

TO: LJIC MMHCN/Jail Standards Subcommittee members

FROM: David Niss

DATE: June 27, 2008

RE: Subcommittee Bill Draft Ideas

Please give some thought to the content of the bill draft we discussed in LJIC so that I can later collect your thoughts and begin work on the bill draft in a week or two. My contact information is provided at the bottom of this memo

1. Montana Mental Health Crisis Network

- a. How much detail in bill (see Kentucky HB 157 attached to Memorandum No. 4)?
- b. Pilot or statewide (Need information from Terry Jesse on location of VisionNet or other equipment locations)?
- c. What agency/board will supervise/assist creation of network (DPHHS, MBCC, etc.) ?
- d. If special screening forms are to be used do you think we need to address their design or just require administering agency to "do it".
- e. Where will remote consulting mental health (MH) professionals be located (need to specify in draft)?
- f. Will the program include follow up care? If so, who will provide it and how will it be provided (corporal or electronic)??
- g. Will the bill include jail protocols?
- h. Will the Community Mental Health Centers have any roll? If so, what?
- i. If additional funding is necessary for any purposes, should an appropriation go into this bill (making it a cat and dog, subject to House Approps)?
- j. If additional revenue is necessary, how to pay for bill?
- k. Effective date(s)?

2. Jail Standards and training

- a. HB 185, but for MH issues only (HB 185 attached to Memorandum No. 3)?
- b. What agency to adopt standards (MBCC, POST Council, MLEA)?
- c. Should bill adopt standards directly or provide adoption process to be used (e.g., MAPA rulemaking)? Which standards to be adopted and kept current?
- d. Standards to include:
 - (1) Suicide screening form (use same or different from the MMHCN)?
 - (2) Suicide protocol
 - (3) Jail management protocols
 - (4) Jail MH standards for dealing with MH issues
- e. Should the bill specify a train-up period for inspectors and jail personnel, use of consulting services from NIC, etc?

f. Are the protocols those in number 1 above or different (note separate bill issue raised below)?

g. Should the bill contain any other regulation/standards for MH treatment

h. Should bill draft include inspection of jails?

i. If so, by what entity (I'm unsure at this point whether the draft can constitutionally delegate this function to the MSPOA)?

j. If inspections are to be included, should there be a sanction for failing an inspection? If so, what sanction is appropriate (HB185 or other)?

k. How to pay for bill (cat and dog appropriation)?

l. Effective date?

3. Collection of jail MH data

a. Specify what agency to collect jail data dealing with MH issues?

b. Require agency to adopt rules specifying what data to be collected regarding MH issues in jails?

Please also give some thought to whether these ideas should be in one bill or two (the sheriffs are likely to have a considerably different view of 1 than of 2). Also, note the application of 2-3-202, MCA (open meetings) to subcommittee business. We cannot "meet", even by telephone (and possibly by e-mail) without notice to the public, etc.

Please contact me with your thoughts as soon as you're able.

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