

## MENTAL HEALTH LOCAL ADVISORY COUNCIL

July 11, 2016 - MINUTES

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**In attendance:** Members present: Shirley Kaufman, Deborah McAtee, Tom Peluso, Carol Townsend, Susan Wordal, Jan Bjork, Vickie Groeneweg, Shelley Johnson, Tonya Horn, Anna Saverud, and Commissioner Joe Skinner

Members absent: Nancy Filbin, Susan Gregory, Dr. Kelsch, Renee McLendon, Tammy Cutting, Sgt. Jim Anderson, K.C. McLaughlin, and Matt Kelley

Advocacy Members present: Ken Bell, Ellie Martin, Pierre Martineau and Chelsey Voegele, and Michelle Jermunson

Guests: Sarah Webb and Molly Basta

Staff: Steph Kameron

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### Welcome and Introductions

Commissioner Skinner began the meeting as interim chair until Ms. Wordal arrived

Public Comment: Mr. Peluso announced that the emergency detention beds at the Hope House will be unavailable due to renovation as of August 15<sup>th</sup>. The renovation to improve the safety for clients and staff will be confirmed with Matt at a closer date, pending the on-time arrival of supplies. Langlas and Associates is the contractor on the project, which is expected to last 6-8 weeks.

Approval of Minutes June 11, 2016: Commissioner Skinner made a motion to approve the minutes as presented. Ms. Townsend seconded the motion. All voted aye. Motion carried unanimously.

### Discussion and Decision Re: Funding Resource Guide Distribution in Area Publications:

Mr. Peluso expressed concerns that the Sunday and Wednesday distribution of the Chronicle contains too many publications. He suggested consideration a Friday distribution. Chair Wordal stated that many read the newspaper online in exception to Sunday, as it is the widest circulation. She believes with coordination of press; the public will be more receptive to the publication's circulation. She also suggested that the board give thought to a mass mailing. Ms. McAtee is concerned with the costs associated with mass mailing and reminded there is no way to reach everyone. Chair Wordal continued that mass mailing would be costly and a newspaper article associated with the distribution would be more effective. Ms. Kauffman added the newspaper distribution is expensive as well. She suggested we make use of chronicle overruns. Mr. Peluso specified that Glenda's figure per overrun is 2.6 cents/ea. Chair Wordal suggested that we have a budget in mind for the

printing and distribution of the resource guides. Mr. Peluso requested that a menu be distributed for next month's meeting agenda with associated publications' costs. Ms. Townsend stated that the total budget amount is at \$5,636.44.

Legislative discussion occurred, see below.

The total cost of the resource guide distribution needs to take into account that we will be receiving a grant to help fund the distribution. Ms. Townsend questioned how many resource guides will be going to schools? Someone needs to call the schools to see how many resource guides they would like.

Ms. Johnson agreed to contact West Yellowstone, Big Sky, Gallatin Gateway, Manhattan & Manhattan Christian, Gallatin Coop and Monforton School. Chair Wordal stated that she would contact the district for an electronic link. Ms. Bjork suggested the Superintendent of Schools be contacted to get the contact information out. Ms. McAtee will contact the homeschool group.

**Update on Mini Grant Process:** Ms. McLaughlin reported (prior to the meeting) that the application is almost complete.

**Discussion re: Legislative Forum Planning** Chair Wordal requested that we leave approximately \$1,200 in the budget for a legislative luncheon. Ms. Bjork mentioned that the meeting on the 8<sup>th</sup> of November may be too soon and the meeting on the 13<sup>th</sup> of December would be too late. We may want to consider changing the November meeting date. Chair Wordal suggested that we present the lawmakers with something, whether it be a bill or a change.

Ms. Bjork suggested that we update our existing information. Ms. McLendon asked Ms. Jermunson if funding is available for the CIT packets to be distributed and if she would be able to bring one for next month's meeting. Chair Wordal commented that packets would be helpful for every district, 25-50 of them. She also commented that the CIT packets portion is part of our mission and makes good sense. Along with CIT, NAMI packets and the resource guide would be good to include. Ms. Bjork commented that CIT is looking for funding this year. Mr. Bell would also like to see crisis prevention included. Chair Wordal would like to see additional support to educate. She believes that an electronic copy would also be helpful to include. Ms. Bjork suggested a website link. Ms. McLendon stated that the paper copies actually looked at. Ms. Voegele has received flash drives at conferences containing additional information. Ms. Kaufman suggested setting up a link as a hook to other links.

Mr. Peluso has a NAMI concerns with §53-20-102 MCA that he would like to bring to everyone's attention (code attached for information). Chair Wordal stated that the word "imminent" can be widely interpreted. It has been suggested that we contact the County Attorney for alternate language.

**Next Meeting:** August 8, 2016. The agenda should include discussion Election of Chair and Vice Chair.

# Montana Code Annotated 2015

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**53-20-102. Definitions.** As used in this part, the following definitions apply:

(1) (a) "Available" means:

(i) that services of an identified provider or providers have been found to be necessary and appropriate for the habilitation of a specific person by the person's individual treatment planning team;

(ii) that funding for the services has been identified and committed for the person's immediate use; and

(iii) that all providers have offered the necessary services for the person's immediate use.

(b) A service is not available simply because similar services are offered by one or more providers in one or more locations to other individuals or because the person has been placed on a waiting list for services or funding.

(2) "Board" or "mental disabilities board of visitors" means the mental disabilities board of visitors created by [2-15-211](#).

(3) "Case manager" means a person who is responsible for service coordination, planning, and crisis intervention for persons who are eligible for community-based developmental disabilities services from the department of public health and human services.

(4) "Census" means the number of residents occupying beds in a residential facility on a particular date.

(5) "Community treatment plan" means a comprehensive, individualized plan of care that addresses the habilitation needs of and the risks posed by the behaviors of a respondent who is found to be seriously developmentally disabled.

(6) "Community-based facilities" or "community-based services" means those facilities and services that are available for the evaluation, treatment, and habilitation of persons with developmental disabilities in a community setting.

(7) "Court" means a district court of the state of Montana.

(8) "Developmental disabilities professional" means a licensed psychologist, a licensed psychiatrist, or a person with a master's degree in psychology, who:

(a) has training and experience in psychometric testing and evaluation;

(b) has experience in the field of developmental disabilities; and

(c) is certified, as provided in [53-20-106](#), by the department of public health and human services.

(9) "Developmental disability" means a disability that:

(a) is attributable to intellectual disability, cerebral palsy, epilepsy, autism, or any other neurologically disabling condition closely related to intellectual disability;

(b) requires treatment similar to that required by intellectually disabled individuals;

(c) originated before the individual attained age 18;

(d) has continued or can be expected to continue indefinitely; and

(e) results in the person having a substantial disability.

(10) "Habilitation" means the process by which a person who has a developmental disability is assisted in acquiring and maintaining those life skills that enable the person to cope more effectively with personal needs and the demands of the environment and in raising the level of the person's physical, mental, and social efficiency. Habilitation includes but is not limited to formal, structured education and treatment.

(11) "Individual treatment planning team" means the interdisciplinary team of persons

involved in and responsible for the habilitation of a resident. The resident is a member of the team.

(12) "Next of kin" includes but is not limited to the spouse, parents, adult children, and adult brothers and sisters of a person.

(13) "Qualified intellectual disability professional" means a professional program staff person for the residential facility who the department of public health and human services determines meets the professional requirements necessary for federal certification of the facility.

(14) "Resident" means a person committed to a residential facility.

(15) "Residential facility" or "facility" means:

(a) the Montana developmental center; or

(b) a private, community-based facility approved by the department of public health and human services as a facility able to meet the needs of individuals committed to a residential facility pursuant to this chapter or placed in a residential facility pursuant to Title 46, chapter 14.

(16) "Residential facility screening team" means a team of persons, appointed as provided in [53-20-133](#), that is responsible for screening a respondent to determine if the commitment of the respondent to a residential facility or the imposition of a community treatment plan is appropriate.

(17) "Respondent" means a person alleged in a petition filed pursuant to this part to be seriously developmentally disabled and for whom the petition requests commitment to a residential facility or imposition of a community treatment plan.

(18) "Responsible person" means a person willing and able to assume responsibility for a person who is seriously developmentally disabled or alleged to be seriously developmentally disabled.

(19) "Seriously developmentally disabled" means a person who:

(a) has a developmental disability;

(b) is impaired in cognitive functioning; and

(c) cannot be safely and effectively habilitated through voluntary use of community-based services because of behaviors that pose an imminent risk of serious harm to self or others.

**History:** En. 38-1202 by Sec. 2, Ch. 468, L. 1975; amd. Sec. 4, Ch. 37, L. 1977; amd. Sec. 1, Ch. 568, L. 1977; R.C.M. 1947, 38-1202(part); amd. Sec. 3, Ch. 132, L. 1983; amd. Sec. 1, Ch. 137, L. 1983; amd. Sec. 1, Ch. 569, L. 1983; amd. Sec. 5, Ch. 151, L. 1985; amd. Sec. 1, Ch. 262, L. 1991; amd. Sec. 2, Ch. 381, L. 1991; amd. Sec. 1, Ch. 255, L. 1995; amd. Sec. 467, Ch. 546, L. 1995; amd. Sec. 67, Ch. 472, L. 1997; amd. Sec. 3, Ch. 575, L. 2003; amd. Sec. 1, Ch. 27, L. 2005; amd. Sec. 1, Ch. 122, L. 2007; amd. Sec. 1, Ch. 252, L. 2007; amd. Sec. 10, Ch. 68, L. 2013; amd. Sec. 7, Ch. 444, L. 2015.