PUBLIC HEALTH, WELFARE & SAFETY

Exhibit No. 6

Date 2-9-07

Bill No. SB 288

MISSION MOUNTAIN SCHOOL

Montana Educational Consulting & Programs, Inc.

Friday, February 9, 2007

WHEREAS:

Mission Mountain School is member of the National Association of Therapeutic Schools and Programs and has joined with other NATSAP programs in the Northwest Regional Chapter of NATSAP to advocate for licensure in Montana.

Mission Mountain School was founded in 1990. Mission Mountain School is accredited by the Pacific Northwest Association of Independent Schools (PNAIS) and the Northwest Association of Accredited Schools (NAAS). Mission Mountain School has been a member of NATSAP since 1999. Mission Mountain School subscribes to and supports the NATSAP Code of Ethics and Best Practice Standards.

In the last 21 years I have watched the private therapeutic residential care industry go through dramatic changes. Twenty-one years ago our industry consisted of a few isolated programs that served children effectively but in very idiosyncratic ways. Each program was invested in its own approach and the concept of best practices was not a part of the lexicon of the few programs that were in existence. Charismatic leaders tended to have their own ideas about what worked best with our clients and that information was not readily shared. Licensure was not something that many programs were interested in, nor were there effective licensure tracks available.

I have seen incredible growth in the last ten years in the number of programs and the number of children served by these programs. From 1993 to 2003 there was a 110% increase in programs. There has been nearly that much increase since 2003 to date. Montana has seen its share of this growth also with new programs opening on a regular basis. Along with that growth has come a positive increase in attention to collegiality, professionalism, and the importance of best practices.

Many practices that were acceptable 21 years ago are no longer viewed as such today. For example, the early wilderness programs focused on the character building aspects of adversity more than therapy. Today wilderness programs have become much more sophisticated and have their primary focus on therapy. By the same token, 20 years ago, residential programs tended to be much more control oriented and less therapeutic. Now the standards have risen and most therapeutic schools have grown with those standards and have a sophisticated blend of clinical, social, experiential and educational expertise.

As the Industry has grown, Mission Mountain School has also continually sought to grow and improve as an organization. We embraced the importance of professionalism, and best practices as a core founding value. For example when Mission Mountain School started in 1990, we were unusual because we had a licensed professional counselor, a licensed nurse and an individual with training as an addiction counselor. That level of clinical expertise was exceptional for a student population of 24- 28 in a therapeutic boarding school in early 1990's. In fact it exceeded several programs that had as many as 150 students.

In contrast, today in 2007, our Clinical Director holds a Ph.D. as a Licensed Clinical Psychologist and oversees a clinical team that includes a Licensed Professional Counselor, a MSW, a M.Ed in counseling, a Registered Psychiatric Nurse, and a consulting Psychiatrist. This team serves 24 – 28 students.

Mission Mountain School has consistently sought ways to incorporate improvement processes and oversight into our operations as a school. This is evinced by our successful efforts in the early 1990's when we approached the Department of Family Services and convinced them to

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Crisis Provides Opportunity for Change

Mission Mountain School is a fully accredited member of the Pacific Northwest Association of Independent Schools and a member of the National Association of Therapeutic Schools and Programs.

NATSAP

open up the licensure process so we could apply to become a Montana Licensed Child Care Agency. This was a leap on both our parts as the Child Care Agency licensure was designed for a foster care facility rather than a therapeutic school. This experience was helpful to us and we learned a lot although it was also difficult, as the license category was not designed to support a therapeutic boarding school. However we preserved and were able make it work. We did take some state placed children in those early years but then gradually began to decline accepting placement, as their issues were too extreme for our program.

We wished to continue our licensure even without state placed children. But the Department was coming to the conclusion that the Child Care Agency Licensure did not fit and if we did not have state placed children, then from their perspective it was not worth the effort to administer. We attempted to convince the Department to establish a new licensure track that would fit and would require less administrative time, but they demurred. The Department cited concerns about their administrative costs, the absence of state placed residents, and the absence of a real need and/or mandate to license therapeutic schools. So eventually, our relationship with the department ended. We were forced to begin to seek other ways to maintain quality assurance and over sight.

We became active in a number of professional associations. We underwent a rigorous self-study and site accreditation process with the PNAIS. After we received our full accreditation, I was elected to and served on the Board of Directors of PNAIS. I was elected to the Board of Directors of NATSAP in 1999 and helped develop and write the NATSAP Code of Ethics and Standards of Best Practice. I have written articles and made numerous presentations over the years on the importance of risk management and safe practices in therapeutic schools. I have continually sought to improve the quality of care in our industry and I as well as many of my Montana colleagues have been frustrated by the lack of licensure in Montana.

As we worked with other programs in NATSAP to create best practices and ethics, we also began to advocate for some kind of oversight process in Montana. I chaired a NATSAP committee that developed a model accreditation process providing for annual site visits and peer evaluation using NATSAP best practices. But the basic fact remained that Montana does not have a process for private therapeutic residential programs to become licensed. We united with other NATSAP programs and Montana programs in 2005 to support a bill to develop the Montana Board of Private Alternative Adolescent Residential or Outdoor Programs (PAARP). Now I am back with my colleagues seeking to have the legislature require and grant the Board of PAARP authority to establish, implement and oversee licensure for programs in Montana.

I seek a licensure process for the following reasons:

1) I believe that a reasonable licensure process providing quality assurance and oversight of programs is in the best interest of the children and families that use those programs. I also believe that licensure is in the best interest of all programs in Montana. I believe that it is imperative to help our industry survive in Montana.

2) Programs operating in Montana provide important services to students and families. The programs represent significant sources of revenue, jobs and taxes in a clean non-extractive industry that contributes to the local economy and quality of life in local communities.

3) There is increasing national focus on the importance of licensure that is reflected in both the public media and in recent bills submitted to congress. The primary thrust of this focus is that unlicensed programs are seen as substandard, lower quality and unsafe for children. In addition programs that are unlicensed are characterized as wanting to avoid oversight and licensure. This has a negative chilling effect on all programs in Montana regardless of their quality.

4) Because of the increased focus on licensure, programs operating in Montana are at a competitive disadvantage with other programs in other states such as Utah that have a well developed licensure process.

5) This is a non-partisan issue, there is general agreement on the need for licensure, time is of the essence and it is important to develop licensure in Montana now. We supported the development of the state board of PAARP two years ago with the understanding that licensure would be forth coming. We appreciate and applaud the work of the Board and their thoroughness in examining this issue. However, the time for talk and study is over. Now we need to take action and implement a licensure process.

6) The licensure process and requirements need to be sensitive to the needs of the children served as well as sensitive to the needs of the programs that serve these children. It needs to be fair and well thought out. The licensure process is best addressed by the existing State Board of PAARP under the Department of Labor as established by the last Legislature.

7) We feel that it is very important to provide oversight with a board that is truly independent of being controlled by programs. At the same time we believe that the state board should be sensitive and responsive to the needs and concerns of programs in Montana. For these reasons we feel that the board should be expanded to include seven individuals rather than five. However we oppose any more than seven as we feel that a greater number will be too cumbersome, potentially ineffective and too expensive.

8) Three of the board members should continue to be chosen from the pool of executive leaders of programs in Montana, with the remaining four chosen at large by the Governor, with no more than one of them being a government official.

In closing, our industry needs a licensing board to establish standards of care and practice to ensure the safety and well being of the adolescents and parents using such programs. The board should be charged with developing a licensure process and standards in a way that provides public safe guards, and also protects the resourceful development of alternative care that has been a hallmark of these programs in Montana.

THEREFORE:

It is the desire of Mission Mountain School, a program that has operated in Montana for 18 years to see the Legislature to pass a bill this year charging the State Board of PAARP with the responsibility of setting and monitoring licensing standards for private alternative adolescent residential care programs. The Board of PAARP should remain under the administrative authority of the Department of Labor and Industry and have a similar role and relationship as other existing professional licensing boards such as the Board of Psychologists, The Board of Social Workers, or the Board of Physicians. This board should develop and implement a licensure process in the next two years.

Thank you for your consideration.

John Mercer, M.S.

Head and Co-Founder

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