Annual Report on the Screening of Offenders with Mental Illness

As Required by

Senate Bill 1, 85th Legislature, Regular Session, 2017 (Article II, Health and Human Services Commission, Rider 69)

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Executive Summary

The 2018-19 General Appropriations Act, Senate Bill (S.B.) 1, 85th Legislature, Regular Session, 2017 (Article II, Health and Human Services Commission [HHSC], (Rider 69) requires an *Annual Report on the Screening of Offenders with Mental Illness* summarizing the exchange of information between agencies to:

- Support continuity of care services for individuals with mental illness involved with the criminal justice system; and
- Supplement local post-booking jail diversion activities.

HHSC and the Texas Department of Public Safety (DPS) developed the Texas Law Enforcement Telecommunications System (TLETS), a real-time identification and data exchange system for special-needs offenders. The TLETS automation matches county jail inmates' personal information with records of mental health services from state-funded mental health and substance use services providers to HHSC's Clinical Management for Behavioral Health Services (CMBHS) database. The TLETS data exchange includes an individual for whom criminal charges are pending or who, after conviction or adjudication, is in custody or under any form of criminal justice supervision.

Between September 1, 2018 and June 21, 2019, 893,473 requests for matches using TLETS were made. Of those, 39,549 (4 percent) were exact matches and 223,903 (25 percent) were probable matches. Matched individuals were screened to ensure they were still eligible for state-funded mental health and substance use services and linked to community-based mental health services.

The TLETS automation facilitated collaboration and communication between local jails and state-funded mental health and substance use services providers for jail diversion.

1. Introduction

Rider 69 requires HHSC to submit the *Annual Report on the Screening of Offenders with Mental Illness* to the Legislative Budget Board by September 1 each year.

The report must discuss the exchange of information between agencies to support jail diversion and continuity of care for individuals with mental illness involved with the criminal justice system, including but not limited to the:

- Manner in which information is exchanged between agencies;
- Frequency with which the information is exchanged;
- Type of information most frequently exchanged; and
- Agencies frequently involved in the exchange of information.

The fiscal year 2019 report summarizes data sharing between HHSC and other participating agencies using the TLETS data exchange.

2. Background

The following agencies have a Memorandum of Understanding (MOU) to exchange information to support jail diversion and continuity of care for individuals with mental illness involved with the criminal justice system:

- HHSC and the Department of State Health Services (DSHS)
- Community centers, as defined in Health and Safety Code Section 534.001(b)[1]
- DPS Bureau of Identification and Records[2]
- Texas Department of Criminal Justice
- Local mental health authorities (LMHAs)
- Local behavioral health authorities (LBHAs)
- Community supervision departments
- Community corrections departments

Data sharing under the MOU is used to:

- Identify offenders with mental impairments in the criminal justice system;
- Collect and report prevalence data; and
- Accept and disclose information relating to a special needs offender if the disclosure serves the purpose of Health and Safety Code, Chapter 614.

HHSC annually updates the MOU to institute a continuity of care and services program for individuals with mental illness involved in the criminal justice system. HHSC and DPS developed TLETS, the information sharing system used by the agencies to support continuity of care and jail diversion. HHSC developed the data exchange process in collaboration with the Texas Correctional Office on Offenders with Medical or Mental Impairments and the Texas Commission on Jail Standards. DPS operates the system.

In addition to promoting the sharing of information between agencies, HHSC provides ongoing technical assistance to LMHAs and LBHAs in engagement, jail diversion, and other evidence-based practices.

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[1] Per the 2018-2019 General Appropriations Act, S.B. 1, 85th Legislature, Regular Session, 2017 (Article II, HHSC, Rider 69) and Health and Safety Code Section 614.013 and Section 614.017.

[2] Per Chapter 614 of the Health and Safety Code, as amended by S.B. 839, 80th Legislature, Regular Session, 2007.

3. Data Exchange System

To facilitate information sharing between the agencies, S.B. 839, 80th Legislature, Regular Session, 2007, amended Health and Safety Code, Section 614.017 to require DSHS and DPS to develop a real-time identification and data exchange system. As a result, DSHS and DPS developed TLETS.

The TLETS replaced a 72-hour manual data exchange process and is designed to efficiently match county jail inmates' personal information with records of mental health services from state-funded mental health providers in HHSC's CMBHS system.

Matching

When individuals are booked into a county jail, the TLETS tracking system matches the individual's information (i.e., last name, first name, date of birth, social security number, sex, and race) against HHSC's CMBHS database. The CMBHS is a web-based integrated electronic clinical management system for state-funded mental health and substance use providers. The CMBHS database serves as the primary system of record for state-funded mental health and substance use services and includes LMHAs, LBHAs, and behavioral health organizations (BHO).

Texas Health and Safety Code, Section 533.035(a), defines LMHAs as a local component of the mental health system designated to carry out the legislative mandate for planning, policy development, coordination, resource development, allocation, and supervision of the provision of services to individuals with mental illness in one or more local service areas.

In accordance with Texas Health and Safety Code, Section 533.0356, an LBHA provides mental health and chemical dependency services. A BHO is a managed care organization that provides or contracts for behavioral health services. Offenders identified through the match request process are those who, within the last three years, have been:

- Hospitalized in a state psychiatric hospital;
- Admitted to an HHSC-funded contracted psychiatric hospital bed; or
- Assessed for, been authorized for, or received a mental health community service by an LMHA, LBHA, or BHO.

Matching Criteria

HHSC uses the following criteria to identify offenders with a history of mental illness:

- Exact match: the data inquiry matches last name, first name, date of birth, sex, social security number, and race.
- Probable match: the data inquiry matches a minimum of five of six exact match items (e.g., last name, first name, date of birth, sex, race) and seven of nine digits in the social security number. The match is based on one of the following:
  ‣ Option 1: last name, first initial, date of birth, and sex;
  ‣ Option 2: last name, first initial, birth year, sex, and Social Security number;
  ‣ Option 3: the first three letters of the last name, first initial, the year and month of birth, sex, or Social Security number; or
  ‣ Option 4: last name matches against any of the other variables, first initial matches against any of the other variables, age is within five years, sex, and Social Security number matches to any other criteria found.

Information Exchanged

If the TLETS automation identifies an exact or probable match, the match is compared to the CMBHS data and yields a report with the individual's name and location of the last LMHA, LBHA, or BHO through which a service was provided or authorized. HHSC distributes the report to jails and authorized TLETS users the next day. The report includes the following additional elements:

- Data inquiry match type
- Unique client identification numbers for each match
- Last and first name
- Social Security number or match
- Date of birth
- Gender
- Race
- County of residence code
- Local authority component number
- Local authority phone number
- Client's local case number
- Time CMBHS received and replied to the data inquiry

Continuity of Care

After receiving the matching report, jail staff contact the LMHA, LBHA, or BHO to request a screening. During the screening, the LMHA, LBHA, or BHO ensures matched individuals are eligible for continued services through their respective agencies and links them to community-based mental health services.

4. Prevalence Rates

For the adult population, county jails and detention facilities in 235 counties[3] initiated 893,473 match requests between September 1, 2018, and June 21, 2019. Of the 893,473 requests, there were:

- 39,549 exact matches (4 percent), and
- 223,903 probable matches (25 percent).

During the same period, there were 14,292 match requests for the adolescent population. Of the 14,292 requests, there were:

- 488 exact matches (3 percent), and
- 6,421 probable matches (45 percent).

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[3] Of the 254 counties in Texas, per the Texas Commission on Jail Standards (August 2017), 11 counties do not operate a county jail facility, and 8 counties are operated by private providers and do not participate in the Continuity of Care Query inquiries.

5. Conclusion

Between September 1, 2018, and June 21, 2019, 893,473 requests for matches using the TLETS were made. Of those, 39,549 (4 percent) were exact matches and 223,903 (25 percent) were probable matches. Matched individuals were screened and linked to community-based mental health services.

The TLETS tracking system facilitated collaboration and communication between local jails and state-funded mental health and substance use services providers for jail diversion.

List of Acronyms

Acronym	Full Name
BHO	Behavioral Health Organization
CMBHS	Clinical Management for Behavioral Health Services
DSHS	Department of State Health Services
DPS	Department of Public Safety
HHSC	Health and Human Services Commission
LBHA	Local Behavioral Health Authority
LMHA	Local Mental Health Authority
MOU	Memorandum of Understanding
S.B.	Senate Bill
TLETS	Texas Law Enforcement Telecommunications System