delivery Subcommittee met in Casper at the Central Wyoming Counseling Center in Casper on June 27-28, 2005 to receive additional testimony of the current mental health and substance abuse systems of service, focusing on the possibilities of regionalization of services. The subcommittee reviewed the unmet need for services in the state and the deficiencies in qualified psychiatric health care professionals in the state. The data system developed to track mental health clients was described in detail by Dr. Nancy Callahan, who worked with Department of Health staff to develop the data system. Senator Schiffer advised the data would be very helpful to the subcommittee as it considered designing a regional approach to the delivery of mental health care in the state. Mr. Rodger McDaniel, Director, Department of Family Services, and his staff presented preliminary information about the department's Children's and Families Initiative Report that would be published in October, 2005. A significant issue raised by the department and members of the public who testified was the requirement that parents who are unable to afford mental health services for a child must relinquish custody of the child to receive those services.

A copy of the Summary of Proceedings for the June 27-28, 2005 meeting is attached hereto as Appendix 4.

D. July 20, 2005 Meeting

The Select Committee on Mental Health and Substance Abuse Services met at the Central Wyoming Counseling Center in Casper on July 20, 2005 in Casper to consider additional information on the mental health and substance abuse system of services. The committee heard descriptions of the services available at various community mental health centers around the state and a proposal for regionalization of services developed by the Mental Health Division and WAMHSAC members. Ms. Peggy Nikkel, Director, UPLIFT, reiterated the stigma that attaches: 1) to families with a child having mental health issues; and; 2) as a result of the requirement to relinquish custody to obtain needed services for the child. Natrona County has a program in which the Central Wyoming Counseling Center, under contract with the school district, provides mental health assessments to children and that program should be replicated throughout the state for all children. The Substance Abuse Division presented testimony on the division's organizational structure and explained why different screening tools are used for mental health screenings and for substance abuse screenings, even though there may be co-occurring conditions in a client. The committee identified issues it would consider at the subsequent meeting.

A copy of the Summary of Proceedings for the July 20, 2005 meeting is attached hereto as Appendix 5.

E. September 14-15, 2005 Meeting

The Select Committee on Mental Health and Substance Abuse Services met on September 14-15, 2005 at the Central Wyoming Counseling Center in Casper to hear additional testimony on the mental health and substance abuse system of services. Conditions at the Wyoming State Hospital were discussed. Specific recommendations were made by the Department of Health, Wyoming Association of Psychiatric Physicians, UPLIFT, Wyoming School Nurses Association, and other interested parties with respect to the needs throughout the state for psychiatric care professionals and services for adults and children. After hearing testimony, the committee directed staff to draft proposed legislation for consideration at the next meeting, scheduled to begin November 17, 2005. At the November meeting, the committee would also hear a presentation by the National Conference of State Legislatures on outcome measurements. The presentation had been postponed from the July meeting.

A copy of the Summary of Proceedings for the September 14-15, 2005 meeting is attached hereto as Appendix 6.

III. Findings and Recommendations

A. Findings

Based on testimony and information presented to the Select Committee on Mental Health and Substance Abuse Services, the committee finds:

1. That there is a significant shortage of psychiatric health care providers at the Wyoming State Hospital and throughout the state. The shortage includes psychiatrists and other allied health care providers including advanced practice registered nurses with a psychiatric specialty, physician assistants and primary care physicians who are adequately trained in treating persons with mental health or substance abuse problems.
2. That there is a wide disparity in the mental health and substance abuse service delivery system throughout the state. While some areas of the state have adequate treatment systems, with appropriate staffing at the local community mental health center and hospital, other areas suffer from inadequate resources, facilities and staffing. In particular, the Big Horn Basin is not currently served by any psychiatrist.
3. That, due to a low population base, lack of local funding and other reasons, some community mental health centers have not been able to develop the full array of services or staffing necessary to meet the mental health or substance abuse treatment needs that may occur within their area of responsibility.
4. That psychiatric care, medication management and crisis stabilization are often unavailable in many areas of the state and that such service can reduce the number of persons involuntarily committed to the Wyoming State Hospital under Title 25 of the Wyoming Statutes, if such services were available within a reasonable time.

5. That the Wyoming State Hospital is understaffed and frequently overwhelmed in attempting to accommodate persons committed to the facility under court order. To address the shortage of available beds and staff, the administrator of the State Hospital has frequently entered into contracts with local hospitals in the state that have acute psychiatric care beds and staff trained in providing the acute psychiatric care that will enable to patient to stabilize and return to the community in the shortest amount of time possible.
6. That the Wyoming State Hospital is currently the only facility designated to provide treatment under W.S. 25-10-101 through 25-10-305, despite a requirement since 1989 that the Department of Health, under W.S. 25-10-104(a)(vii), promulgate rules to establish standards for other treatment facilities, designate hospitals meeting those standards to provide treatment under the act, and enter into contracts with those designated treatment hospitals to provide treatment under W.S. 25-10-101 through 25-10-305.
7. That the designation of mental health and substance abuse treatment regions in the state may allow for the formation of partnerships among treatment providers within each region to develop a broader array of treatment options and services that can be provided within the region, thereby reducing the number of persons who have to be committed to the Wyoming State Hospital and other facilities.
8. That early assessment and treatment is less costly and more effective than crisis response to psychotic episodes. Partnerships such as exist in Natrona County between the school district and the Central Wyoming Counseling Center to conduct assessments of children are effective in identifying and addressing behavioral and emotional problems in children before those problems escalate into unmanageable problems for the school district and parents of children who are seriously emotionally disturbed.
9. That consumer education, training and support agencies, such as UPLIFT, are of significant value to families of persons with mental illness.
10. That there is still a significant stigma attached to persons with mental illness and that the stigma is exacerbated for families who are required to relinquish custody of their child to the state to obtain the mental health services the child may need, but the family can't afford.
11. That many mental illnesses are biologically based, and with appropriate medication and therapy, those illness can be ameliorated to enable the person to lead a more normal and productive life.
12. That the problems of the mental health and substance abuse treatment system are complex and cannot be resolved in the time authorized for the study by the Select Committee on Mental Health and Substance Abuse Services. There is a continuing need to review the system and to find possible solutions to the problems that exist.

B. Recommendations

The Select Committee on Mental Health and Substance Abuse Services recommends:

1. That legislation the Select Committee on Mental Health and Substance Abuse Services will sponsor during the 2006 Budget Session of the Legislature receive favorable

consideration by the standing committee to which the legislation is referred. The legislation will address:

- a. The building and staffing needs of the Wyoming State Hospital;
 - b. Possible solutions to improve the relationship with advocacy agencies and the Wyoming State Hospital;
 - c. Funding for community mental health and substance abuse centers to improve services to clients and to avoid involuntary commitments to the Wyoming State Hospital, to the extent possible;
 - d. Enhancing recruitment for psychiatrists and other psychiatric health care providers, including advanced practice registered nurses with a psychiatric specialty, and enhancing voluntary training for primary care physicians, mental health workers and allied health care providers to develop systems of care that can provide acute psychiatric care;
 - e. Authorizing the Department of Health to apply for a Medicaid waiver to enable families with children in need of mental health services to obtain those services without having to relinquish custody to the state;
 - f. Requiring mental health insurance parity;
 - g. Authorizing pilot projects to determine the viability of regionalized mental health services;
 - h. Appropriating funding to the Department of Health to enhance the mental health and substance abuse services in the state.
2. That the Wyoming Legislature enact into law the legislation sponsored by the Select Committee on Mental Health and Substance Abuse Services during the 2006 Budget Session of the Legislature.
 3. That the Legislature authorize the Select Committee on Mental Health and Substance Abuse Services to continue its efforts to identify and assess problems with mental health and substance abuse treatment services during the 2006 interim and recommend solutions in the 2007 General Session of the Legislature.

IV. Report Submission

This report was prepared by John H. Rivera, Senior Staff Attorney, and approved for distribution by Senator John Schiffer and Representative Colin Simpson, Cochairmen, who submit this report to the Joint Appropriations Interim Committee, the Joint Labor, Health and Social Services Interim Committee and the Joint Judiciary Interim Committee in fulfillment of the duties created by 2005 Wyoming Session Laws, Chapter 195, and respectfully request the Joint Judiciary Interim Committee give favorable consideration to the proposed legislation the Select Committee on Mental Health and Substance Abuse Services may sponsor in the 2005 General Session of the Legislature.