



PAIMI Council Meeting Minutes
Via Zoom
April 19, 2022

Call to Order

Vice Chair Marie Jackson called the meeting to order at 11:01 a.m.

Attendance

Present: Marie Jackson, Lois Shulman, Chris Franklin, Trina Tocco, Davin Hemmila, Joelle Gurnoe-Adams, Veronica Ibrahim, Fiona Hert

Absent: Kehli Henry, James Rye, Charles Scott

Staff: Michelle Roberts, Theresa Diebolt, Kyle Williams, Kris Keranen, Rebecca Kasen, Nick Gable

Guest: Christin Nohner, Lobbyist

Approval of Agenda

Vice Chair Jackson requested a motion to approve the revised agenda.

Lois Shulman MOVED to approve the revised agenda and Chris Franklin seconded.

AYES: all

NAYS: none

Motion carried.

Approval of Minutes

Vice Chair Jackson asked for a motion to approve minutes from the February 1, 2022, meeting.

Fiona Hert MOVED to approve the minutes and Joelle Gurnoe-Adams seconded.

AYES: all

NAYS: none

Motion carried.

Nominations/Elections

Chair and Vice Chair serve a two-year term, and nominations were sent by email.

Marie Jackson was nominated for Chair and Lois Shulman was nominated for Vice Chair.

Joelle Gurnoe-Adams MOVED to accept the nominations for chair and vice chair and Davin Hemmila seconded.

AYES: all

NAYS: none

Motion carried.

Financial Report

Michelle Roberts gave the report for Michele Brand and referred to the PAIMI Council budget stating that we will be approximately \$1,500 overspent at the end of the fiscal year for staff time. We may move money from another line item to balance it out. An update will be provided at the next meeting.

Referring to the PAIMI budget across the organization we are a little over as Michelle reminded the council that we pay insurance premiums upfront. We are in good shape with the overall budget.

Joelle Gurnoe-Adams MOVED to receive and file the financial report and Chris Franklin seconded.

AYES: all

NAYS: none

Motion carried.

Grievance Update

Grievance update was given by Theresa Diebolt stating there were no requests for a grievance form since the last meeting.

Public Comment

One individual provided public comment.

Legislative Update

Christin Nohner said with it being an election year, and the statewide races going on for Governor, Secretary of State and Attorney General, there is a lot of motivation for the legislature to want to leave Lansing on the early side and not drag their feet to

get budget negotiations done. We have a July 1st statutory deadline to get it done. There probably will not be a lot of action until after the general election in November. Sub committees are reporting budgets to the full appropriations committees. Department of Health and Human Services' budget looks like it will focus on children's mental health services and foster care, and the Governor included new investments in behavioral health services for schools.

It looked like the Senate was going to move a major integration proposal by Senator Mike Shirkey which would eliminate PIHPs and give financial authority and management of behavioral health services to the health plans in an effort to integrate physical and behavioral health services under Medicaid in Michigan. That plan did make its way out of committee and has been stalled on the senate floor due to a lot of resistance. A lot of signs point to it being a lame duck discussion. The House on the other hand has Mary Whiteford's proposal to create one entity and not so much an integration but a reform of the current system.

DRM has been following a lot of the election reform and voting rights legislation and several bills have been vetoed by Governor. We are following some legislation on strict discipline academies and Kris Keranen has been watching closely making sure more children will not be going into strict discipline academies. We were able to put a few bills on hold that were moving including the Brinks bill. We are following school safety recommendations. We are also looking at statewide policies around medical rationing.

Michelle Roberts gave an update on guardianship and stated the Elder Abuse Task Force has been working on a large package of bills including a very substantial overhaul of our guardianship system in Michigan. An initial proposal is to create an office of state guardianship that would have some oversight and enforcement responsibilities of guardians.

Litigation Update

Kyle Williams gave a brief explanation of his role at DRM and the role of the PAIMI Advisory Council members to DRM.

He gave an update on the KB litigation indicating the name will soon be changing as KB has aged out of the lawsuit. This class action directly impacts individuals who are under the age of 21 who receive Medicaid and have a need for, but do not receive, mental health services in the community. We filed a first amended complaint in February to add new class representatives ranging from ages 12-16 who can benefit from this class action. We then filed a motion for class certification in which we asked the judge to certify the class to include the entire class of students and not just the seven plaintiffs we listed in the lawsuit. We estimate this to include around 100,000 kids in the state. This will allow children to remain with their families and in the

community and receive mental health services. We are regularly dealing with children getting arrested, spending time in emergency rooms, and getting institutionalized for a long period of time and parents are having to be forced to make very difficult decisions.

Kyle gave an update on the Ashley Harris case in which a young woman died from an overdose at Women's Huron Valley Correctional Facility. She was prescribed an antipsychotic drug that was administered to her for a long period of time by the Department of Corrections. The parties reached an agreement to settle the case during mediation. A motion to approve the settlement was filed with the court on April 18, 2022, seeking court approval to settle and dismiss the case. After agreeing to the terms of settlement, DRM attorneys have held one meeting with MDOC's Division Chief concerning the medication and prescribing practices in the Calhoun Acute Unit at the Woman's Huron Valley Prison. DRM has requested specific changes and continues to discuss improving conditions for women with mental illness in this correctional facility.

On the NGRI lawsuit, DRM continues to monitor the settlement implementation. The first data reporting required by the settlement shows good progress towards the impact goals of the settlement. Problems have occurred in the courts and at the CMH level, primarily issues getting people off ALS contracts and removing inappropriate restrictions in individual risk mitigation criteria. DRM continues to meet with the Chief Probate Judge in Kalamazoo related to the settlement and will present at the Probate Judges' Association about settlement implementation and other mental health issues DRM is working on related to discharge. DRM has been working closely with the department in resolving issues as they arise.

DRM has been part of an IST (incompetent to stand trial) group. Since there is only one facility in Michigan for individuals to go to get evaluated to determine if they are competent to stand trial, a lot of times individuals spend at least 90 days in jail which may be their sentence for the crime they committed. In the meantime, they do not get any mental health services. DRM has been working on legislation to do a mental health diversion for every individual who is referred for a competency evaluation who has been charged with a misdemeanor.

Corrections Work

Jen Baker introduced herself stating she has been with DRM for 3 ½ years and was a corrections officer for seven years prior to coming to DRM. DRM started monitoring prison facilities. She gave some statistics including that about 15-25% of all prisoners have a diagnosed severe mental illness. More than half of men have a history of mental health issues while about 73% of women have a mental health history and women are primarily in for non-violent drug related offenses.

They started monitoring at Women's Huron Valley Correctional Facility and it is the

only women's facility while there are 36 men's facilities in Michigan. There are even specialized facilities for specific needs for men. Jen described what segregation looked like for prisoners, and stated we are working on segregation reform and very involved in many aspects of it. DRM is working closely with the legislative corrections ombudsmen's office. Jen is planning to monitor all the prisons in Michigan and has a goal to work with NDRN on advocacy for criminal justice funding to expand P&A work in prisons.

Education Update

Kris Keranen stated they are still getting numerous calls that kids are not getting the services they need with a main reason being there is not enough staff. Her team continues to advocate for the kids by doing legislative work and received a good finding in a recent complaint that was filed with Department of Education.

They also continue to work on litigation and are advocating to ensure every child in the state receives all requirements they are entitled to under IDEA which gives assurance to the federal government which is where we get some of our funds.

They are going forward with litigation against the Department of Education to ensure they are following up with noncompliant districts to make the necessary corrections.

Old Business

Old business has been tabled to the next meeting.

New Business

New business has been tabled to the next meeting.

Next meeting & agenda items

Tuesday, August 16, 2022, is the next scheduled meeting and old and new business will be discussed at the next meeting.

Adjourn

Executive Session was held, and Chair Jackson adjourned the meeting at 1:23 p.m.