



Wyoming Legislative Service Office

EXECUTIVE SUMMARY

HB 59: Substance Abuse Planning and Accountability

Program Evaluation Division

January 2006

Purpose

In June 2005, the Management Audit Committee directed staff to undertake a review of House Bill 59 (2002 Laws, Ch. 81) and its administration. The purpose of the bill was “to implement a comprehensive, integrated substance abuse control plan.” The Department of Health (WDH) had the lead implementation role in collaboration with other state agencies: the Departments of Family Services, Education, Workforce Services, and Corrections. Together they were to establish standards for the effective treatment and prevention of substance abuse.

Background

Within Wyoming’s system for mental health services, substance abuse was initially perceived as a subset of mental health concerns. Over time, with increased attention going to substance abuse, it became recognized as a problem serious enough to warrant specific focus and in 2000, WDH created the Substance Abuse Division.

HB 59, a culminating piece of legislation, was the result of several years of legislative and administrative efforts to deal with the negative social impacts of substance abuse on individuals and communities. It envisioned the collaboration and cooperation of public and private entities to provide necessary services to citizens. Consistent with that vision, the Legislature has continued to appropriate “HB 59 funding.”

Results in Brief

Despite the Legislature’s stated intention in HB 59 to develop a comprehensive plan, and despite its initial \$25 million funding of that effort and later appropriations, substance abuse treatment efforts in the state continue to be fragmented. At the state level, standards have been established but a single comprehensive plan has not been identified; compartmentalization of state agency budgets, personnel, and efforts continues, and little inter-agency sharing of data occurs. At the regional level, the provider network remains much the same as it was in 2002 and a coordinated continuum of care remains elusive.

Principal Findings

Multiple entities have statutory authorities that touch on the broad societal problem of combating substance abuse. For example:

- HB 59 provided funding and required WDH to lead in implementing a state-wide comprehensive plan, but WDH needed to work with four other state agencies to determine priorities for treatment and prevention services.
- The Governor’s Advisory Board on Substance Abuse and Violent Crime also has authority over HB 59 activities, with Division staff providing Board support. HB 308 in 2005 gave the Board responsibility to

distribute \$3 million to programs that provide substance abuse services.

- Community mental health centers have longstanding statutory authority to develop a collaborative service delivery system within their individual communities.

In practice these authorities, which are both statutory and Governor-assigned, overlap, causing confusion as to which entity is the state's lead in substance abuse planning and action. The Legislature and the Governor should agree on a single designated entity to lead state-level planning and coordination.

WDH delegated its responsibilities under HB 59 to a mid-level position in the Substance Abuse Division. This position does not have the status to lead other departments and their directors in making cross-agency funding and program decisions. If leadership responsibility for HB 59 remains with WDH, the Department should elevate these duties to at least deputy director level.

Although HB 59 was titled "Substance Abuse Control Plan," several studies have also been called "plans" for combating substance abuse, and a recently-enacted bill called for a "planning study." We found little agreement among stakeholders as to which document is guiding the state's efforts. In the absence of consensus on what approaches should be adopted, it is not clear what progress the state is making toward the long-term goal of reducing substance abuse and its attendant social problems. The Legislature's and Governor's designated lead entity and collaborating partners should formally endorse one comprehensive plan.

Most of the Substance Abuse Division's core functions are performed under contract with not-for-profit community-based providers. The Division does not always follow its own contracting procedures, and contracts do not

require providers to report to the Division the results of the services they deliver. Contracts also contain non-specific language about data that must be reported. The resulting lack of consistent information at the state level restricts the Division's decision-making and planning capabilities. Thus, the Division is unable to accurately assess either the need for services statewide, or the success of its operations.

The Division should define necessary client-level data and outcomes, and structure contract provisions so that data will be reported uniformly. The Division should follow its contracting rules by requiring that applications be complete and should also link application promises to contract terms. With more specific performance and data requirements, the Division will have better information on which to base its service and funding priorities, and then can do a better job of demonstrating progress and results.

Agency Comments

WDH and the Division agree with the report's recommendations. WDH agrees it should act as the lead planning and coordinating agency. It agrees to work at least at the deputy director level to coordinate with high-ranking officials from other departments, and will work with the Governor's Board and the Division to develop a clear comprehensive plan. WDH also believes it is important to gather appropriate data and is working to incorporate the Division's data with that of Medicaid and the WHIN system. WDH believes firm guidelines for contract development and oversight are necessary and has begun to address this concern department-wide.

Copies of the full report are available from the Wyoming Legislative Service Office. If you would like to receive the full report, please fill out the enclosed response card or phone 307-777-7881. The report is also available on the Wyoming Legislature's website at legisweb.state.wy.us