

Mental Health Response Advisory Committee (MHRAC)
Meeting Minutes
Tuesday, October 17, 2017

In Attendance:

Co-Chair Danny Whatley, The Rock at Noon Day
Rick Miera, Executive Committee
Nancy Koenigsberg, Disability Rights NM
Nils Rosenbaum, M.D., APD Behavioral Health
Division
Detective Matt Tinney, APD Crisis Intervention
Unit
Paula Burton, Peer Representative
Ellen Braden, CABQ-Dept. of Family & Comm.
Services
Robert Salazar, NAMI/Peer Representative
Michele Franowski, F I C
Lieutenant Zach Wesley
Betty Whiton, NAMI
William Narrow, MD., M.P.H., UNM Dept. of
Psychiatry

Deputy Chief Eric Garcia

Auditor: Cynthia Martinez, APD
Scribe: Yvette Marentes, APD

Absent:

David Ley, NM Solutions
Yvette Garcia, APD/C.O.A.S.T.
Steve Bringe, Peer Representative
David Webster

Meeting called to order at 5:04 quorum of 10 was met at time of start.

Welcome first time guests

Two first timers at the meeting New Mexico coalition of homelessness, they do housing assessments.

Approval of meeting minutes

Motion made by Danny Whatley to approve September 2017 meeting minutes.
Discussion on meeting minutes and amendments to the minutes were suggested.

Motion made by Danny Whatley to approve August 2017 meeting minutes as amended.
Minutes approved with amendments. 10-0

Public Comment (two minutes per person, 15 minutes total)

Jim Ogle gave us an update on the Medicaid Process that he referenced in September (see September Meeting minutes for further detail.) Jim Ogle doesn't know if it is a subject we are going to discuss but he wants to bring people up to speed on what is happening on public HIPAA, he stated that we haven't really discussed in MHRAC meetings and in that time, thanks to Nancy Koenigsberg, he was put in touch with Barry, criminal deference lawyers association. It was agreed that new legislation is needed to clarify everything. He has taken this to Ken Martinez and the county, public defender's office has seen it. Ken Martinez and the county are going to take on finding a sponsor for it in the legislative process. Jim Ogle stated that the purpose of doing this is to protect confidential information, he should more to discuss have by December.

Nancy Koenigsberg wants to have an opportunity to review before it goes into drafting process otherwise the board cannot see it until it is introduced. Best bet is to distribute the draft to MHRAC the way all documents have been distributed so that it can be seen beforehand. Timing will be short because

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once the proposal goes to the Legislative Council service, we will not be able to see the bill. Also, if it is to be proposed this legislative session, those wanting the bill would have to get the governor to put it on her "call".

Desert hills was asked to be put on the agenda but they did not show.

Nancy Koenigsberg– last meeting on the top of page 3, Jim Ogle had talked about concern about behavioral health issues; there are dwindling resources, and how the changes in Medicaid are going impact those resources We as a committee should make some recommendations as Medicaid changes are of concern because they do not know how the impact on Medicaid service delivery for mental illness affects interactions with law enforcement Perhaps we can submit comments to discuss the impact of Medicaid on behavioral health. Everyone agreed that we wanted to do something but it was left at that.

For New Mexico Medicaid, called Centennial Care, the comment period closes Oct. 30. If people want to put comments in they need to be done by the end of the month. Nancy Koenigsberg wanted to bring it to our attention to see if that desire is still there.

Danny Whatley doesn't see the connection that MHRAC has in regards to putting together a letter. Nancy Koenigsberg disagrees that it is related to paragraphs 115-117 of the CASA, if the services are not available we can coordinate all we want but no progress will happen. Samaritan Counseling just closed due to resources not being available.

William Narrow–reinforces that there is balance and if Medicaid dollars are cut then other resource costs are going to go up. As Medicaid services leave, there will be a big gap on other resources.

Danny Whatley– where do you see MHRAC's role in all of this? Letting them know what we think will happen and state our concerns? Nancy Koenigsberg, making a statement is important to reduce serious incidents of harm and connecting people to the resources so that things do not continue to go further south. As MHRAC, our role to reduce the amount of excessive force and this can increase the use of force if the resources are not there and then contact with public gets more frequent, it can push the system in the opposite direction.

Deputy Chief Eric Garcia, agrees that this can increase the number of contacts as well as use of force. They are trying to get away from law enforcement response to people with mental illness and this is going to cause that to go into the other direction. It is contradictory to where we are headed.

Nancy Koenigsberg- Centennial care waiver is doing public comment meetings around the state. We as individuals and a committee can write to them and say what we think will and won't work and what could severally impact service delivery, a letter would go directly to the department of human services.

Danny Whatley – the letter would have to explain who we are, what we are tasked to do and why we are writing the letter.

Nancy Koenigsberg – do people think that giving feedback about the Medicaid program as MHRAC as it relates to police is within our prevue. Do we think that it is relevant to the CASA?

Danny what are the thoughts of the committee should we write a letter of concern?

Robert Salazar stated that he thinks that the subjects are interrelated and that it should benefit us as a community to speak out.

Paula Burton agrees as well, she stated she thinks that this is something that we should have a voice about, one cannot separate the city of Albuquerque from the state. It will affect us, we should have a united voice to have a greater impact than just calling.

Betty Whiton stated that MHRAC's main purpose is to address people with mental illness. This is really important and can impact what we are trying to do due to the increase in mental health cases and services are absolutely connected. We should express our concerns.

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Lieutenant Zach Wesley - anything we do that can help the department is something we should go forward with.

Detective Matt Tinney - MHRAC has a powerful voice we represent a large part of the community Nils Rosenbaum thinks it is a good idea.

Mike McConnell (MHRACBoard alternate) situation with mental health is that the services are just not here, we have to do something about that.

MHRAC auditor Cynthia Martinez was present and was asked thoughts, she thinks that if we feel that it is appropriate to do then the council should go forward with it.

Danny Whatley – should we form another group to put this together?

Nancy Koenigsberg- we have less than two weeks she is happy to do a draft but it has to be approved and read by other council members. It will make sense to have others view it. She can get a letter typed out and circulated by middle of next week.

Nancy Koenigsberg, Paula Burton, Rick Miera, Matt Tinney and Deputy Chief Eric Garcia will review the letter.

Nancy Koenigsberg if federal Medicaid goes away the centennial draft will go away regardless. She thinks that there should be a similar letter to congress or higher ups discussing Medicaid and the impact.

Jim Ogle thinks that copies of the letters should go to the DOJ (Department of Justice) as well. It is agreed that they will be copied in on the letters as well.

Report and update from CIU, APD and Dr. Rosenbaum

Nils Rosenbaum there has been good things happening, there is a sergeant that has been hired on that will start soon and 3 more detectives starting soon, hopefully on the 28th.

eCIT training is at well over 30% and is going very well.

MOU they are waiting on the Chief of Police/City Legal to sign the agreement so the CIU detectives and UNM can share information regarding a patient's mental health. They are very excited and good things are happening.

Nancy Koenigsberg do you know about the mobile crisis team contract, has anyone seen the contract and/or know who it is and what is going on?

Member of the public stated that family community services clinicians will be a part of the mobile crisis team, it is currently in negotiations and the contract has not yet been finalized, it also has to go before city council before it can be finalized. She stated that she is hoping within the next four weeks that the contract will be signed.

Nancy Koenigsberg – once the contract is signed, we should have another discussion about the Community Engagement Teams (CET). We as MHRAC need to be able to look at what is going on through the process. We can look at the description of the program to provide feedback.

Member of the public – we can probably also talk about the RFP (Request for Proposals) for the CET's but the deadline has already passed for the community engagement team, the proposals are already being reviewed.

Detective Matt Tinney wants to thank Detective Lawrence Saavedra regarding eCIT recruitment, Lawrence has gone out above and beyond to recruit officers. He has contacted them personally and scouted.

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Report and update from sub-committees

Training Subcommittee:

Paula Burton stated that they are reviewing all segments of cadet training and that will be an ongoing agenda item.

Cynthia Martinez– the class materials are being sent out and reviewed and then recommendations are made and submitted to the training team. The recommendations will start to be worked into the curriculum as it is updated. They have 6 months to respond and either implement the updates or state why they will not be implemented.

The next meeting is going to be next Monday. We are also formulating the end of year report to submit.

Danny Whatley stated that annual report needs to be completed by November so that the rest of MHRAC can review it.

Information Committee

Nancy Koenigsberg – the information sharing committee has not done anything for some time. There has not been follow up to questions about what behavioral health information is considered public record, and what the record destruction policy is so that it can be explained to the community.

Nils Rosenbaum - there is an SOP that discusses medical records which follows under the medical portion. There is a case management system and the CIU clinicians keep separate notes. APD has SOP 216 that discusses governing records regarding mental health care.

Resource Committee

Ellen Braden stated that she is the new chair for the resource committee. There are a lot of changes, co-chair position is vacant, and the piece missing is APD involvement regarding which resources are missing. Meetings are going to start being held on a regular basis.

MHRAC resource subcommittee is in the process of updating the resource card, they would like to get with some officers after the card has been completed and get their input to find out what information is helpful and what is not helpful. Michelle Franowski advocates what is helpful in terms for more resources, we just do not have enough resources period in the state of New Mexico.

Discussion of what needs to be presented by co-chairs during scheduled meeting with DOJ (11/8 or 11/14)

Rick Miera and Danny Whatley are scheduled to meet on the 8th with DOJ. Danny Whatley handed out an email chain and pointed out that Elizabeth mentions in mail chain discussing anything else that is going on as well.

David Ley sent Danny Whatley an email and is concerned with the issues of not providing the resources that were needed for Deputy Chief Garcia. Danny Whatley is concerned that we cannot accomplish anything right now because of the new administration that is coming in and changes that are happening. He thinks that saying anything at all at this point won't make a difference.

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Discussion of our response to IMR-6, this report will be made public on November 2

Discussion of how we share concerns and provide speaking points for co-chairs for status hearing on November 16.

Nancy Koenigsberg-End of year monitors report comes out November 2nd we have just a week to look at just the report and provide feedback.

Dr. Nils Rosenbaum– his opinion is that there is a miss-match on how much we have accomplished and the details that they go after because of the nature of the agreement. He would like that brought up. Danny has requested some talking points for the DOJ meeting as well as the status conference on the 16th.

Rick Miera stated that they will take everything that they are given and have the opportunity. How soon can we get everything in everyone's hands? Cynthia Martinez stated, as soon as she gets the report she will forward it to the group. Anybody that has difficulty getting it, coordinate with Cynthia and she can make sure that it gets to everyone.

Danny Whatley– Cynthia Martinez is our auditor and will be going through our areas and notifying us as soon as possible. For us to be able to respond back, there is a shortened time between the 2nd and the 8th. The community and MHRAC needs to respond by the 6th. It can be pushed back but not by a lot. Prior to any status hearings, the stakeholders are supposed to meet with the DOJ and the City to try and work out issues that the stakeholders have with the department.

Danny Whatley - we are not sure when the MHRAC can connect with the new administration, they will try and do it pretty quickly. They are looking for new co-chairs so that they can connect with the new administration. He feels like we cannot do anything until the administration change happens. But MHRAC is a viable organization it has truly made a difference and impact in the community with the Police department and how they interact with people with mental illness.

Comments from Co-chairs

Next meeting, 11/21/2017, 2017 Discuss Thanksgiving week meeting)

Danny will send out an email tomorrow to see if there is another time that we can meet. Annual reports need to be done so that they can be reviewed but can be done via email to review.

Meeting adjourned at 6:30 PM