

**Members**

Sen. Connie Lawson, Chairperson  
Sen. Vi Simpson  
Rep. Charlie Brown  
Rep. Cindy Noe  
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Kathleen O'Connell  
Chuck Clark  
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Margie Payne  
Ronda Ames  
Valerie N. Markley  
Bryan Lett  
Caroline Doebbling  
Kurt Carlson  
Chris Taelman  
Jane Horn  
Abigail P. Flynn



# COMMISSION ON MENTAL HEALTH

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Authority: IC 12-21-6.5

## MEETING MINUTES<sup>1</sup>

**Meeting Date:** October 30, 2007  
**Meeting Time:** 1:30 P.M.  
**Meeting Place:** State House, 200 W. Washington St., Senate Chamber  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 5

**Members Present:** Sen. Connie Lawson, Chairperson; Rep. Charlie Brown; Loretta Kroin; Chuck Clark; Margie Payne; Ronda Ames; Valerie N. Markley; Bryan Lett; Caroline Doebbling; Kurt Carlson; Chris Taelman; Jane Horn; Abigail P. Flynn.

**Members Absent:** Sen. Vi Simpson; Rep. Cindy Noe; Kathleen O'Connell; Stacy Ryan.

### I. Call to Order and Opening Remarks:

Senator Connie Lawson, Chairperson, called the meeting to order at 1:40 P.M. and thanked the members for their dedication in serving on the Commission. Senator Lawson

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

also recognized Mr. Jim Jones, Director of the Indiana Council of Community Mental Health Centers, who is retiring November 1. The Commission recognized Mr. Jones' contributions to persons with mental illness.

**II. Report on Indiana State Bar Association Pilot Project - Indiana Juvenile Screening, Assessment, and Treatment: Ms. JauNae Hanger, Vice Chairperson State Advisory Board to Pilot Project; and Ms. Amy Karozos, Chairperson Committee on Civil Rights of Children:**

Ms. Karozos told the members that the pilot program sponsored by the Indiana Bar Association for screening juveniles for mental illness would be ready to start screening juveniles by January 1, 2008. (Exhibits 1 and 2)

**III. Follow Up to Questions Concerning Managed Care Organizations (MCO's) Raised at September 11, 2007, Meeting: Mr. E. Mitch Roob, Secretary, Family and Social Services Administration (FSSA); and Dr. Jeff Wells, Director Office of Medicaid Policy and Planning (OMPP), FSSA:**

Secretary Roob provided the Commission with data on the operation of the MCOs. The data provided information on:

- average time for payments of claims (Exhibit 3);
- Healthcare Effectiveness Data and Information Set (HEDIS) 2007 Findings for Hoosier Healthwise (Exhibit 4);
- managed behavioral health quarterly measures for January 1 through August 31, 2007 (Exhibit 5)
- regional statistics on admissions (Exhibit 6)
- provider utilization data by region (Exhibit 7)

Representative Brown asked about differences among the MCO's for length of stay for clients and asked if there is any way to determine if the population figures among the MCO's are actually comparable. Secretary Roob said that the figures are determined using the last date of services. In answer to a question from Senator Lawson, Secretary Roob said that the HEDIS benchmarks were based on Medicaid programs in multiple states.

In answer to questions from Senator Lawson, Secretary Roob and Dr. Wells discussed the issue of the ability of clients to change MCO's at any point. They do not think this is a real problem since the number of individuals changing is so small. Dr. Wells is concerned about changes of MCO's and providers by clients as an issue related to the ability of the provider to provide continuity of care.

The MCO's were represented by the following individuals:

Anthem (Magellan): Dr. Walter Butler, Medical Director; Steve Young, Claims Director; and Tina Hurt (Exhibit 8);  
Centpatico: Cindy Peterson, Vice President of Clinical Operations; and Patricia Liebman, President and CEO, Managed Health Services (Exhibit 9);  
MDwise: Dr. John Wernert and Michelle Brochu

In answer to questions from Senator Lawson, Dr. Butler stated that continuity of care is important to Magellan. Senator Lawson emphasized to Ms. Peterson the importance of working with Medicaid to determine that the data reflects exactly what care is being given. Dr. Wernert stated that MDwise has added staff to speed up turn around

time for payment of claims. Senator Lawson reiterated that at the September meeting many issues and concerns had been raised concerning the operation of the MCO's. She hopes that the Commission's need for answers concerning the operation of the MCO's helped FSSA get needed answers on how the MCO's are working.

**IV. Indiana Council of Community Mental Health Centers, Funding Issues, Mr. Matthew Brooks, Director:**

Mr. Brooks reviewed the issues surrounding funding for community mental health centers. (Exhibit 10) Senator Lawson reiterated the importance of this issue. The State is waiting to see the final federal rules. It may be necessary to act during the Session.

**V. Discussion of Preliminary Bill Drafts:**

**PD 3281 Department of Correction drug formulary** (Exhibit 11): Senator Lawson asked Steve McCaffrey, President and Chief Executive Officer, Mental Health America of Indiana, to discuss the bill draft. The bill requires the Department of Correction (DOC) to use the same drug formulary for mental health drugs as is used for Medicaid. Mr. Tim Brown, Director of Legislative Services, DOC and Dr. Elton Amos, Director of Medical Services for DOC, raised concerns about the bill draft. Mr. Brown said that it is difficult to compare the population using the Medicaid formulary with the population served by the DOC. The populations have different mental health issues and needs. The DOC based the DOC formulary on safety of the total population and the safety and efficiency of distributing the drugs. Mr. Brown indicated that the DOC had issues with the inclusion of "emotional disorders" on page 2, line 9 of the draft. The DOC provided the COMH with a sample of a request to deviate from the formulary (Exhibit 12) and a description of the process the DOC uses to develop the formulary. (Exhibit 13) The DOC had the following individuals in attendance to address the DOC concerns with the formulary issue:

Dr. Anita Glasson, Psychiatrist at New Castle Correctional Facility  
 John Dallas, Regional Vice President, Correctional Medical Services  
 Janice Wiles, Doctor of Psychology, Regional Psychology Director  
 Dr. Darla Henshay, Regional Psychiatry Director  
 Dr. Bill Jones, Director of Psychiatric Services for Indiana Minority Health Coalition (IMHC)  
 Wes Lancaster, CFO, IMHC

Senator Lawson did not take a vote on the draft, however, the Commission endorsed the concept of DOC using the same drug formulary for mental health drugs as the formulary used by Medicaid. Senator Lawson asked the DOC to work with interested individuals to develop a draft.

**PD 3291 appropriates \$13,333,333 for the Forensic Diversion Program.** (Exhibit 14) This appropriation was also recommended by the Forensic Diversion Committee. PD 3291 is different from the draft adopted by the Forensic Diversion Committee in that it includes language providing that 75% of the money must be given to the Division of Mental Health and Addiction (DMHA) to fund programs. According to Cathy Boggs, Director of DMHA, this will allow the DMHA to use the money as a Medicaid match. Representative Brown made a motion that was seconded by Brian Lett to adopt the draft. The motion was adopted by a vote of 13 to 0.

**PD 3307 requires crisis intervention training (CIT) for all employees and volunteers working with a forensic diversion program.** (Exhibit 15) Mr. McCaffrey

explained that the bill draft was part of the plan for making changes to the state's mental health delivery system (Transformation Plan). The draft was amended by consent, page 1, line 4, "training" was deleted. Representative Brown made a motion that was seconded by Ms. Payne to adopt the draft. The motion was adopted by a vote of 13 to 0.

#### **VI. Adjournment**

Senator Lawson again thanked the members for their faithful service and adjourned the meeting at 4:30 P.M.