



Wisconsin Act 203

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Milwaukee County Mental Health Board

- o Created as a state entity, until January 1, 2015, when it transitions to a county entity
- o Shall assume responsibilities for mental health functions, programs and services, includes alcohol and other drug abuse services
- o Consists of 11 voting members and 2 non-voting members

Board Members

- o Shall be among the “most-qualified” and experienced in their field
- o Collectively, shall possess cultural competency and shall reflect the population that is serviced by the system
- o No member of the board may be a county employee, lobbyist, solicit or receive contributions for political or partisan purposes, engage in political activity, or seek to hold or hold elective office
- o May serve only 2 consecutive terms (can serve 3 terms if one of the terms was less than 2 years)
- o Can be removed by nominating body for neglect of duty (etc.) and for failure to attend 4 meetings in a year or failure to attend 2 without advance notice

Appointment Process

- o Governor shall provisionally appoint within 60 days
- o The suggesting party shall provide 4 names for the Governor to select from
- o Staggered terms
- o Reappointments are made by County Executive January 1, 2015. Current board members may be reappointed.

Appointments by County Board

- 1) **Psychiatrist or psychologist** who specializes in behavioral health services for **children**
- 2) **Psychiatrist or psychologist** who specializes in behavioral health services for **adults**
- 3) Representative of the community who is a **consumer** of mental health services
- 4) **Psychiatric mental health advanced practice nurse** specializing in full continuum of behavioral health and medical services
- 5) **Health care provider** specializing in community-based, recovery-oriented services

Appointments by the County Executive

- 1) Individual specializing in finance and administration with experience in healthcare operating systems
- 2) Health care provider specializing in substance abuse services
- 3) Individual with legal expertise specializing in emergency detention regulator requirements and policies
- 4) Consumer or family member representing community -based mental health service providers

Other positions

- o Chairperson or designee (if chairperson is an elected official) of the **County Community Programs Board**, 51.42(4), voting
- o Chairperson of the **Milwaukee Mental Health Task Force**, or designee, voting
- o 2 non-voting positions—one health care provider suggested by Medical College and one health care provider suggested by UW-Madison

General Operation of MCMHB

- o Shall meet at least 6 times each year, and may meet other times at the call of the chair or a majority of the members
- o Shall elect a chairperson, vice chairperson, and secretary at the first meeting in each year
- o A majority of the membership of the board constitutes a quorum to do business, unless the board adopts a more restrictive policy
- o Board members can be reimbursed for expenses for services
- o Shall hold a public hearing in Milwaukee County as one of its required meetings

MCMHB Duties

- o Oversee the mental health programs and services
- o Primary responsibility for the well-being treatment and care of those in need of mental health services (county liability)
- o Allocate moneys
- o Make final determination on mental health policy (replace County Board)
- o Facilitate delivery of services in an efficient and effective manner with a commitment to the following:
 - Community-based, person-centered, recovery-oriented system
 - Maximizing comprehensive community-based services
 - Prioritizing access to community-based services and reducing reliance on institution and inpatient care

Duties Continued...

- Protecting the personal liberty of individuals in the least restrictive environment
- Providing early intervention to minimize the mental health episodes
- Diverting people from the corrections system
- Maximizing use of mobile crisis units and crisis intervention training
- Attempt to achieve cost savings
- Cooperate and consult with department (state) on recommendations for and establishing policy for inpatient mental health treatment facilities

Powers

- o Establish a citizen advisory board that shall advise in formulation of the budget
- o Choose by ballot the Trustees, that will manage every county home, infirmary, hospital or similar institution
- o Shall budget annually for operation and maintenance of each institution -- including ensuring the maintenance, as a segregated cash reserve
- o May exercise approval or disapproval power over contracts and purchases. Any contract with a value of at least \$100,000 may take effect if the board votes to approve or does not reject the contract within 28 days of the County Executive's signature

Powers continued...

- o May set policies of powers and duties of DHHS director (or not) or behavioral health administrator
- o May use the services of other county departments (e.g. IMSD)
- o May establish coordinated care for children and families initiatives
- o May request information from any county departments that possess mental health information. County departments may not impede the MCMHB from performing its duties or exercising its powers

Continued...

- o May ask the state secretary of health services to resolve any dispute with the County Board regarding jurisdiction of mental health services, prior to January 1, 2015
- o Vote to confirm behavior health administrator, and can remove by a vote of 8 members
- o Vote to confirm transition liaison
- o May establish salaries and personnel policies of the programs of the county department of community programs subject to the approval of the County Executive, unless they elect not to

Continued...

- o Vote to confirm the County Community Programs Board (CCPB)
- o Responsible for the County Community Programs
- o Direct the DHHS director as Community Programs director

Budget

- o MCMHB shall propose budget to County Executive, and shall include the total amount of the mental health budget, the community aids amount, and the tax levy amount.
- o MCMHB may not propose a tax levy amount that is less than \$53 million or more than \$65 million
- o County Executive can propose a different tax levy amount, but must be in the predetermined range
- o County Board shall allocate tax levy proposed by County Executive, community aids allocation based on previous year, and all other funds proposed by MCMHB
- o Cannot exceed range, unless a majority of County Board, MCMHB and County Executive agree
- o Any funds not encumbered or expended at the end of the year are transferred to the reserve fund. These funds can be used to cover deficits, otherwise they are not available until the reserve fund exceeds \$10 million

Citizen Advisory Committee/Alternate Process

- Citizen Advisory Committee
 - MCMHB (as applicable) shall establish a citizen advisory committee.
 - The citizen advisory committee shall advise in the formulation of the budget (as applicable)
 - Membership on the committee is determined by MCMHB (citizens, consumers, supervisors, providers)
- Alternate Process
 - MCMHB may submit a report to the department (state) on the open public participation process to establish the report on assessment of need on or before July 1 of each year, may also designate an agent to submit it

County Executive Duties

- o Set salaries of any superintendent of mental health institutions and the salaries of any visiting physician and necessary officers and employees of the mental health institutions
- o Shall nominate a behavioral health director (by June 1, 2015) and determine the salary, benefits, and job duties. MCMHB confirms
- o Shall nominate a transition liaison position (12 months maximum). MCMHB confirms. Can determine salary, benefits, and job duties. Can also hire, remove and grant extensions to the term of the position.
- o Shall appoint a community programs board. MCMHB confirms
- o Shall appoint and supervise the county community programs director, which in Milwaukee County is the director of county human services

County Community Programs Director and Board

- o Community Programs department includes mental health, developmental disabilities, alcoholism and drug abuse
- o County Community Programs board shall be only a policy-making body determining the broad outlines and principles governing the administration of programs under county community programs
- o The chair or designee of the CCPB serves on the MCMHB
- o The DHHS director is the director of community programs

MCMHB Reports

By March 1, 2015 and annually by March 1 thereafter, shall submit a report including:

- 1) Description of the funding allocations for mental health functions, services and programs
- 2) Description of any improvements and efficiencies in those functions, services and programs

*shall be submitted to County Executive, County Board, and the department

MCMHB Study

By March 1, 2016, shall submit a study on:

Alternate funding sources for mental health services and programs including fee-for-service models, managed care models that integrate mental health services into the contracts with an increased offset through basic county allocation reductions, and other funding models.

*shall be submitted to County Executive, County Board, and the department

State Department of Health Services Audit and Report

- o By December 1, 2014, the department shall submit a report of the findings of the audit and include recommendations for inpatient mental health treatment in Milwaukee County. They can enter into a contract for the audit.
- o Audit shall include the following:
 - Operational and programmatic audit of the behavioral health division
 - Operational and programmatic audit of the psychiatric hospital of the Milwaukee County mental health complex
 - Operational and programmatic audit of related behavior health programs

DHS Audit continued

- o Audit shall include:
 - Recommendations for the state assuming oversight responsibility for emergency detention services and the psychiatric hospital of the mental health complex
 - Developing a plan for closing the mental health complex
 - Developing a plan for state oversight of a regional facility for the delivery of institutional, inpatient, crisis services and behavioral health services
 - Details and specification on how, after a transition from county-run to state-run, the state based MCMHB will transition to a community based focus

*shall be submitted to MCMHB, County Board, County Executive and the Legislature

LAB Audit

- o No later than **January 1, 2017**, the Legislative Audit Bureau will submit a financial and performance evaluation audit of MCMHB and of mental health functions, programs, and services in Milwaukee County

Included in the review are:

- the effectiveness of the MCMHB and the new policies implemented under the board
- Expenditures of the MCMHB
- Expenditures for mental health functions, programs, and services and the outcomes of those programs and services in the period after formation of the MCMHB

*shall be submitted to County Executive and County Board



Questions...