



MONTANA LEGISLATIVE BRANCH

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Legislative Fiscal Analyst
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DATE: June 8, 2001
TO: Legislative Finance Committee
FROM: Lois Steinbeck
RE: HJR 1 – Continuing Study of Public Mental Health Issues

The Legislative Finance committee (LFC) recommended in House Joint Resolution 1 (HJR 1 – attached) that the legislature continue its study of public mental health services initiated during the 2001 biennium. The legislature approved HJR 1.

HJR 1 assigns the study to the LFC with study committee membership to be drawn also from the Legislative Audit committee, and the Interim Committees on Family, Children, Health and Human Services; Law, Justice, and Indian Affairs; and State Administration Public Retirement Systems, and Veterans' Affairs. The study is to be staffed by Legislative Fiscal Division and Legislative Services Division Staff.

HJR 1 sets forth the goal of the study as integration of services within the Department of Public Health and Human Services and across all state agencies that serve adults with mental illness or children with serious emotional disturbances and adults or children with other coexisting disorders in cooperation with local governments and school districts.

HJR 1 identifies these specific areas of concern:

- 1) the continued development of appropriate and effective community services to serve persons in the least restrictive environment;
- 2) the development of methods to ensure maximum leverage of federal funds, the cost-effective provision of services, and the use of best practices, including the evolution of more sophisticated case management;
- 3) the issues of commitment to community facilities, programs, and treatment and involuntary medication identified in the 1999-2000 interim process;
- 4) the interaction of mental health services and the courts and criminal justice and corrections systems in terms of training those who come in contact with persons with mental illness, diversion of persons with mental illness from the criminal justice system to mental health services, appropriate treatment in jails and prisons, local government responsibilities for transportation of persons with mental illness, the differences in the incidence of mental illness and the treatment offered to male and female inmates, and cost-shifting between state agencies for mental health services;
- 5) the structure and financing of mental health services available for veterans and the extent to which U.S. Department of Veterans Affairs resource allocation decisions may shift costs to state and local services and the consideration of options for mitigating the consequences;
- 6) children needing mental health services and the child mental health services system; and
- 7) other emergent issues regarding mental health services.

These goals reflect continuation of issues researched by the LFC study subcommittee last interim as well as several bills passed by the 2001 legislature.

PROPOSED STUDY APPROACH

The following points summarize actions that the LFC may wish to consider in initiating the HJR 1 study plan.

The LFC has several options with respect to development and approval of a study plan: 1) it may wish to either adopt a study plan for implementation by the study subcommittee; 2) it may wish to request that certain topics be included in a study plan adopted by the subcommittee; and 3) it may request that the subcommittee propose a study plan for review and approval by the LFC. In any of these options, the topics and concerns outlined in HJR 1 will be considered in development of the study plan.

While each of the three approaches has advantages and disadvantages, staff would recommend that the LFC identify topics of interest and allow the subcommittee to develop a study plan that is then reviewed and approved by the LFC. This option is recommended because legislators serving on the subcommittee will have definite areas of interest and concern tied to their respective committees and interaction with other members of the subcommittee. It also gives the LFC a role in oversight and monitoring since the study is assigned to the LFC.

In reviewing topics that LFC members may wish be included in the study, staff received the following responses: 1) review of different methods of risk sharing for providers participating in the new regional mental health system; 2) review implementation of legislation passed by the 2001 legislature, including appropriations and appropriation conditions established in HB 2, that impact mental health services; and 3) review of regional mental health planning.