



PAIMI Council Meeting Minutes
Via Zoom
November 16, 2021, at 11:00 a.m.

Call to Order

Chair Malkia Newman called the meeting to order at 11:03 a.m.

Attendance

Present: Davin Hemmila, Fiona Hert, Joelle Gurnoe-Adams, Kehli Henry, Kevin Fischer, Marie Jackson, Malkia Newman, Mark Reinstein, Lois Shulman, Trina Tocco

Absent: Chris Franklin, James Rye, Charles Scott

Staff: Michelle Roberts, Theresa Diebolt, Kyle Williams, Mark McWilliams, Michele Brand, Kris Keranen, Rebecca Kasen

Guests: Christin Nohner, RWC Advocacy

Approval of Agenda

Chair Newman requested a motion to approve the agenda. Lois Shulman so MOVED, and Marie Jackson seconded.

ROLL CALL VOTE:

AYES: Hemmila, Hert, Gurnoe-Adams, Henry, Fischer, Jackson, Newman, Reinstein, Shulman, Tocco

NAYS: None

Motion carried.

Approval of Minutes

Chair Newman asked for a motion to approve minutes from the August 17, 2021, meeting. Marie Jackson so MOVED, and Fiona Hert seconded.

ROLL CALL VOTE:

AYES: Hemmila, Hert, Gurnoe-Adams, Henry, Fischer, Jackson, Newman, Reinstein, Shulman, Tocco

NAYS: None

Motion carried.

Financial Report – Michelle Roberts

Roberts indicated that DRM spent 97% of our PAIMI budget as an organization, which is a little under and a good thing. A few things were over including legal costs, internet and website services, and insurance.

The PAIMI Advisory Council (PAC) expenses are under due to not meeting in person and people not attending conferences and trainings due to COVID-19. We are a little over on staff spending but we will adjust that going forward and that is due to council members being more active, having longer meetings and additional meetings.

Marie Jackson MOVED to receive and file the financial report and Fiona Hert seconded.

ROLL CALL VOTE:

AYES: Hemmila, Hert, Gurnoe-Adams, Henry, Fischer, Jackson, Newman,
Reinstein, Shulman, Tocco

NAYS: None

Motion carried.

Grievance Update

Grievance update was given by Theresa Diebolt stating two requests were made to receive a grievance form. A grievance was filed under PAIR (protection and individual rights) relating to mental health services in prison. No PAIMI or other grievances have been filed since the last PAC meeting.

Public Comment

A comment was made regarding respite and CLS and the pay rate and discrepancies with the services between MORC and OCHN in Oakland County. She would like to know what the rules are and learn more about self-determination.

Legislative Update

Michelle Roberts introduced Christin Nohner who is with RWC Advocacy and has been contracted by DRM to keep us updated and informed of policy and legislative issues that impact our work and clients. Christin will be attending our PAIMI Council meetings to provide updates related to PAIMI and discuss any issues with members. Christin gave a little background about herself and RWC and the clients they work with and things they are working on. Discussion was held with members regarding

mental health issues and related bills.

Litigation Update

Kyle Williams gave an update on the NGRI (Not Guilty by Reason of Insanity) lawsuit and since it has been settled, they are now in the implementation phase. The biggest challenge is holding parties who are not parties of the lawsuit accountable regarding the settlement agreement. The major change from that lawsuit is the elimination of ALS (authorized leave status) contracts. These contracts were previously signed by the NGRI committee allowing NGRI individuals to leave the hospital which caused tremendous concerns for various reasons. NGRI individuals will now be on AOT (assisted outpatient treatment) orders governed by the courts. They are dealing with some issues with the settlement including individuals who were previously on ALS contracts but are working through them. They will also be collecting data to determine the impact of the lawsuit.

Williams reported on the Ashley Harris case and reminded folks that she was an inmate at the Women's Huron Valley Correctional Facility who died from an overdose on meds prescribed by her psychiatrist. He went on to identify the treatment women receive at Huron Valley where they are segregated and highly medicated on a regular basis. This case is a result of how women with a mental illness are being treated at that facility. The wrongful death lawsuit was filed, and they are in discovery and will be taking depositions and should be in mediation some time in February.

In addition, we have the children's class action lawsuit which is the biggest piece of Medicaid litigation in the state. You will see plaintiffs on the news regularly with kids who sit in emergency rooms waiting for psych beds. These kids who are eloping or suicidal who are unable to get services through their Community Mental Health. These kids have become involved with the court because they can get better mental health services through their county than through their CMH. These are kids whose parents have had to take neglect charges because they have been unwilling to bring kids back into homes unsupported and don't want to put other family members in danger. We are in the process of finding new class representatives for the lawsuit so we can amend the complaint since the plaintiffs need to be under the age of 21 since when they turn 22, they can no longer be a representative of the lawsuit. Our Information and Referral team has done a tremendous job at assisting in finding additional representatives in this case.

In the meantime, Williams continues work with the state to implement a program called MI Kids Now which is being developed by MDHHS to improve mental and behavioral health care for Michigan children who are enrolled in Medicaid and part of the child welfare system.

Child Caring Institutions and Juvenile Justice facilities

Kris Keranen shared that while the litigation team is going after the Department of Health and Human Services, her team is looking at the Department of Education similarly as not being helpful in what kids need in Michigan schools. The department is responsible for ensuring that school districts do better for children.

Kris shared information about a case her team has been working on involving a child who started school at the age of 6 and due to intense behavioral needs was put on a partial school day. He was getting some services through CMH but was not getting much assistance from the school. The school got the court involved and called the police on the 6-year-old. The parents reached out to us for assistance, and we discovered the child was not getting the services he was entitled to through the school. We filed a complaint and the state investigated and determined the child was denied services he is legally entitled to and ordered the district to correct their noncompliance. We closed the case at that time. Two years later we heard from the child's parents and found out nothing had been done. We once again filed a complaint and this time against the Michigan Department of Education for failing to meet their obligation of oversight and ensuring the district came into compliance. We contacted the Attorney General's office and that went nowhere. We ended up getting an expert involved and the school denied that as did the Department of Education. We then filed a due process hearing complaint and ending up settling with the school district. It ended up in federal court and the judge ruled in our favor against the Department of Education. We are now trying to get the department to have a complaint system that corrects the noncompliance it identifies. We are hoping that kids with behavioral disorders get the support they need in schools.

Prison work/corrections update

Rebecca Kasen says her team is looking at the prison system in a systemic way. She is trying to limit their physical work out in the community due to the pandemic, however there are some things they are keeping an eye on which requires one or more of her team to be physically in facilities. They are investigating inmates with similar circumstances with different outcomes and services that are provided. There are inmates waiting to be discharged to a psychiatric hospital however there are no beds available for them because the hospitals have a long discharge list and people are stuck waiting in the hospitals. Her team has also done limited work in jails, however there is no central organization which makes it more difficult to do systemic work.

PAIMI Advisory Council Program Performance Report

Michelle Roberts reminded members that we complete annual reports for each of our funding sources and it is the responsibility of this council to complete the Advisory Council Report (ACR). Michelle provided guidance as to what kind of information is

needed and indicated that Theresa would be assisting in the completion of their report. She went through a few sections explaining what is needed and examples of information that could be used to complete the report. A draft will be provided to the council and members are encouraged to provide input and comments. The deadline for the report to be completed was December 10, 2021.

Old Business

1. Council membership – the council is currently in compliance.
2. Conferences/trainings/initiatives - members were reminded when they attend any conferences or trainings or speak to a group about mental health and/or DRM, to let Theresa know so she can record those for the annual Program Performance Report (PPR).
3. Procedures for acknowledging public comment document

Michelle Roberts drafted a document to clarify the procedures on responding to public comments made during council meetings.

Mark Reinstein MOVED to adopt the Procedures for Acknowledging Public Comment and Lois Shulman seconded.

ROLL CALL VOTE:

AYES: Gurnoe-Adams, Henry, Jackson, Newman, Reinstein, Shulman

NAYS: None

Motion carried.

4. PAIMI Advisory Council (PAC) portal – Theresa will send out instructions and the password for the portal.
5. Updates to member contact list – members were reminded to update Theresa of any changes to their contact information.

New Business

1. Conferences/trainings/initiatives – the National Disability Rights Network (NDRN) conference will be virtual again this year. If any members know of any trainings and/or conferences, please share with the council.
2. Public Policy committee – a poll will be sent out for availability for a meeting
3. DEI update – moved to next regular meeting

Next meeting & agenda items

Tuesday, February 1, 2022

Self-determination, Office of Refugee Resettlement, and DEI update

Adjourn

Chair Newman adjourned the meeting at 1:32 p.m.