



State of Wisconsin

**Wisconsin Council on Mental Health**  
mhc.wisconsin.gov

**Meeting of the Legislative and Policy Committee**  
**February 14, 2019**  
**12:30 pm to 3:00 pm**  
**1 West Wilson Street, Madison, Wisconsin and Via Conference Call**

**Members of the Legislative and Policy Committee in Attendance:** Crystal Hester, Barbara Beckert, Kit Kerschensteiner, Chris Wirth, Joanne Juhnke, Mike Lappen, Alice Sykora

**Guests in Attendance:** Brian Michel, Jeanie Verschay, Mishelle O'Shasky, Natalie Deibel, Breckyn Ryg, Tim Saubers, Chelsea Crane, Andrea Turtenwald, Sita Diehl

**Department of Health Services (DHS) Staff in Attendance:** Lalena Lampe, Joyce Allen, Joannette Robertson

#### **MINUTES**

#### **1. Call Legislative and Policy Committee (LPC) Meeting to Order**

*Review and approval of the minutes of January 10, 2019*

**K. Kerschensteiner moved to approve the minutes of January 10, 2019.**

**J. Juhnke seconded the motion.**

**Motion carried, minutes of January 10, 2019 approved.**

*Announcements: Opportunity for committee members to make general announcements*

B. Beckert reminded the group that it is election season and she brought fact sheet flyers regarding the upcoming primary. A statewide race for Supreme Court will be held on April 2<sup>nd</sup>. Survival Coalition Disability Advocacy Day is March 20<sup>th</sup>. More information is available on the Survival Coalition website: <http://www.survivalcoalitionwi.org/>. C. Hester announced that registration is open for the NAMI Wisconsin annual conference being held April 26-27 in Madison. The advocacy day, Action on the Square is being held on May 9<sup>th</sup>. July is Minority Mental Health Awareness Month and NAMI Wisconsin is starting to plan events for the month. L. Lampe announced that the Mental Health and Substance Use Recovery Training conference is accepting proposals until the 22<sup>nd</sup>. The Milwaukee Peer Run Respite is now open. It is being run by Our Space and is funded by Milwaukee County.

#### *Wisconsin Council on Mental Health (WCMH) Updates*

An introductory and welcome letter was sent to Governor Evers at the end of January. The letter included information regarding the current vacancies on the WCMH. At the most recent WCMH meeting Independent

Living Resources provided a presentation on peer supports. The WCMH also spent time reviewing laws and structure of the Community Mental Health Services Block Grant (MHBG).

#### *Public Comment*

B. Michel announced that the Prevent Suicide Wisconsin Conference will be held on May 2<sup>nd</sup> and 3<sup>rd</sup>. Mental Health America (MHA) Wisconsin has issued a call for applications for Zero Suicide training. A campaign has been sponsored by the Wisdom Group focused on the impacts of mass incarceration. Milwaukee County is also working on the MacArthur Foundation grant targeting jail reform.

### **2. Discussion and Review of Committee Membership and Leadership**

J. Verschay is interested in joining the LPC. B. Michel from MHA Wisconsin is interested in joining the LPC as the alternate to Mary Neubauer. New appointments to the LPC will be discussed at the upcoming Council meeting. C. Hester is working on updating the LPC recruitment letter with DHS staff. Chelsea from NAMI Wisconsin is interested in doing targeted outreach with diverse groups. The LPC needs a co-chair, and the WCMH requires that each committee has at least one co-chair who is a member of the WCMH. A new chair would not have to be highly experienced as new leaders in the group can be mentored.

The May LPC meeting will need to be rescheduled since it's the same day as NAMI's Action on the Square event. Members of the WCMH and LPC will need to plan to meet with the Governor's Office to present the Council budget priority recommendations. M. Lappen plans to apply to the WCMH to serve as the WCHSA representative.

C. Hester and B. Michel will work on developing the bill tracking document. B. Beckert will take a lead on scheduling mental health advocate meetings with the DHS Secretary's Office. The budget priority document was shared with the Secretary's Office earlier today.

### **3. Legislative and Policy Updates, Discussion, and Action**

#### *Budget Priority Planning*

The budget priority document has been approved by the WCMH. M. Neubauer and B. Beckert are working on setting up a meeting with the Governor's Office. Members of the LPC discussed options for sending a letter regarding the priorities to the Governor's Office and key staff and options for an executive summary of the document. C. Wirth will work on developing a bullet point version. M. O'Shasky provided an update regarding the caregiver background application review process.

#### *State Legislation and Review of LPC Bill Tracking and Bills to Review and Approve*

The LPC has not developed a bill tracking document yet. There is a group focusing on the "red flag" lethal violence protection order regarding the removal of firearms if someone is identified as a danger to self or others. Efforts are currently focused on gathering sponsors for the bill. In Wisconsin, if under Chapter 51 you can't have a firearm but it often still occurs. More information is needed on the legislation to address concerns.

B. Michel discussed Assembly Bill 11 and Senate Bill 20 regarding obtaining crime victim mental health treatment records. A defendant in a criminal case allowed to request mental health treatment records of the victim if it might be relevant to the defense. This can create a conflict between victims' rights to privacy and offenders right to a fair trial (right to confront your accuser). If the victim refused to release treatment records, they are then barred from testifying. For example if the victim has a mental illness which makes knowing the difference between reality and delusions, the defendant may use this information as part of their defense. It can also be used in child abuse cases.

With each bill in the state that this committee is reviewing, a member is asked to be the lead on tracking it and updating the group. B. Michel will be the lead for AB11 and SB20. A. Sykora recommended the group utilize a Google Drive to track the legislation. J. Allen noted that DHS cannot host a Google Drive, requiring the LPC to maintain it.

K. Kerschensteiner discussed SB 26/AB 24 relating to step therapy protocols for prescription drug coverage and requiring the exercise of rule-making authority. Access to dental care remains a concern. The Governor's Office is taking some steps around this. There is a standalone bill to establish a dental therapy program that would focus on underserved communities. This is a very new idea and nothing has yet been established so at this time there are many steps before it could be a reality.

An expungement law is also being looked at and the Pardon Commission is being put back together. Wisconsin may declare a "second chance" month in April regarding people with a back ground in the criminal justice system. M. O'Shasky noted that though Wisconsin does not allow private prisons but there are groups proposing building and managing prisons that could be staffed by state staff.

#### **4. Division of Care and Treatment Services (DCTS) Updates**

The Certified Peer Specialist Advisory Committee meeting is for February 28<sup>th</sup> at DHS. The DCTS continues to work with WCHSA regarding plans for crisis system improvements. This builds off of the crisis quality improvement project currently underway with several counties.

The Wisconsin DHS has received an additional nine months of funding for the Crisis Counseling Program to continue providing outreach and supports for people impacted by the 2018 flooding and other natural disasters. A new vendor, Maximus, will soon begin providing Preadmission Screen and Resident Review (PASRR) screening for Wisconsin. This screening is conducted for individuals being admitted to nursing homes who have a diagnosis of a mental illness. K. Kerschensteiner requested that information on how the PASSRR appeal process occurs is more clearly highlighted with the new vendor.

#### **5. Agenda Items for the March 2019 Committee Meeting**

Agenda items that were suggested were updates on budget requests, a review of the proposed budget from the Capitol, and discussions on bill tracking.

#### **6. Adjourn**

Meeting was adjourned at 3:01 pm.