Information Item T

Jail Match Report and Jail Diversion Standards

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# Overview

## Senate Bill 839

The 80th Texas Legislature passed [Senate Bill 839,](http://www.capitol.state.tx.us/tlodocs/80R/billtext/doc/SB00839F.doc) which amended the Health and Safety Code (HSC), Chapter 614 to include The Department of Public Safety (DPS) - Bureau of Identification and Records in the data exchange process. As amended, HSC, Section 614.017 requires the Health and Human Services Commission (HHSC) and DPS to provide a real-time method of identifying offenders with special needs. This revision was an effort to ensure a more expedient data exchange process to support continuity of care for individuals with mental illness who are involved with the criminal justice system and local post-booking jail diversion activities.

When an individual is processed into correctional institutions, facility personnel run a continuity of care query (CCQ) and receive an alert which identifies if the individual has a history of receiving mental health services from state-funded mental health programs.

The Texas Law Enforcement Telecommunications System (TLETS)/Clinical Management Behavioral Health System (CMBHS) electronic data exchange process facilitates collaboration and communication between local jails and state-funded mental health service providers for jail diversion and continuity of care. Information Item T describes the procedures for accessing the jail match report and jail diversion standards.

#  Jail Match Report

The Jail Match Report identifies individuals who have been processed into a correctional institution. Facility personnel use DPS’s TLETS to determine if an individual has received mental health services for the purposes of establishing continuity of care.

TLETS uses an electronic data exchange process with HHSC’s CMBHS to search for matches based on the following demographic data: last name, first name, date of birth, social security number, gender, and race. The search identifies individuals in CMBHS that have within the last three years been:

* hospitalized in a state psychiatric hospital;
* admitted to an HHSC-funded contracted psychiatric hospital bed; or
* assessed, authorized, and received a mental health community service by an LMHA or LBHA.

For individuals under the age 18, there is not a 3-year limit.

When a staff member at a correctional institution runs a CCQ, CMBHS provides an immediate response through TLETS indicating if an exact match or possible match was located within CMBHS. If there is an exact or probable match, CMBHS indicates the name of the LMHA or LBHA that last provided services. This information is returned through TLETS and made immediately available to the individual at the jail who ran the query.

Each LMHA/LBHA with exact or probable matches will receive an automated email notification from HHSC each day that an exact and/or probable match has occurred.

The LMHA and LBHA are responsible for maintaining the email addressed submitted to HHSC.

The Jail Match Report records matches identified through the CCQ. The report is available in the Mental and Behavioral Health Outpatient Warehouse (MBOW) to LMHAs and LBHAs. Matches will be reflected in the report beginning the next day after the CCQ is run; and identifies individuals who have been processed into correctional institutions, for whom facility staff conducted the CCQ using TLETS. The Jail Match Report separates searched individuals into those served within the LMHAs’ or LBHAs’ catchment area and individuals who were last served outside of the LMHAs’ or LBHAs’ catchment area.

Questions regarding the Jail Match Report located in MBOW should be directed to CMBHS at: CMBHSTrainingTeam@hhsc.state.tx.us or 1-866-806-7806.

## Accessing the Jail Match Report

The Jail Match Reports are housed in MBOW, and may be accessed via the Data Warehouse Web Portal located at: <https://hhsc4svpop1.hhsc.txnet.state.tx.us/BOE/BI>

Jail Match Reports are located in the following folders:

Public Folders>MBOW\_Production>Enterprise>CA Continuity of Care> Jail Match

The Jail Match Report Process Details Folder contains screen shots on how to navigate the jail match report. This folder is located in the following folder:

Public Folders>MBOW\_Production>Enterprise>CA Continuity of Care> Jail Match Report Process Details

The information in these reports are designed to assist LMHAs and LBHAs with the operation of local continuity of care and service activities and to divert individuals from the criminal justice system into appropriate community-based treatment alternatives. LMHAs and LBHAs may review these reports daily and incorporate the information contained in these reports into the daily operations of their locally developed continuity of care services program.

LMHAs and LBHAs may review updated Jail Match Report in MBOW. This report will contain service provision information from community centers and SMHFs. The LMHA or LBHA will be identified as the Continuity of Care Center (CofC Comp) or a Jail Territory Center (Jail Comp) based on search results. The CofC Comp is the LMHA or LBHA who is determined most appropriate to provide the treatment to the individual and provide follow up for the purposes of continuity of care. The Jail Comp is the LMHA or LBHA that has responsibility for mental health treatment in the county for which the CCQ, request originated. The Response Comp is the LMHA or LBHA returned in the match response. If an individual has more than one LMHA or LBHA responding to a match request, the last LMHA/LBHA or SMHF with an authorization, encounter, or hospitalization is returned. The Responsible Center is a combination of the Jail Territory Center and the Continuity of Care Center. A center will appear as the Responsible Center if they are either the Jail Territory Center or the client’s Continuity of Care Center. The CofC Comp is the LMHA or LBHA who is responsible for contacting the jail territory LMHA when an individual is booked in a jail outside of the CofC Comp catchment area.

The Jail Match Report contains state fiscal year, query begin and end date, match type prompts, and a multitude of drillable variables. The first two tabs of the Jail Match report (i.e. Client Count by Match Type and Request Count by Match Type) contain actuarial data. The last two tabs (i.e. Detail by Responsible Component and Detail by Request) contain details relevant to determining appropriateness for diversion and continuity of care. A detailed description of all variables in the Detail by Request tab are identified in Table 1.

## Table 1

|  |  |
| --- | --- |
| Variable | Description |
| Request ID | Unique identifier (ID) for a match request |
| Query Date and Time | Date and time of the match request |
| Match Type | Match result categorized into exact, probable or possible match type based on the number of components matching the data inquiry |
| Resp Comp Code | Comp code identified in the (match) response record |
| Last Name[[1]](#footnote-1) | Client’s last name |
| Resp Last Name | Last name on the response record |
| First Name | Client’s first name |
| Resp First Name | First name on the response record |
| Birth Date | Client’s date of birth |
| Resp Birth Date | Birth date on the response record |
| SSN | The SSN on the jail match request |
| Resp SSN | SSN on the response record |
| Race | The race code placed on the match request by the booking jail |
| Resp Race | The race code on the response record |
| Gender | The gender placed on the match request by the booking jail |
| Resp Gender | The gender code on the response record |
| CofC Comp Cd | The code center deemed most appropriate to follow up on the consumer’s treatment. Prioritized by the center with the last authorization, encounter, or hospitalization |
| Last Auth End Dt | The last authorization end date |
| Auth Comp Cd | The component to authorize service |
| Last LOC-R Cd | A code representing the last level of care recommended for the year |
| LOC-A Cd | Last level of care assigned code prior to the match request |
| Auth Server Desc | The last person authorizing service |
| Auth Local Unit | The last local unit authorizing service |
| Last Enc Comp Cd | The comp code that delivered the last service encounter |
| Last Enc Proc Cd | The procedure code of the last service encounter |
| Last Enc Service Date | The service date of the last encounter the consumer received  |
| CofC Territory Status | Indicates of the jail match occurred in or out of the continuity of care territory |

# Matching Criteria

One of the following are used to match individuals in a TLETS query to an individual in CMBHS:

* **Exact match**: the data inquiry matches last name, first name, date of birth, social security number, gender, and race.
* **Probable match**: the data inquiry matches one of the following match criteria options listed below:
	+ **Option 1**: last name, first name initial, date of birth, and gender;
	+ **Option 2**: last name, first name initial, birth year, gender, and social security number;
	+ **Option 3**: the first three letters of the last name, first name initial, the year and month of birth, gender, or social security number;
	+ **Option 4**: last name, first name, date of birth (current age calculation is within 5 years), gender, and social security number; or
	+ **Option 5**: date of birth, gender, social security number.

# Jail Diversion

## What is jail diversion?

Jail diversion is the process by which individuals with mental health and substance use disorders are diverted from the criminal justice system into treatment or alternatives to incarceration. There are multiple points at which an individual with mental illness may be intercepted and diverted from the criminal justice system into treatment or services, including crisis services, law enforcement and behavioral health pre-arrest and co-responder programs, and pre-trial supervision and diversion services. Reentry services and specialized community correction programs are also part of larger diversion efforts, as they can prevent re-arrest and reincarceration.

The requirements within Information Item T do not diminish the responsibilities of county jails to provide medical, mental and dental services as statutorily required by Minimum Jail Standards.[[2]](#footnote-2)

## Sequential Intercept Model

The context for identification of jail diversion strategies is based on the Sequential Intercept Model developed by Policy Research Associates and endorsed by the Substance Abuse and Mental Health Administration. [The Sequential Intercept Model](#_Sequential_Intercept_Model) was developed as a conceptual model to inform community-based responses to the involvement of individuals with mental and substance use disorders in the criminal justice system. The availability of specific programs varies depending on available resources. LMHAs and LBHAs should consider which jail diversion strategies can be developed and implemented within their CoC for Jail Diversion.

### Intercept 0: Community Services

Intercept 0 refers to community-based services that are part of a crisis care continuum, including community and crisis services designed to connect individuals in need with treatment and intervene prior to any contact with the criminal justice system. Services at Intercept 0 support the early identification in the community of individuals with serious mental illness and serious emotional disturbances involved with, or at high risk of becoming involved with the criminal and juvenile justice systems. These services may include:

* Crisis response, crisis screening and assessment for inpatient hospitalization, mobile crisis outreach teams (MCOTs), crisis hotlines, mental health deputies, interdisciplinary rapid response teams, crisis facilities, emergency departments/hospitals, and detox services.

### Intercept 1: Law Enforcement

Intercept 1 involves identification of individuals with serious mental illness and serious emotional disturbances involved with, or at high risk of becoming involved with the criminal and juvenile justice systems, providing crisis screening and assessment for inpatient hospitalization.

Intercept 1 refers to law enforcement and first responder diversion programs. Law enforcement are expected to make a good faith effort to divert when appropriate[[3]](#footnote-3), as alternatives may exist that may better serve the individual in the community. These services may include:

* Mental health officer teams, Crisis Intervention Teams (CIT) Law enforcement and behavioral health co-responder models, law-enforcement led diversion programs.

### Intercept 2: Initial Detention/Initial Court Hearings

Intercept 2 refers to criminal or juvenile justice system diversion strategies implemented at the time of initial detention/court hearings and is the first intercept with judicial involvement. Strategies at this intercept can guide decision making surrounding care, treatment continuation, and pretrial orders. Texas Code of Criminal Procedure, Article 16.22 pertains to the early identification of individuals suspected of having mental illness or intellectual disability. These 16.22 assessments are designed to provide early identification and is activated by reports of diagnosis and/or observations of behaviors. Jail diversion initiatives that occur during initial detention and initial court hearings may include:

* Universal screening for mental illness and substance use disorders at jail booking, and full assessments when appropriate; data sharing initiatives such as the CCQ; prosecutorial diversion program; and pre-trial supervision and diversion services.

### Intercept 3: Jails/Courts

Intercept 3 refers to criminal or juvenile justice system diversion strategies implemented by courts and jail-based programming and services. Some programs at this intercept may include a partnership with community-based mental health services. In Texas, some LMHAs/LBHAs contract with jails in their catchment area to provide jail mental health services. Strategies and programs may include:

* Specialty courts (mental health, drug, or veteran courts); deferred adjudication and disposition, court ordered mental health services, jail-based mental health services, and forensic evaluations.

### Intercept 4: Reentry

Intercept 4 refers to transition planning and services for individuals returning from jails and prisons to their communities. Reentry programs and services can prevent re-arrest and re-incarceration by ensuring an individual is connected with treatment services and social supports when entering the community. Reentry services may include:

* Transition planning by the jail or in-reach providers, warm hand-offs from corrections to service providers, planning for medication and prescription access upon release from jail or prison, Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) programs and services, services provided as part of a Forensic Assertive Community Treatment/ACT Teams; HCBS-AMH,; access to Supportive Housing programs, substance use treatment programs, and peer support services; activities included under community resource coordination groups.

### Intercept 5: Community Corrections

Intercept 5 refers to community-based correctional supervision and services. The primary focus of this intercept is specialized parole and probation caseloads and connection to treatment and services. Services may include:

* TCOOMMI programs and services, Medication Assisted Treatment for relapse prevention of opioid use disorder, and assistance with connection to recovery supports, benefits, housing, and employment.

# Continuity of Care for Justice-Involved Individuals

The LMHA and LBHA shall incorporate jail diversion strategies into a locally developed and operated continuity of care service program as identified in the Consolidated Local Service Plan. As outlined in the definition of [continuity of care services for justice involved individuals](#_Glossary_of_Terms_1), this program shall be designed to identify treatment or service needs, develop plans to meet identified needs, and to coordinate the provision of services at the local level. In order to satisfy this requirement, the local authority shall coordinate collaborative development of operating procedures to support continuity of care services. Minimally, continuity of care service program operating procedures shall include:

1. The means of communication among local criminal/juvenile justice agencies and other social services agencies participating in continuity of care services.
2. The jail match report should be accessed daily; the LMHAs and LBHAs identified as the Jail Territory Center are expected to provide screenings to individuals who have exact and probable matches that have been verified to be exact matches.
3. The LMHA or LBHA (CofC Comp) serving the individuals’ county of residence should be contacted to arrange continuity of care.
4. The LMHAs and LBHAs are responsible for providing crisis services to all individuals in need, regardless of an individual’s county of residence.
5. Access to 24-hour emergency screening and rapid crisis stabilization services as required by Health and Safety Code Chapter 534.
6. The type and limits of services provided by each agency participating in the continuity of care services program.
7. Continuity of care services program eligibility criteria, which includes eligibility criteria for pre- and post-booking diversion, admission to a SMHF, and admission to detoxification and substance use treatment services.
8. Coordinate communication regarding continuity of care services between local continuity of care service program agencies, and other local authority providers when individuals from outside of the local service area are provided continuity of care services.
9. Coordinate collaborative post-release diversion initiatives among local community partners including other LMHAs and LBHAs.
10. Coordinate communication regarding continuity of care services between local intellectual and developmental disability authorities for individuals who have dual diagnosis.

# Glossary of Terms

1. Clinical Management for Behavioral Health Services (CMBHS)- a web-based software application designed specifically for documentation of community substance use services in an electronic health record format and submission of mental health services data for client eligibility determination, service planning, and authorization. Substance Use Disorder services and Mental Health service providers submit claims for payment through CMBHS. CMBHS allows HHSC to fulfill responsibilities such as state and federal data reporting, contract oversight, clinical quality improvement, and compliance monitoring.
2. Continuity of Care Center- the Texas Law Enforcement Telecommunications System (TLETS) data inquiry and Mental and Behavioral Health Outpatient Warehouse (MBOW) selection criteria indicates that the LMHA or LBHA is:
	1. the LMHA or LBHA that provided the most recent authorization into Level of Care (LOC) 1 - 5, and LOC 8 if found;
	2. the LMHA or LBHA that delivered the most recent mental health community service encounter, excluding procedure code H0030 (Crisis Hotline) with all modifiers, procedure code H0002 (Screening) with all modifiers, and procedure codes with the GJ (false alarm) modifier if found; and/or
	3. the LMHA or LBHA of discharge listed on the individual’s SMHF discharge summary.
3. Continuity of Care Services for Justice -Involved Individuals - Activities designed to ensure an individual is provided uninterrupted services during a transition into or out of a correctional institution and that assist the individual and the individual's legally authorized representative (LAR) in identifying, accessing, and coordinating LMHA or LBHA services and other appropriate services and supports in the community needed by the individual, including:
	1. identifying the medical, psychiatric, or psychological care or treatment needs and educational or rehabilitative service needs of an offender with medical or mental impairments;
	2. developing a plan for meeting the treatment, care, and service needs of the offender with medical or mental impairments; and
	3. coordinating the provision of treatment, care, or services between the various agencies that provide treatment, care, or services such that they may continue to be provided to the offender at the time of arrest, while charges are pending, during post-adjudication or post- conviction custody or criminal justice supervision, and for pretrial diversion.
4. Correctional Institution- Facilities operated by, or under contract with, the United States, a state, a territory, a political subdivision of a state or territory, or an Indian tribe for the confinement or rehabilitation of individuals charged with or convicted of a criminal offense or other individuals held involuntarily in lawful custody through operation of law enforcement authorities. Correctional institutions include state or federal prisons, local jails, detention facilities, or other penal settings (e.g. boot camps, wilderness camps, etc.)
5. Consolidated Local Service Plan- A comprehensive plan that demonstrates the LMHA’s or LBHA’s ability to coordinate and maximize services by using the best and most cost-effect means of using federal, state, and local resources to meet the needs of the local service area.
6. Jail Diversion- the process by which individuals with mental and substance use disorders are diverted from the criminal justice system into treatment or alternatives to incarceration.
7. Jail Diversion Strategies- The LMHA/LBHA’s plan for ongoing identification and diversion of adults with serious mental illness and children or youth with serious emotional disturbance from the criminal and juvenile justice system respectively.
8. Jail Territory Center- The LMHA/LBHA that has the responsibility for mental health treatment of individuals in the county from which the jail match, or CCQ, request originated.
9. Local Behavioral Health Authority (LBHA)- An entity designated by HHSC in accordance with Texas Health and Safety Code, §533.0356.
10. Local Mental Health Authority(LMHA)- An entity designated by the executive commissioner of HHSC in accordance with Texas Health and Safety Code, §533.035(a).
11. Match Type- includes the following:
	1. Exact: the information submitted by the authorized TLETS user matched exactly with last name, first name, date of birth, social security number, gender, and race information maintained in CMBHS; and
	2. Probable: the information submitted by the authorized TLETS user matched one of the five options identified in section three of this document with the information maintained in CMBHS. The information submitted did not match exactly and should be further examined.
12. Mental and Behavioral Health Outpatient Warehouse (MBOW)- A data warehouse that standardizes reporting and analysis across the state-funded LMHA and LBHA service network. Reports are available via a web interface and focus on utilization management and contract compliance.
13. Offender with Special Needs- An individual with mental illness for whom criminal charges are pending, who after conviction or adjudication is in custody or under any form of criminal justice supervision.
14. State Mental Health Facility (SMHF)- A state hospital or a state center with an inpatient component.
15. TCOOMMI- Texas Correctional Office on Offenders with Medical or Mental Impairments. TCOOMMI provides pre-release screening and referrals to aftercare treatment services for special needs offenders who are releasing from correctional settings, local jails, or other referral sources. TCOOMMI contracts with LMHAs/LBHAs across the state to provide continuity of care services for persons on probation or parole by linking them with community-based interventions and support services.
16. Texas Law Enforcement Telecommunications System (TLETS)- A statewide telecommunications network composed of computer terminals, interfaces, and databases representing city, county, state, federal, military law enforcement, and criminal justice agencies in Texas. This network is controlled by a computerized electronic message switching system located at the Texas Department of Public Safety in Austin.

# Figures

## Sequential Intercept Model



1. Last name, First name, SSN, DOB, gender, and race are data variables from the correctional institution. [↑](#footnote-ref-1)
2. Texas Commission on Jail Standards [July 2019 Technical Assistance Memo](https://www.tcjs.state.tx.us/wp-content/uploads/2019/08/TA_Memo_-_LMHAs_and_County_Jails-1.pdf) for LMHAs and County Jails may be accessed at <https://www.tcjs.state.tx.us/technical-assistance/> [↑](#footnote-ref-2)
3. Code of Criminal Procedures, Article 16.23(a) [↑](#footnote-ref-3)