Contra Costa County Mental Health Commission June 11, 2015 Meeting Minutes – FINAL

			Action /
	Agenda Item	Discussion	Follow-Up
I.	Call to Order/	The meeting was called to order at 4:40 pm by MHC	Transfer
	Introductions	Chairperson Lauren Rettagliata.	recording to
		Commissioners Present	computer.
		Supv. Candace Andersen, BOS Rep.	** 1
		Greg Beckner, District IV	Update
		Evelyn Centeno, District V	Commissioner
		Duane Chapman, District I	Attendance
		Dave Kahler, District IV	Chart
		Diana MaKieve, District II	
		Teresa Pasquini, District I	
		Lauren Rettagliata, District II	
		Sam Yoshioka, District IV	
		Commissioners Absent	
		Peggy Black, District V	
		Louis Buckingham, District III	
		Jerome Crichton, District III	
		Tess Paoli, District III	
		Barbara Serwin, District II	
		Gina Swirsding, District I	
		Non-Commissioners Present	
		Guita Baramipar, AOD Board	Update Data
		Cynthia Belon, Behavioral Health/Mental Health Director	Base
		Travis Curran, Crestwood Healing Center	
		Douglas Dunn, NAMI-CC	
		Peggy Harris, Concerned Citizen	
		Peter Mantas, Concerned Citizen	
		Melinda Meahan, MHA	
		Julie Peck, Telecare Hope House	
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		Jill Ray, Supv. Andersen's Office Vata Payah, Supv. Ciala's Office	
		Kate Rauch, Supv. Giola's Office Kate Rauch, Supv. Giola's Office Application Applicatio	
		Karen Shuler, MHC Executive Assistant Convince State of CRAW BHCR	
		• Connie Steers, CPAW-BHCP	
		William Walker, M.D., CCHS Director	
		• Joel Warne, Local 1	
II.	Announcements	Janet Marshall Wilson, former Patients' Rights Director Teresa not renewing her term on the Commission	
11.	AIIIVUIICUIICIIC	Teresa not renewing her term on the Commission. Lauren thanked Teresa for her 9 years of service to the	
		Commission. She expressed her appreciation for Teresa's	
		work and presented her with a Certificate.	
		Supv. Andersen also thanked Teresa and expressed her	
		appreciation for her work on the Commission, and	
		presented her with a Certificate of Recognition.	
		Teresa thanked everybody and spoke about her experience	
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	on the Commission and said she intends to keep advocating after her term is over. Kate Rauch presented Teresa with a Certificate from Supv. Gioia and thanked her for her work.	
III. Public Comment	 Connie thanked Teresa for her work and expressed her appreciation of the work she has done. Janet Wilson asked Lauren to read her comment: Of course I would want to join Contra Costa County's Mental Health Commission meeting today, my friend and colleague Teresa Pasquini's last meeting before retiring from the Commission. I remember Gloria Hill's observation so many years ago when Teresa was joining the Commission: "She asks all the right questions." 	
	I am also here for myself, to remind all of you [as I face surgery for kidney dialysis next Monday] that there are long-term effects of these psychiatric medications which are so highly touted as saving people's lives and careers. Lithium carbonate certainly did help me with bipolar disorder – helped me complete law school, pursue a career as Director of Patients' Rights in 3 counties, and reconcile my relationship with my mother. Without it my attorney friend says I would be on a back ward today, or dead. But this came at a cost: severe and chronic kidney disease which is irreversible, and never disclosed to me as a risk.	
	I urge the Mental Health Commission to acknowledge the long-term effects of psychotropic medications, as Kristine Girard, MD, Director of Psychiatric Services for Contra Costa Regional Medical Center did publically at the May 21 NAMI-CCC General Membership meeting. 3) Karen announced that Tess Paoli had hoped to attend but was unable to make it because she is having surgery tomorrow. Karen noted that Tess expressed concern that her absence might cause her to be kicked off the Commission, and that it meant that she was not here and getting valuable information and that she wants to participate. Karen said she assured Tess she would not be kicked off the Commission. Supv. Andersen noted that when a Commissioner was not able to attend a meeting for medical reasons, that does not count toward missed meetings. 4) Julie thanked Teresa for her role in getting Hope House	
	established on the campus of the hospital through MHSA funding with a 16-bed crisis residential facility. She expressed her appreciation for Teresa's work. 5) Peter Mantas expressed his appreciation for Teresa's work.	

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IV.	Commissioner Comments	1) Duane expressed his appreciation for Teresa. He also announced that on June 6 in Richmond, they had their first LGBT Pride picnic and that over 200 people attended with no problems. He stated that he was glad to be on the Commission and to represent his district.	•
V.	Approval of the May 14, 2015, Minutes	 Sam made a motion, seconded by Evelyn, to approve the Minutes from May 14, 2015. Discussion: Lauren requested amendments to the Action/Follow-Up column pertaining to the Mental Health Director's Report: Page 3, 2nd bullet As a Commission, become aware of the startup date of the reservation system. Page 3, 4th bullet Check with 211 on their knowledge of the Access Line. Page 3, 5th bullet Are PES personnel participating in the multi-county plan? Page 3, 6th bullet To inform the Mental Health Commission of the contract process and please send to the Mental Health Commission the final contract. Have Vic Montoya and Ziba Rahimzadeh report to us in August about the Access Line. Page 5, Discussion on Item B, 1st bullet Follow up on the amount of the CalHFA checkbook. Page 6, Discussion on Item C Get follow-up from the Chief of Probation on the uniform and integration problem. Page 7, Other Discussion, first bullet. Lauren pointed out that there was a general, summary type of budget for the Mental Health Division. She reminded everyone that one job they do as a Commission is to be aware of their budget. She added that this was just the money in the Mental Health Division, but they had other mental health money in other sections of the budget, such as the hospital, Homeless, and AOD. She hopes that similar statements will be presented each month to make it easier to track it. Add: When we are talking about the mental health funds that are available, it is hard for us to track if there are other mental health funds that are being used in Alcohol and Other Drugs, at the hospital, or in the Homeless budget. We need to be able to identify if there are MHSA Realignment 1 or Realignment 2 funds or other mental health funds being used there. 	

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	was extraordinary that CMS (Centers for Medicare and Medicaid Services) is taking this on, since it has been there since 2008. Duane asked Dr. Walker to clarify what he meant by "entitlement" and if it meant, for example, that a consumer	
	could say they did not want services. Dr. Walker indicated that it was different than someone on a 5150 status. Duane asked if it meant that someone could walk into a facility and say they wanted services, and Dr. Walker affirmed this.	

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Duane then said that the public needed to be made aware of this, because they don't understand what they are and are not entitled to. Diana stated that when she was involved with the rollout of Covered California, she was originally under the impression that it would provide access to mental health services, but many of the consumers had no coverage and no diagnosis, and it was a big issue. She asked whether that was coming in this upcoming waiver. Dr. Walker explained that Covered California and mental and behavioral health benefits are not different from those in commercial health care plans in that they don't provide parity but that CMS is trying to do that now starting with Medicaid, and he felt the same type of effort needed to move into commercial insurance plans as well. Diana pointed out that Medicaid is guaranteed for people under the poverty level, but not every doctor takes Medicaid clients. She spoke to one doctor about this, who said that it was not lucrative to take Medicaid patients, and that Medicare is his payment standard. She felt this is a real financial burden for doctors to take Medicaid. Dr. Walker added that California has one of the lowest Medicaid payments in the nation. Diane asked if this meant that people who do not have behavioral health coverage today would continue to not have an opportunity to get care, and Dr. Walker explained that this was a step in the right direction, that people were getting more benefits through Medicaid now than before with warm handoffs to mental health providers. Cymthia commented that she was in Sacramento for a presentation on the 1915b waiver, and they stated that the waiver states that it cannot negatively impact beneficiarly access and that quality of care services must be cost-effective. She said there was a real push for a 5-year waiver, but there will be associated specific terms and conditions that would need to be applied for them to go forward with a 5-year waiver and discussed the items, which included transparency, access, timeliness to ac	

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VII. Behavioral Health Director's Report	questions and negotiating special terms and conditions related to the above areas. Lauren asked if this involved the Department of Health Care Services, and Cynthia affirmed that it did. Cynthia presented her Behavioral Health Director's Report to the Commission (attached).	
Director's Report	She distributed copies of the latest draft of recommendations for the role and structure of CPAW to the group (attached). Teresa noted that there is an agenda item for the next Executive Committee to review this draft. Diana asked when the First Episode Psychosis (FEP) program	
	at First Hope would be operational. Cynthia said that it started a little over a year ago, and this piece of the program would probably be added within the next 2 months. Diana asked how someone would access it. Cynthia offered to send her more specific information about the program.	
	Duane asked how information about the FEP program is getting out to the community, particularly for West County. Cynthia replied that it was already on the County web site, they have had flyers distributed, and it was mentioned in the Director's Report. She welcomed any additional ideas on how to make the program better known. Duane said that he	
	knows people who need to know about the program because they are currently calling the police, but they don't have access to a computer. Cynthia stated that she has looked at the statistics for the program and 80% of the recipients are on Medi-Cal and 13% are uninsured. Teresa asked if it was a	
	Medicaid-reimbursable program, and Cynthia said it is currently MHSA-funded. The group discussed the program's funding issues, the challenges involved in making this program as widely available as possible, and the potential benefit of looking at programs in other counties to find any	
	helpful information that we could use. Sam said he was very impressed with First Hope's presentation at the CPAW meeting last week and hoped that other contracted programs would give similarly impressive presentations. Teresa mentioned that First Hope is a County program, not a contracted program, and Cynthia mentioned that she did not think Sam was trying to say that First Hope was a contracted program but only that he hoped to see	
	similar presentations from contracted programs. Dave stated that he heard a similar presentation at NAMI, where they said that initially it was a pilot program but felt that it would be expanded when more funding was available. Peter believed that all MHSA-funded programs or any mental health or behavioral health program should have metrics to	

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	show how the program is performing so they will know whether the money is going into a black hole or producing something positive for the population. He also felt that education was important, because early intervention can prevent a worst-case scenario from happening. He felt that if a program that would mitigate significant costs on the back end was funded early-on, we consider funding it even if it is fully on MHSA. He thought that a final analysis should be done to identify the impact in the long run. The group discussed whether the program was already funded under Medi-Cal and that they are currently doing a cost analysis to make sure it would be funded in the future. Cynthia suggested that if there was enough interest, we could	Consider having First Hope make a presentation to the
	ask First Hope to make a presentation at the Commission meeting. Guita asked if addiction services were included in the program, and Cynthia replied that they were not currently included but they make referrals to addiction services when they are needed.	Commission.
VIII. Committee Reports	Criminal Justice Committe3 – Evelyn Centeno	
	Evelyn stated that the Board of Supervisors had placed SB 11 on the agenda for June 16. According to Lara Delaney, they had not received any support positions from anyone other than the Commission, and their practice is to have a bill go forward to the BOS with a position recommendation from either the Legislation Committee or a Department Head, and they have gotten a statement of opposition from the California State Sheriffs Association. They did not know whether they would endorse it at this point. Ecelyn is concerned because it is a consent agenda item, which means they will approve it or not and the public will not have a chance to provide input. Supv. Andersen stated that anyone could fill out a speaker card for a consent agenda item. The item then becomes a special discussion item. She recommended that anybody who wanted to do this should come early so they have an	
	opportunity to speak. Evelyn encouraged people to attend and to get other supporters of the bill to attend as well. Supv. Andersen stated that if there were specific points the Commission would like included, the Board could include those points in their letter. Lauren said she understood that the Board of Supervisors was going to support the endorsement, which Supv. Andersen	
	affirmed, and Jill read the proposed statement of support. Supv. Andersen mentioned how important they felt this bill was and assured the Commission they would always support	

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	it. Jill explained the work she did on the bill. Evelyn and Lauren both thanked Jill for her support of the issue and for making it known to the Commission. Evelyn stated that they did not have a quorum at the last meeting, but there were guests with information they needed	
	in order to move forward with issues they are working on, one of which was the disability rights lawsuit against the County that was recently settled. She talked about a recent site visit to Juvenile Hall and several changes that were already in place as a result of the settlement and others that are in process of being implemented.	
	Regarding the color-coded uniforms at the Ranch, they have already started identifying privilege levels with logos sewn onto polo shirts instead of by color. The youth were allowed to select the new uniform color and decided on hunter green shirts and gray pants, and those new uniforms are already being used.	
	Evelyn stated that Deputy District Attorney Lynn Uilkema and Marti Wilson came and discussed how the Behavioral Court runs, with an emphasis on the part in referrals played by the District Attorney's office. No District Attorney was being assigned to Behavioral Health Court. The Committee will continue to work on this and will put it on the agenda for next month.	
	There was also a presentation from the Youth Justice Commission's newly hired manager. Lauren made a motion, seconded by Evelyn, to elect	
	Duane to the Criminal Justice Committee. Discussion: Sam commented that with Duane on that	
	Committee, there would now be 3 African-Americans on the Committee, which he felt was a disproportionate representation. He hoped that representation could be spread out to other committees. Evelyn pointed out that the committee member demographics reflected the demographics of those in Juvenile Hall, so it made sense. Supv. Andersen felt that nationality should not be an issue, but interest and willingness to serve, and that they should be color-blind on the Commission. Jill thanked Duane for volunteering and felt he had a valuable point of view with his background, education, and knowledge of issues.	
	Vote: By a Unanimous vote of 9-0-0, Duane was elected to serve on the Criminal Justice Commission. Yes: 9 – Supv. Andersen, Greg, Evelyn, Duane, Dave, Diana, Teresa, Lauren, Sam	

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	No: 0	
	Abstain: 0	
	Absent: 6 (Peggy, Louis, Jerome, Tess, Barbara and Gina)	
	Executive Committee	
	At the last Executive Committee meeting, Joel Warne from Public Employees Union Local 1 brought three inter-related issues that they wanted placed on this agenda. As a result, the Executive Committee asked for the Commission to consider creating a standing committee on work environment and alternatives. Lauren asked for someone to bring a motion to consider this.	
	Supv. Andersen asked for more clarification of whether this was regarding work conditions of employees or facilities. She was concerned that the Commission could be crossing into personnel issues, which they should not be evaluating	
	because they are not supervisors and are not there on a daily basis. This could create unintended consequences, such as creating a hostile workplace.	
	Lauren felt this was a different type of issue.	
	Teresa stated that she only read the minutes but understood that there were several staff members there sharing their feeling. She reminded the Commission that there was a mental health coalition at one time that was not a standing committee but a partnership and included NAMI-CC, Local 1, the Human Alliance, and the MHCC. That disbanded after CPAW came along, and Local 1 has not been at CPAW for a while. She would love to see an effort that would allow the Commission to hear from line staff, not in a supervisory role but to work in partnership the same as is done at the hospital. Lauren said that Local 1 was talking about making sure that	
	the front-line staff feels they are safe and secure in their working environment and that we are presenting them with the best working conditions that we can.	
	Joel stated they did not want an alternative or replacement for grievance procedures or routine interactions between employees and management. He pointed out that when they came to the Executive Committee, in attendance were 6 employees who had been granted work release to attend the meeting. He felt it was a sign of their deplorable working conditions that the County contacted him just this morning to let him know that the request for work release for this meeting	
	was denied. He feels that one of the County's biggest fears is that this is made public, or else they would have notified him immediately when he made the request. He reiterated that he was not talking about things that should be dealt with through	

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	have impact on the quality of service provided to the public.	
	He pointed out that the World Health Organization has	
	determined that quality of working conditions translate	
	directly into the quality of services that mental health	
	practitioners provide. He said that the biggest concern for himself as well as the employees in the mental health unit was	
	public safety and reprisals for protected activity. He feels	
	there is a prevailing sense of fear in those employees of	
	bringing their concerns to the Commission and that the	
	County is deliberately trying to keep these issues from being made public.	
	Supv. Andersen asked whether a hostile work environment	
	should be addressed through a grievance procedure. She	
	expressed her concerns that this doesn't come under the	
	purview of the Commission, and a hostile work environment	
	is caused by a person, which makes it a personnel issue. She felt that if the Commission wanted to create such a	
	committee, a specific description of its limitations should be	
	drafted and run by County Counsel to make sure it is	
	appropriate for the Commission to handle it.	
	Joel stated that a letter he wrote to Cynthia Belon that was	
	sent out to mental health managers was actually a draft and	
	leaked without his consent. He did write very specific	
	limitations about the proposed committee that limited it to issues reasonably calculated to have an impact on the quality	
	of services that the organization provides and felt it was	
	appropriate for the Commission to be involved. He reiterated	
	that he was not looking for an alternative to a grievance	
	process, but unions do bring issues to the public, especially if	
	it impacts the quality of service to the public.	
	Supv. Andersen again recommended that a specific description be forwarded to County Counsel. She stated her	
	main concern is about employee confidentiality.	
	Dr. Walker stated that there are legal and personnel	
	requirements for how a hostile work environment is	
	investigated and described the process. He expressed his	
	concern for the establishment of a committee or even a	
	description being sent to County Counsel and asked for the opportunity to meet with union members himself and discuss	
	it rather than going straight to the Commission.	
	Joel disagreed that they jumped straight to the Commission.	
	He stated that he has had lunch with Cynthia to discuss his	
	concerns about Matthew Luu being hired and it didn't seem to make any difference. He felt that these issues have already	
	been discussed to no avail, and it was more of a nuclear	
	The sale of the stant, and it may indicate of a indicate	

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<u> </u>	option to try to improve work conditions.	*
	Peter said that the Commission's responsibility is to ensure quality of care and desirable outcomes, so anything that impacts those is under the purview of the Commission. He felt this was an appropriate thing for the Commission to address. He recommended that the Committee investigate establishing a committee that would steer away from personnel issues but make sure that quality of care meets expectations.	
	Lauren suggested we table the issue to the July meeting so that we could get the individuals from Local 1 who came to the Executive Committee to speak to the Commission. She said that if what she heard at the Executive Committee is going on in all the clinics, it is a serious issue that needs to be dealt with. Perhaps they could go to the Quality of Care Committee, as this could be looked at as a quality of care issue.	
	Duane stated he is concerned about the issues but would like to hear from County Counsel before proceeding. He also stated that he may have to recuse himself from the discussion.	
	Supv. Andersen suggested that if the Commission wants to create a Quality of Care subcommittee or ad hoc committee, parameters should be drafted and run by County Counsel with very clear directions so that there is no question that they are compromising someone through disclosing personnel information inappropriately, which would set them up for a lawsuit. She felt that situations compromising quality of care should not be leaked to a subcommittee but should be brought to Dr. Walker's attention immediately.	
	Joel stated that they would love to be able to go to Dr. Walker but felt that they have not been given reasonable access. Dr. Walker stated he had an open door. Joel felt they were impeded by the County to allow employees to vent their concerns to the Commission.	
	Lauren suggested that we did not need a motion but needed to take Supv. Andersen's suggestion, begin discussions between the union and management.	
	Supv. Andersen said that people were also welcome to contact her office and she would be glad to do what she could to address issues.	
	Cynthia stated that they have had concerns expressed to them not related to what was discussed today that were issues related to safety, and they were trying to address those issues	
	vigorously. She added that she had an open door as well and wanted to do whatever she could to address issues, and that	
	they were open to hearing and continuing to discuss them.	

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		She urged Joel to invite staff to their quarterly meetings to	
		talk about issues to get their perspective, which is different than the union perspective.	
		Teresa asked if the item was going to be closed to move it to the Executive Committee, and Lauren stated that they were	
		going to followup with Supv. Andersen's suggestions and	
		stated that she appreciated the open invitation from Dr.	
		Walker and Cynthia to further discuss things with Local 1. It	
		will probably go back both to the Executive Committee and	
		the Quality of Care Committee.	
		Teresa appreciated Joel's being here as well as Peter's	
		comments and felt that it was dicey but important to not keep	
		the public from hearing these concerns. She mentioned that	
		the Commission has worked with Local 1 as partners, the	
		same as they partner with contractors and NAMI-CC. She	
		encouraged the Commission not to defer strictly to the Board,	
		County Counsel, or even Dr. Walker. She felt that the Commission needed to hear these issues as well, as it was	
		different than bargaining that is done behind closed doors.	
		Duane made a motion, seconded by Teresa, that this be tabled	
		until the next month and that the Commission get a report.	
		There were not enough Commissioners remaining for a	
		quorum, and so the motion could not be put to a vote.	
		Lauren stated that there should be a motion on the floor	
		shortly that the discussion continue with what the role of the	
		Mental Health Commission is in relationship to items that	
		Local 1 may bring forth for our consideration – what is our	
		role as Commission in regard to our partnership with Public	
		Employees Union Local 1.	
		Quality of Care Committee	
		There were no representatives present from Quality of Care.	
	Commissioner	CPAW and Laura's Law groups were covered in the	
	Representative	Director's Report.	
	Reports		
X. A	Adjourn Meeting	The meeting adjourned at 6:45 p.m.	

Respectfully Submitted, Melinda Meahan, Scribe Reviewed by Karen Shuler, Executive Assistant Contra Costa County Mental Health Commission