

SB 418: Legislative Mental Health Investments ***Summary of 2015 Legislative Action***

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for the Children, Families, Health, and Human Services Interim Committee
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Background

The 2015 Legislature added nearly \$19 million to the state's budget to provide more mental health services in the current two-year budget period. Some of the new spending was proposed in the governor's budget. Other appropriations stemmed from a study conducted by the Children, Families, Health, and Human Services Interim Committee during the 2013-2014 interim. And additional funding came about as part of the legislative budgeting process.

In approving the new money, lawmakers also set out objectives for its use and decided to keep tabs on how the money is spent. Senate Bill 418 requires the Children and Families Committee to monitor the use of the money and evaluate how well the Department of Public Health and Human Services implements the objectives. The committee must provide a report to the 2017 Legislature on the status of implementation. If necessary, the committee also is to identify areas where continued improvement is needed.

This briefing paper provides an overview of the new appropriations made in 2015.

Funding Proposed by the 2013-2014 Interim Committee

Last interim, the Children and Families Committee studied state-operated institutions that provide mental health services. Members concluded that the state should support additional community services in order to relieve pressure on the state facilities. Committee members focused in particular on services that might avert a crisis situation that otherwise could lead to a person's commitment to a state facility.

The committee proposed seven bills to fund various mental health services. The 2015 Legislature approved four of them. Those bills added \$5.4 million to the budget to pay for community services.

Three of the bills built on new programs and processes created by the 2009 Legislature, as outlined below:

- House Bill 33 appropriated \$2 million of additional general fund this biennium to expand the grant program that provides counties with matching funds for jail diversion and crisis intervention services. The state budget already included about \$825,000 for the grants. The new money must be spent first on new services in new areas of the state, followed by new services in areas of the state that have received matching grants for other purposes in the past. If additional money remains after that, it can be spent to support existing grant-funded programs that have seen a growth in demand for services.

The Department of Public Health and Human Services awards the grants each year to counties that submit applications and meet the grant requirements. The department received 16 applications for the current fiscal year.

- HB 34 appropriated another \$600,000 of general fund each year to the program that pays for secure psychiatric detention beds in the community. In recent years, the program has reimbursed crisis facilities in Bozeman, Butte, and Hamilton. These facilities can hold people for evaluation and treatment when a court has ordered that they be detained for possible commitment to the Montana State Hospital. The state reimburses a facility when all of its secure beds are empty and the facilities can't bill another payment source to cover the costs of keeping the beds available. The state spent \$215,000 in FY 2015 for the secure beds.

Two new crisis facilities are expected to open this biennium, in Helena and Polson. The HB 34 money is expected to pay for the costs of the secure beds in those facilities.

- HB 35 appropriated \$1 million of general fund over the biennium to pay for a diversion process first created in 2009. Under this process, a person facing an involuntary commitment proceeding can choose to undergo voluntary inpatient treatment in the community, instead. The commitment proceeding is suspended during that time. If the person is no longer in need of commitment after the voluntary treatment, the commitment petition is dismissed.

Although the diversion option has been available since 2009, it has not been widely used because no public money was available to pay for the short-term treatment.

The fourth bill, HB 47, appropriated \$1.2 million of general fund this biennium for grants to children's mental health providers for youth crisis diversion efforts. The department issued a Request for Proposal in July and plans to award a maximum of six grants of about \$200,000 each. DPHHS is asking for proposals for programs that will keep youth out of higher levels of care by using innovative, community-based approaches. Some youth crisis diversion efforts have been funded in the past with federal and private grant dollars.

Funding Proposed by the Governor

The governor's proposed budget included several new mental health appropriations, and the Legislature approved many of them. Some of the new funding in HB 2, the main budget bill, is lower than originally sought by the governor. However, HB 2 increased the money available for mental health services by \$13.3 million, and \$6.35 million of that amount involved proposals by the governor.

Those new appropriations are as follows:

- \$500,000 in each year of the biennium for the 72-hour presumptive eligibility program that was first funded in 2007. This program uses general fund dollars to reimburse mental health providers for services provided to individuals who are experiencing a mental health crisis and who are uninsured or underinsured. The services may be provided for up to 72 hours to stabilize the individuals. The appropriation adds to the approximately \$3 million appropriated in the previous biennium.
- \$300,000 of general fund each year to help Montana State Hospital patients maintain their housing or possessions while they are at the hospital or obtain housing when they

return to the community. DPHHS hopes to use the funds primarily for people who are homeless, have unstable housing, or are transitioning through a prerelease setting. The state spent about \$261,000 a year on those services in the last biennium.

- \$500,000 over the biennium for so-called “peer support services,” which are provided by individuals who have also experienced mental illness and thus are in a unique position to provide support to people receiving mental health services. DPHHS expects to fund one peer support program with the new money. The state does not currently pay for these services.
- \$125,000 a year for youth suicide prevention grants. DPHHS expects to use the money for suicide prevention efforts among Indian youth.

The governor also asked for money to build and operate additional beds at the Montana State Hospital in Warm Springs and the Mental Health Nursing Care Center in Lewistown. The Legislature did not provide money for construction costs, but HB 2 still contains \$4 million in FY 2017 to pay for the operational costs associated with the new beds.

Additional Funding Authorized by the Legislature

The 2015 Legislature approved nearly \$3.5 million in mental health spending that was not proposed by either the interim committee or the governor as well as another \$3.5 million that was originally included in an interim committee bill that subsequently died. The additional appropriations were:

- about \$3.5 million over the biennium for transitional mental health group homes. The funding for these group homes remained in HB 2 although a companion bill died. HB 24 required that the money be used for community-based group homes for people who have been found not guilty of a crime because of a mental illness or were convicted but sentenced to DPHHS custody because they were mentally ill at the time they committed the crime. The HB 2 appropriation does not contain similar requirements.
- nearly \$3 million over the biennium to increase the number of slots available in the mental health home and community-based services waiver. This program allows people who need a nursing home level of care to receive supports in the community so they can be in a less restrictive setting. The number of waiver slots will increase by 50 each year, from 198 in the last fiscal year to 248 this fiscal year and 298 in FY 2017.
- \$250,000 a year for existing community-based programs and facilities that are currently receiving county matching grants for jail diversion and crisis intervention activities. These funds are in addition to the money appropriated through HB 33.

The table on Page 4 summarizes the various appropriations by year and fund type.

2015 Mental Health Appropriations

Bill: Activity	FY 2016		FY 2017		Biennium		Total
	GF	FSR	GF	FSR	GF	FSR	
HB 33: County Grants					\$2,000,000		\$2,000,000
HB 34: Secure Detention	\$600,000		\$600,000				\$1,200,000
HB 35: Short-Term Treatment					\$1,000,000		\$1,000,000
HB 47: Youth Crisis Diversion					\$1,200,000		\$1,200,000
HB 2: Presumptive Eligibility	\$500,000		\$500,000				\$1,000,000
HB 2: Housing Support	\$300,000		\$300,000				\$600,000
HB 2: Peer Support					\$500,000		\$500,000
HB 2: Youth Suicide Prevention	\$125,000		\$125,000				\$250,000
HB 2: Operations-New Beds			\$4,000,000				\$4,000,000
HB 2: Existing County Grants	\$250,000		\$250,000				\$500,000
HB 2: Transitional Group Homes	\$1,500,000	\$238,761	\$1,500,000	\$237,555			\$3,476,316
HB 2: HCBS Waiver Slots	\$344,407	\$648,693	\$695,369	\$1,290,831			\$2,979,300
Total	\$3,619,407	\$887,454	\$7,970,369	\$1,528,386	\$4,700,000		\$18,705,616

GF = General Fund

FSR = Federal Special Revenue