Agenda Item 1: Opening remarks and introductions

The Joint Committee on Access and Forensic Services (JCAFS) meeting was called to order at 9:09 a.m. by Mr. Stephen Glazier, Chair. Mr. Glazier welcomed everyone to the meeting and then asked committee members to introduce themselves, as well as state staff.

Mr. Anthony Gonzales, Advisory Committee Coordination Office (ACCO), Health and Human Services Commission (HHSC), announced that the meeting was being conducted in accordance with the Texas Open Meetings Act, and noted that a quorum was present for the meeting.

Table 1 notes Committee member attendance.

<table>
<thead>
<tr>
<th>MEMBER NAME</th>
<th>YES</th>
<th>NO</th>
<th>MEMBER NAME</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allison, Jim - Representing County Judges and Commissioners Association of Texas</td>
<td></td>
<td>X</td>
<td>Johnson, Windy – Representing the Texas Conference of Urban Counties @ 9:25am</td>
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<tr>
<td>Cusumano, Sherry – Representing the DSHS Council for Advising and Planning for the Prevention and Treatment of Mental and Substance Use Disorders (9:27am)</td>
<td>P</td>
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<td>McLaughlin, Darlene MD – Representing the Texas Municipal League</td>
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<tr>
<td>Davis, Susan JD – Representing State Supported Living Center that provides forensic services designated by the Texas Department of Aging and Disability Services</td>
<td>X</td>
<td></td>
<td>Oncken, Denise – Representing the Texas District and County Attorneys Association</td>
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<td>Wagner, J.D. – Representing the Texas Association of Counties</td>
<td>X</td>
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<td>Smith, Shelley – Representing the Texas Council of Community Centers</td>
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<tr>
<td>Echessa, Leonard – Representing the Texas Department of Criminal Justice</td>
<td>X</td>
<td></td>
<td>Smith, James – Representing DSHS as a superintendent of a state hospital with a maximum security forensic unit (PM only)</td>
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<td>Evans, David – Representing the Texas Council of Community Centers</td>
<td>X</td>
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<td>Taylor, Sally MD – Representing the Texas Hospital Association as a physician</td>
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Agenda Item 2: Approval of minutes from January 23, 2019 committee meeting
Mr. Stephen Glazier asked for a motion to approve the minutes from the January 23, 2019 committee meetings.

MOTION
Ms. Denise Oncken moved to approve the minutes from the January 23, 2019 committee meeting with one correction to the meeting physical address. Sheriff Dennis Wilson seconded the motion. The Committee members unanimously approved meeting minutes by voice vote with thirteen yeas, with zero nays or abstentions.

Agenda Item 3:
Mr. Bill Manlove reviewed the status of the Joint Committee on Access and Forensic Services (JCAFS) data dashboard and referenced a handout entitled “Draft Joint Committee on Access and Forensic Services (JCAFS) Data Dashboard”. Highlights of the review and committee member discussion included:

- Mr. Manlove stated that the dashboard has two blank items in the categories for “Supply – Total beds off-line need renovation” and “Demand – Civil” numbers. The reason the “Supply – Total beds off-line need renovation” category is blank is due to a recent change in the methodology which includes a calculation of the actual bed day costs which results in a more accurate representation of the total beds that are available to be used. Mr. Manlove noted that the category entitled “Total Beds off-line need renovation” is going to be renamed “Potential Beds”. Mr. Manlove stated that the total beds available in the state hospitals is now 2265.

- Steve Glazier stated that he will continue to review the numbers on dashboard with Bill Manlove and try to add numbers for the civil waitlist. He stated that he hopes to see a summary of whether or not the system is making progress or losing ground in reducing the number of people on the forensic waitlist. He stated that he would like to be able to see both sides of the equation so that we could tell what is causing the current trends (e.g. more demand, inefficient use of beds, placement difficulties). Mr. Glazier stated that the percentage of forensic commitments is very significant. He
stated that the state needs to utilize new programs that will provide competency restoration in less restrictive environments.

- Ms. Oncken stated that although using less restrictive community based competency restoration programs is helpful, she believes that we continue to see an increase in the forensic waitlist numbers because attorneys are more focused on mental health issues across the state. She believes that the state will see more NGRI commitments and more felony related forensic commitments.

- Sheriff Wilson stated maybe the committee needs to ask for emergency funding to care for the individuals that are on the forensic waitlist. He stated that he has visited with legislative officials and has expressed the need for funding. He said that some representatives have responded by saying that “they cannot approve funding if they have not been told what to approve.”

- David Evans asked if the JCAFS committee could make a last minute push for funding.

- DEC Maples stated that HHSC’s opportunity to testify to the Legislature has passed. He stated that everything is in conference. He stated that the legislature is reviewing exceptional items now such as items for pay increases for staff and new construction. DEC Maples encouraged members to contact their local representatives.

- Mr. Glazier stated that he would visit with Dr. Harvey about the possibility of submitting an addendum to the committee report to the HHS Executive Commissioner and legislative offices.

- Shelley Smith stated that instead of submitting a report, committee members might consider the possibility of picking an issue and going to the capital to meet with their local representatives.

- In addition to these ideas the committee discussed the importance of using the interim period between now and the next legislative session to prioritize recommendations that will be highlighted in the committee report and agency legislative report, as well as, advocacy efforts during the next session.

**Agenda Item 4: New and on-going state hospital issues**

Ms. Rachel Samsel, Director of System Operations, Health Specialty Care, provided an overview on new and on-going state hospital issues and referenced a PowerPoint presentation. Highlights of the overview and committee member discussion included:

- Mr. Jason Howell, BHAC Housing Subcommittee Chair, provided an overview on JCAFS coordination with the BHAC Housing Subcommittee. Highlights of the overview and committee member discussion included:
Ms. Samsel first provided an overview of the state hospital mission, vision and goal. She emphasized that all hospital initiatives and redesign efforts align with the established mission, vision and goal.

Ms. Samsel reviewed the building blocks for success for state hospital system initiatives. Building blocks for success include: Telemedicine, Academic partnerships, Employee engagement and recruitment initiatives and state hospital improvements.

Ms. Samsel reported that UT Health and Science Center in Houston is being utilized for telemedicine services. This has enabled psychiatric services to areas of the state where recruiting efforts are difficult. Pilot projects are also being conducted in the state hospitals to test other ways in which telemedicine can be used to improve timeliness of competency evaluations and court hearings.

Ms. Samsel reported that academic partnerships have been developed with Dell Medical School to assist with the redesign of Austin State Hospital and UTHSC San Antonio with the replacement of San Antonio State Hospital. Other partnerships are being developed in academic institutions in west Texas to improve nursing services.

Ms. Samsel reported that efforts are being made to improve employee engagement in areas such as rebranding. The state hospital team is reviewing the way employment at state hospitals if described in job postings. Efforts are also being made to improve employee salaries and retention. Leadership is working to expand opportunities for professional development and advancement and ways to reduce overtime and related stress associated with the jobs. Planning for improvements in these areas includes input from frontline staff members.

Ms. Samsel reported that state hospital improvements also include expansion of capacity through new construction. Ms. Samsel provided a detailed overview of the status of new and future construction projects at several facilities including San Antonio State Hospital, Kerrville State Hospital, Rusk State Hospital and UT Health Houston Continuity of Care Campus.

Ms. Samsel reported that a legislative update related to state hospitals. She reported that the hospitals are requesting funding for inflationary increases and funding for increasing salaries for frontline staff. She also reported that funding has been requested for exceptional items for fiber technology so that upgrades can be made for video court hearings, telemedicine, electronic medical records and pharmacy services.

Ms. Samsel reported that S.B. 562 has implications for state hospitals maximum security units. Efforts are being made to look at new ways to
provide treatment for individuals that have been automatically been sent to MSU units. The bill would allow individuals to be clinically reviewed and a determination could be made as to which facility would best be able to serve the individual instead of admitting individuals solely on the basis of their type of criminal charge. Legislation is also being proposed that would improve the process for court ordered medications to in place prior to transfer to state hospitals.

- Ms. Samsel reported other state hospital issues include upcoming efforts around September, 2019 to centralize competency restoration using competency restoration teams. The centralization process would improve the efficiency of the evaluation process. Ms. Samsel reported that Terrell State Hospital will be designating 20 beds in June 2019 for veterans. TSH is in the process now of hiring staff members who have specialized knowledge regarding veteran’s treatment needs.

- David Evans stated that he appreciated Ms. Samsel’s presentation. He had one recommendation. He recommended that when referring to the “replacement” of Austin State Hospital a different word should be used than “replacement” since there is much involved that just replacing the facility. New treatment approaches will be included in the creation of the new facility.

**Agenda Item 5: Statutory dissolution of the Forensic Workgroup of the JCAFS**

Mr. Jim Larue, HHSC, provided an overview for the statutory dissolution of the JCAFS Forensic Workgroup. Highlights of the overview and committee member discussion included:

Mr. Jim LaRue provided the JCAFS committee with information regarding the dissolution date of the Forensic Workgroup of the JCAFS committee. The committee was informed that the Texas Health and Safety Code Chapter 532 of the 84th Legislative Session established 11/1/19 as the dissolution date of the Forensic Workgroup. The committee members were given a handout listing the current members of the Forensic Workgroup. Mr. LaRue informed the committee that further discussion will occur about the dissolution date during the next JCAFS meeting.

**Agenda Item 6: ACCESS Subcommittee Report**

Mr. Stephen Glazier, Chair, led a discussion about the ACCESS subcommittee report. Highlights of the conversation and committee member discussion included:

Mr. Steve Glazier, chair provided an update on the plan for the Access subcommittee. He reported that the subcommittee committee will be focused on identifying appropriate lengths of stay (LOS). Mr. Glazier reviewed a handout that was provided to the committee that described the scope of work for the
subcommittee. He stated that the overall goal of the subcommittee will be to determine appropriate lengths of stay targets (not necessarily to shorten LOS) and to keep ALOS within (equal to or less than) those targets. He also stated that the subcommittee will work to identify factors driving LOS up over the benchmark or goal and also identify best LOS practices both within our current state hospital system and from other sources. Mr. Glazier reported that the subcommittee will also examine factors preventing or delaying discharge for all patients that originate within the state hospital setting and factors that originate within the community or LMHA.

**Agenda Item 7: JCAFS coordination with Behavioral Health Advisory Committee Housing Subcommittee**

This agenda item was deferred to the next JCAFS meeting since Windy Johnson was not available to provide a report on the JCAFS coordination with the Behavioral Health Advisory Committee Housing Subcommittee.

**Agenda Item 8: JCAFS coordination with the Judicial Commission on Mental Health**

Mr. Stephen Glazier introduced Kristi Taylor, Executive Director of the Texas Judicial Commission on Mental Health. Ms. Taylor briefed committee members about the efforts of the Judicial Commission on Mental Health. Highlights of the discussion included:

Ms. Kristi Taylor, CEO of the Texas Judicial Commission on Mental Health (JCMH) provided a report on the mission of the JCMH. She informed the committee that JCMH will be hosting a conference in November, 2019 which everyone is invited to attend. She reported that a revised judicial benchbook will be available at the conference. She reported that the goal of the JCMH is share as much information as possible with all Texas communities about judicial issues related to mental health. She invited JCAFS members to contact her using the JCMH website link if they ever have questions or need to request copies of the judicial benchbook. Ms. Taylor reported that the JCMH is planning to work collaboratively with the Access subcommittee to help the committee meets its’ goal regarding LOS.

- Multiple JCAFS members expressed their appreciation to Ms. Taylor for the judicial benchwork.
- Dr. Harvey stated that there will be a meeting next week with SAMHSA regarding a new Learning Collaborative with the Gains Center which will be developing a strategic plan related to competency restoration processes in Texas. Information from the Learning Collaborative will also be able to be shared with the Access subcommittee.
**Agenda Item 9: New and on-going legislation that impacts the JCAFS mission**

Dr. Courtney Harvey, HHSC, briefed the committee on new and on-going legislation that impacts the JCAFS mission. Highlights of the briefing and committee member discussion included:

Dr. Courtney Harvey provided an update on new and on-going legislation that impacts the JCAFS mission. She highlighted the following bills:

- **SB562** – relates to procedures for reviewing individuals for treatment in Maximum Security facilities. Bill allows for clinical review of each individual’s treatment needs and placement in a state hospital that is compatible with the persons’ treatment needs.
- **HB601** – relates to LMHA reporting requirements. Clarifies that LMHA’s must conduct interviews face to face and clarifies that interviews may be completed by other mental health authorities.
- **SB 362** – related to court ordered mental health services and funding for medications after discharge.
- **SB 633** – related to regionalization of LMHA services for rural catchment areas.

**Agenda Item 10: Public Comment**

No public comment was made during the meeting.

**Agenda Item 11: Adjournment**

Mr. Stephen Glazier adjourned the meeting at 12:31 pm.

Below is the link to the archived video of the April 24, 2019 Joint Committee on Access and Forensic Services AC meeting

(To view and listen to the entirety of the meeting and public comment provided click on the link below)

http://texashhsc.swagit.com/play/04242019-1414/13/