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# Youth Justice Oversight Committee

## Behavioral Health Workgroup

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### **Minutes from May 29, 2024 Meeting**

The Youth Justice Oversight Committee (YJOC) Behavioral Health Workgroup met on May 29, 2024, from 10:00 a.m. - 12:00 p.m. at the Indiana Supreme Court Conference Room, Third Floor, Statehouse.

#### **1. Members present**

The following members of the Workgroup were present in person:

- Blackmon, Sirrilla – Division of Mental Health & Addiction (FSSA) (Co-Chair)
- Dolehanty, Hon. Darrin – Senior Judge (Co-Chair)
- Baumer, Keena – Indiana Medicaid (FSSA)
- Becker, Amber – Division of Mental Health & Addiction (FSSA)
- Fisher, Rachael – Riley Children's Hospital
- Frantz, Zoe – Indiana Council of Community Mental Health Centers
- Frazer, Rebekah – Indiana Department of Education
- George, Kory – Wayne County Probation
- Gouty, Anah – Juvenile Referee, Lawrence County
- Harlan-York, Jessica – Division of Disability & Rehabilitative Services (FSSA)
- Maqsood, Sadia – Indiana Office of Court Services
- Wieneke, Joel – Indiana Public Defender Council

#### **2. Members who attended the meeting virtually**

- N/A

#### **3. Members absent**

- Dwenger, Dr. Deanna – Indiana Department of Correction
- James, Waylon – Indiana Department of Child Services

#### **4. Staff present**

- Parker, Nick – Indiana Office of Court Services
- Pickett, Mindy – Indiana Office of Court Services

## **5. Guests present**

- Dunn, Leslie – Indiana Office of Court Services
- Fairchild, Mark – Commission on Improving the Status of Children
- Kenworthy, Hon. Dana – Indiana Court of Appeals

## **6. Welcome and Introductions**

Judge Dolehanty and Sirrilla Blackmon welcomed the members, including Ref. Gouty.

## **7. Approval of Minutes**

Rebecca Frazer made a motion to approve the minutes as written; Keena Baumer seconded the motion. The workgroup voted unanimously to approve the April 30, 2024 minutes.

## **8. Medicaid Update**

Keena Baumer provided additional information to her update from the April meeting regarding changes to the 2023 Federal Consolidated Appropriations Act. Beginning January 1, 2025 Medicaid and CHIP are required to provide physical and behavioral health screenings to eligible juveniles who are within 30 days of release from an institutional setting. For 30 days pre and post release, targeted case management services must also be provided. The optional provision of the Act did not pass through the Indiana legislature, which was that Medicaid and CHIP may receive federal match funds for services rendered to eligible children who are inmates of a public institution pending disposition of charges. This would have included funds for screening, diagnostic, referral and case management services pre-disposition. Workgroup members asked questions about logistics on how this new process would tie into pre-existing services – the focus is on provision of mental health services and providing help upon release. Members discussed what should be in the diagnostic assessments and what was wanted from the updates to process. Members pointed out differences in needs that could require different tests and assessments in the field (for example, different tests for human trafficking, and ways to determine what tests are given

to who and when). Baumer will keep the group apprised of additional information upon receipt, including information from the National Association of Medicaid State Directors and the legislative team she works with.

## **9. Review of Sample Diagnostic Assessments**

Members shared various intake processes and diagnostic assessment samples with the workgroup, including ways that the reports can vary. The group expressed interest in ensuring that providers are trained to assess different populations and look for different things, depending on the needs of the child. The group went into detail on the components of training and the limited pool of providers to engage in these specialized assessments.

It was expressed that the current assessments the group was analyzing would be difficult for a judicial officer to handle, given the size and relative difficulty in digesting the concepts presented. Judicial officers might appreciate a way to get right to recommendations, cutting through some of the text. It was acknowledged that this type of “executive summary” could be beneficial for other stakeholders as well, including law clerks, defense counsel, prosecutors, and probation officers. It was suggested that good abstracts and summaries could help get to the point quickly, especially for stakeholders with lots of clients and other cases to manage.

There was a discussion on how stakeholders currently communicate before court proceedings. It was shared that often this information is condensed down to the 4-5 sentences in a 20+ page report that would be most important to present in front of a judge.

It was pointed out that the need for certain requirements to obtain reimbursement likely underpinned why the reports were so exhaustive. It was also acknowledged that some of the length of the report was taken up by graphs and charts – there were areas that were actually pretty digestible and easy-to-read. Ideas were discussed on how to pull out relevant information in light of this reality. By showing what is required by law/reimbursement standards, and then summarizing that information for other purposes, it could make the process smoother and easier. It was pointed out that this process could benefit other audiences too, and that the judicial system is not the only audience for these reports. There is also not an identified strict timeline for submitting a report before a dispositional hearing, as the legislature has not set that kind of deadline

for the parties. However, it was acknowledged that longer waits often meant that children were detained while waiting on next steps, which could be traumatic for the child.

The group thought that an executive summary could be possible in the form of a one-pager or small document. There was acknowledgement that local control by counties could be possible by developing the general framework and enabling them to utilize those principles. It was suggested that a draft could be created by the group and vetted by other stakeholders. The idea would be that parties, such as probation officers, could use the executive summary to more quickly make a point in front of the judicial officer and to get the salient parties to review the case. It was also pointed out that different parties could frame the issues differently in their own copies of a summary.

There was a discussion about procedural gaps and thinking through the various outcomes for recommendations on placement for children. Standardization was recognized as a way to make a tough situation easier to manage. It was also recognized that evaluators should be consulted to ensure that they are not submitting shorter reports and then being subpoenaed to testify about things that did not make that report, causing logistical and workplace burdens as those parties are required to appear in court. There was also a discussion about user-friendliness of tech portals and other areas for obtaining documentation, particularly for parents.

## **10. Behavioral Health Commission Update**

The commission was extended by legislation last session, focusing on getting children behavioral health services. Zoe Frantz agreed to pass along recommendations from the group, as she is working on the policy section of the commission. The group gave Frantz a list (emailed or otherwise) of broad-scope systematic or policy issues they wanted to address. A report is to be done by October, and the commission hopes to have the policy aspects hammered out for the upcoming legislative session.

## **11. Continuation of Diagnostic Assessments Benchcard Discussion**

At the last meeting, the group discussed a benchcard for judicial officers and stakeholders to utilize that would help streamline and innovate this process. Two group members, Ref. Gouty and Amber Becker, shared their work outside of the

group in helping to come up with categories and considerations for this project, including what information is available and what evaluation might be needed. As next steps, group members are going to work on a "checklist" for probation officers to utilize when trying to determine whether to request a diagnostic assessment (member Kory George to assist). Amber Becker and Ref. Gouty will continue brainstorming and drafting a benchcard or document with guidance for trial court judges.

## **12. Future Meetings**

July 16 – 10:00 a.m. – 12:00 p.m. at the Indiana Government Center South (IGCS) Conference Room 18

August 21 – 10:00 a.m. – 12:00 p.m. at the IGCS, 4<sup>th</sup> Floor, Conference Room W451A

September 24- 10:00 a.m. – 12:00 p.m. at the IGCS Conference Room 15