

# State Budget & Legislative Update: Preparing for the 89<sup>th</sup> Session

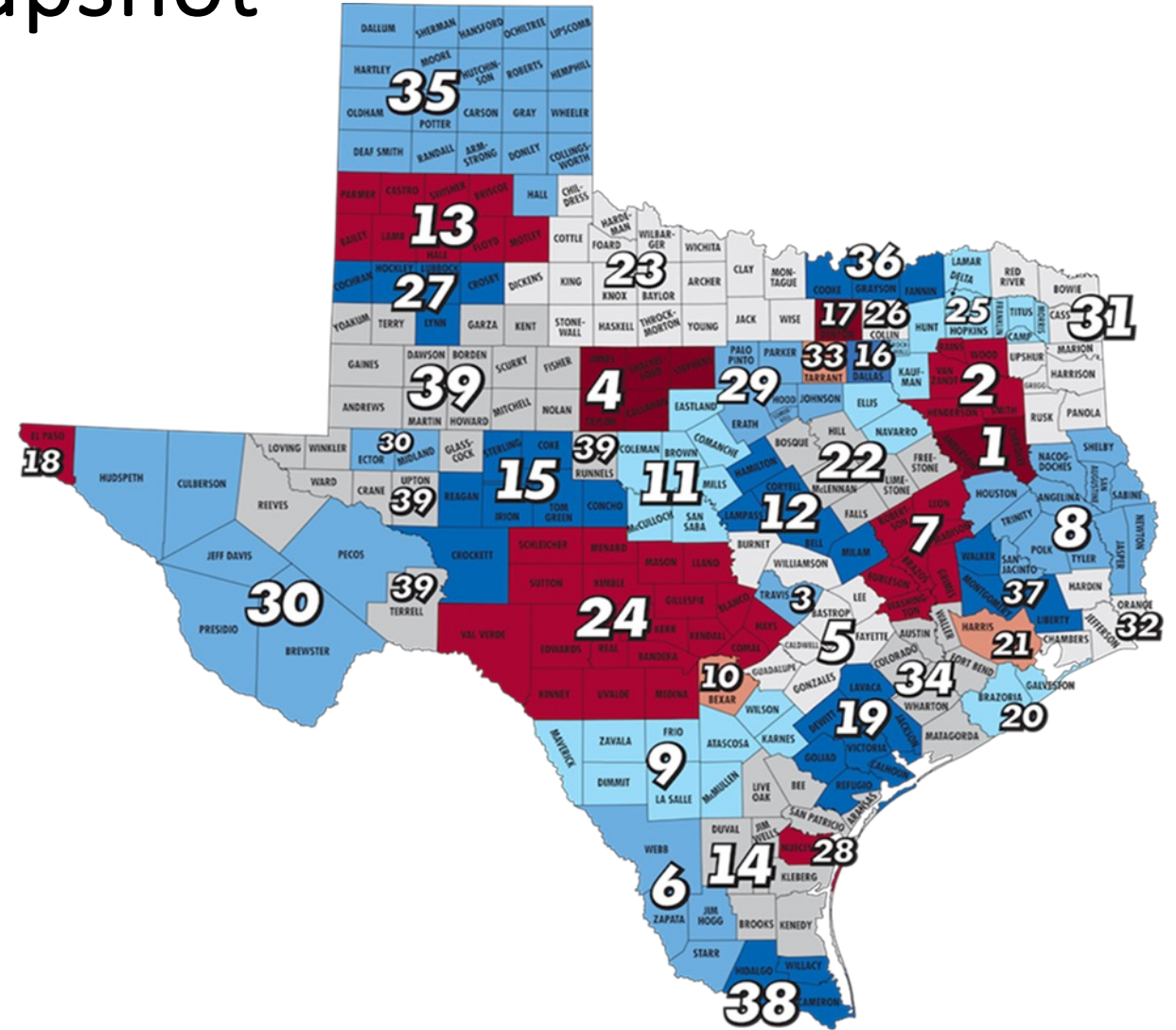
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# Local Authority System Snapshot

- 39 statutorily authorized Community Mental Health (CMHCs) and IDD Centers cover all 254 counties
- Most CMHCs and IDD Centers also serve as the Local MH/BH Authority (LMHA/LBHA) and Local IDD Authority (LIDDA) for the local service area
- 60% of adults with serious mental illness and 20% of children with serious emotional disturbance served in the public mental health system are low-income uninsured; [Medicaid: 40% adults, 80% children]
- 95% of Medicaid services are in managed care, including mental health and substance addiction services
- The Texas Legislature has substantially invested in mental health services, although gaps remain
- The 1115 Transformation Waiver (DSRIP Program) created a vital source of funds for the public mental health system for 10 years – new financing strategies are easing but not eliminating the loss





## **Community Mental Health Act of 1963**

- Federal funding for Community MH Centers
- Community-based service philosophy
- Emphasized natural support systems, new medications, regionalized relationship with state facilities
- Catalyst for state legislation and funding

## **Texas MHMR Act of 1965**

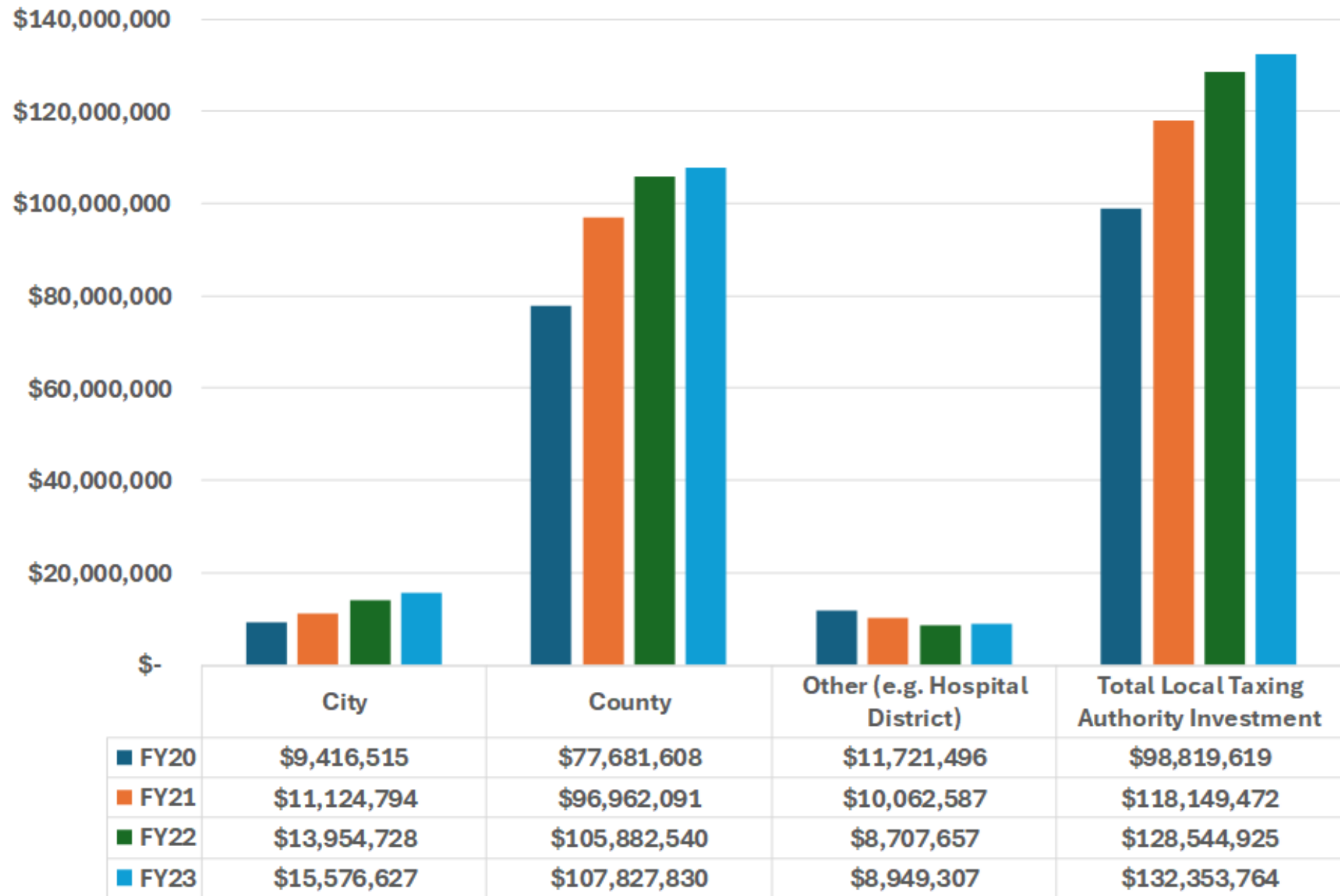
### **Texas Health & Safety Code 534.001**

- Authorized local taxing authorities (counties, cities, hospital districts, school districts) to
  - create local governmental entity
  - appoint local governing board
  - develop community alternatives to treatment in large residential facilities
- Established local, state and federal partnership to create a community-based system for people with mental illness and intellectual disabilities
- Created the Texas Department of MHMR

## LMHA/LBHA and LIDDA Roles & Responsibilities (Beyond Traditional Service Delivery)

- Secure local matching funds
- Leverage resources to enhance services
- Acquire grants and gifts
- Educate the public
- Facilitate local planning, identify service gaps
- Coordinate with local partners & volunteers
- Collaborate with other stakeholders
- Respond to disasters & emerging community needs

## Local Taxing Authority Investment



# Local IDD Authority (LIDDA) Role

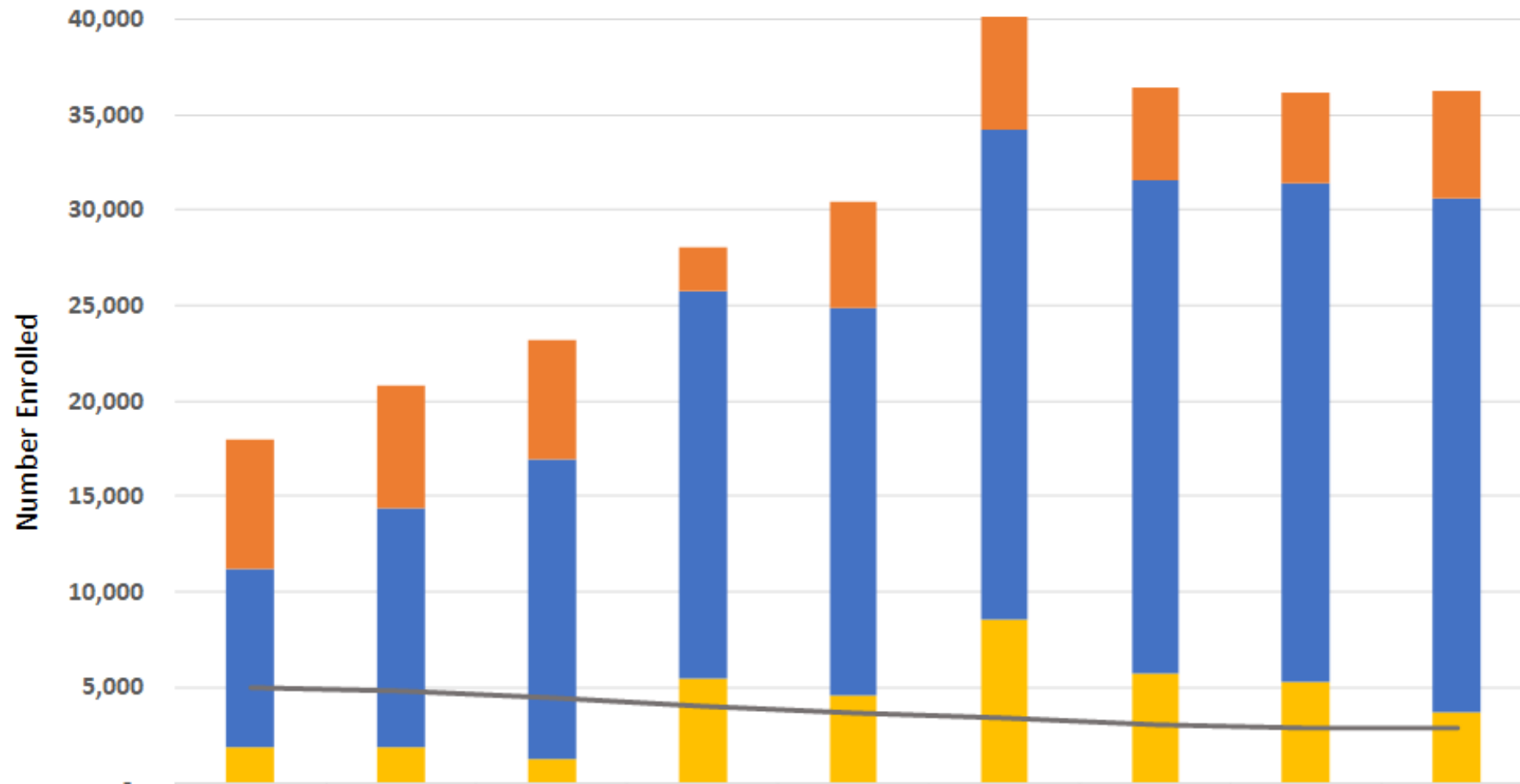
- Single Point of Access (front door) to Intermediate Care Facility (ICF/IID) services and associated community-based waiver programs (Home and Community-based Services and Texas Home Living)
- Service Coordination (Targeted Case Management): for purpose of supporting access to needed medical & social services
- Community Safety Net (GR Funded)

## Targeted Case Management (IDD TCM) Per MEI\* Cost Reports

|        |   | Modeled Rate | FY18                  | FY19                  | FY20                  | FY21                  |
|--------|---|--------------|-----------------------|-----------------------|-----------------------|-----------------------|
|        | Monthly Cost per Cost Reports                     | \$182.80     | \$221.58              | \$239.89              | \$241.58              | \$345.36              |
|        | Monthly Cost in Excess of Modeled Rate            |              | \$38.78               | \$57.09               | \$58.78               | \$162.56              |
| Times  | Individual Medicaid Months of IDD TCM             |              | 414,194               | 423,853               | 431,367               | 402,936               |
| Equals | Estimated Medicaid <b>(Shortfall)</b> for IDD TCM |              | <b>(\$16,062,443)</b> | <b>(\$24,197,768)</b> | <b>(\$25,355,752)</b> | <b>(\$65,501,276)</b> |

\*MEI – Mental Health, Early Childhood Intervention, and Intellectual and Developmental Disability

## IDD Program Enrollment: FY05-FY21



|         | FY05  | FY07   | FY09   | FY11   | FY13   | FY15   | FY17   | FY19   | FY21   |
|---------|-------|--------|--------|--------|--------|--------|--------|--------|--------|
| ICF/IID | 6,759 | 6,483  | 6,260  | 2,281  | 5,596  | 5,932  | 4,868  | 4,775  | 5,614  |
| HCS     | 9,334 | 12,533 | 15,695 | 20,296 | 20,206 | 25,678 | 25,847 | 26,090 | 26,960 |
| TxHmL   | 1,897 | 1,837  | 1,247  | 5,450  | 4,627  | 8,550  | 5,698  | 5,292  | 3,670  |
| SSLC    | 5,026 | 4,819  | 4,423  | 4,027  | 3,673  | 3,364  | 3,044  | 2,907  | 2,869  |

# IDD Program Snapshot

| IDD Programs                              | Persons Enrolled<br>2021 |
|---|--------------------------|
| Community ICF/IID                         | 5,614                    |
| Home and Community Services<br>(HCS)      | 26,960                   |
| Texas Home Living<br>(TxHmLvg)            | 3,670                    |
| State Supported Living Centers<br>(SSLCs) | 2,869                    |
| GR Community Safety Net                   | 4,942                    |
| <b>Total:</b>                             | 44,055                   |

# Residential Options

for Individuals with an Intellectual Disability or Related Condition



## State Supported Living Centers

SSLCs provide 24-hour residential services in a structured environment for people with intellectual disabilities. Residents live in a safe, campus-based setting where they receive individualized onsite behavioral treatment and health care, including primary and specialty medical care, psychiatry, nursing and dental. Additional on-campus services include:

- Clinical therapies provided by full-time professional staff
- 24/7 one-to-one supervision as needed
- 24/7 video surveillance of living, dining and day program areas
- Vocational and employment services, skills training and habilitation services
- Customized adaptive aids, including seating and positioning devices
- Specialized, quality-controlled meals to fit a wide variety of diets
- Religious services for different faiths

SSLCs also provide services such as transportation and staff, so residents may maintain connections with their families and natural support systems. Planned activities, such as shopping, dining out, going to movies and other leisure activities provide recreation in residents' local communities.

There are 13 SSLCs across Texas (Abilene, Austin, Brenham, Corpus Christi, Denton, El Paso, Harlingen, Lubbock, Lufkin, Mexia, Richmond, San Angelo and San Antonio). Each SSLC serves between 60 and 460 residents.

Search for a nearby SSLC at <https://apps.hhs.texas.gov/icfsearch>

~~\$17.50 - \$24/hr.~~  
\$17.71 - \$24.57/hr.



## Community-based Intermediate Care Facility for Individuals with an Intellectual Disability or Related Conditions

Community-based ICFs/IID provide 24-hour residential services for people with intellectual disabilities or related conditions. Residents have access to comprehensive and individualized services and supports in their local communities including:

- Primary and specialty medical care
- Behavioral treatment
- Clinical therapies
- Nursing
- Dental treatment
- Vocational and employment services, skills training and habilitation services
- Adaptive aids
- Specialized diets
- Planned activities such as shopping, dining out, going to movies and other recreational and leisure activities in their local communities

Most community-based ICFs/IID across Texas serve people in homes that accommodate up to six people; however a few are larger.

Search for a nearby community-based ICF/IID at <https://apps.hhs.texas.gov/icfsearch>

~~\$9.65/hr.~~  
\$10.60/hr.



## Home and Community-based Services Program: Group Home or Host Home and Companion Care

The HCS program can provide 24-hour residential assistance for people with intellectual disabilities or related conditions who live in:

- A group home where no more than four people receiving services live.
- A host home and companion care setting.

The HCS program provides services across Texas for people to successfully integrate into their local community and have opportunities to participate as citizens to the maximum extent possible, whether they are receiving 24-hour residential services or services in their own home or family's home.

A person receiving HCS residential assistance has access to:

- Comprehensive and individualized primary and specialty medical care
- Behavioral support
- Day habilitation
- Clinical therapies
- Dental treatment
- Nursing
- Employment assistance and supported employment
- Adaptive aids
- Minor home modifications
- Activities designed to provide recreational integration into their local community, including shopping, dining out, going to movies and other leisure activities

Service coordination is provided by the local intellectual and developmental disability authority.

There is an interest fee for the HCS program.

~~\$9.53/hr.~~  
\$10.60/hr.



For more information about services and supports for individuals with intellectual and developmental disabilities contact your local IDD authority at:

To find the local IDD authority that serves your area go to <https://apps.hhs.texas.gov/contact/search.cfm>

# Significant Responsibilities for \$10.60/hour!

|                                       |   |
|---------------------------------------|---|
| <b>Staffing</b>                       | <b>1 community IDD direct care worker in a group home supports 3 – 6 individuals at the same time</b>   |
| <b>Basic Needs/ Health and Safety</b> | <ul style="list-style-type: none"><li>▪ Preparing special diets, mealtime assistance</li><li>▪ Showering/brushing teeth/dressing</li><li>▪ Toileting/handwashing/changing diapers</li><li>▪ Cleaning, disinfecting common areas</li><li>▪ Conducting fire drills during the day and night</li></ul>   |
| <b>Individualized Support</b>         | <ul style="list-style-type: none"><li>▪ Exercising hypervigilance for medical vulnerabilities and behavior triggers</li><li>▪ Implementing multiple individualized plans of care</li><li>▪ Intervening in medical and behavioral emergencies</li><li>▪ Interacting with individuals who are not verbal</li><li>▪ Transporting to and from appointments, church, jobs, social activities, shopping, etc.</li></ul> |
| <b>Medication Management</b>          | <ul style="list-style-type: none"><li>▪ Preparing, administering, and monitoring medications</li><li>▪ Documenting and maintaining medication records</li></ul>   |



**IDD direct care workers also teach daily living skills to help individuals gain as much independence as possible.**

### Average Days Wait for SSLC Admission

| Time Period          | Total Admissions | Average Days Waiting |
|----------------------|------------------|----------------------|
| FY2022               | 127              | 149.8                |
| FY2023-June 30, 2023 | 106              | 140.6                |

### Pending Admissions to SSLCs as of September 18, 2023

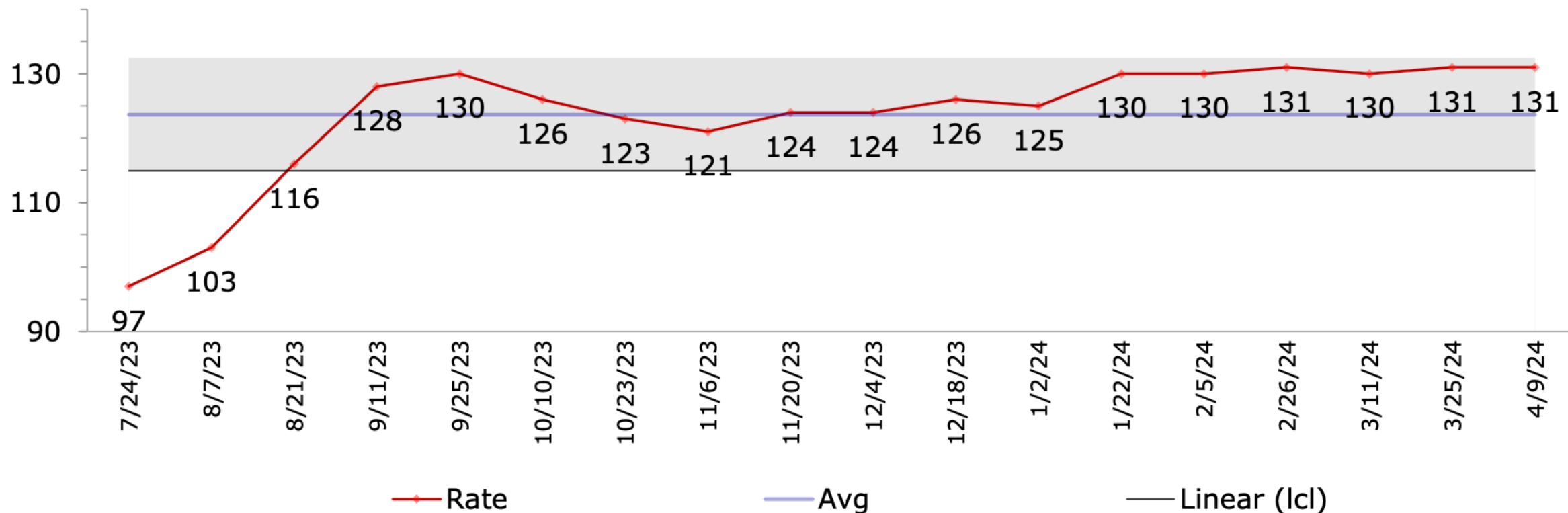
| Setting Where Waiting | Number of Individuals |
|-----------------------|-----------------------|
| Jail                  | 32                    |
| State Hospitals       | 21                    |
| Community             | 47                    |
| <b>Total</b>          | <b>100</b>            |



# Individuals Served with IDD in State Hospitals



TEXAS  
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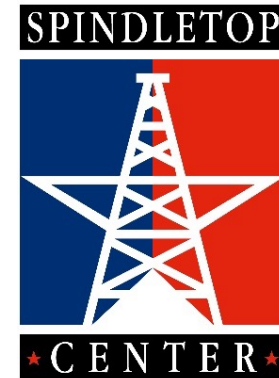
# IDD Matters: Tour de Texas



TEXAS ASSOCIATION of COUNTIES  
**JUDICIAL EDUCATION**  
TEXAS JUDICIAL ACADEMY



**Caring People Dedicated to  
Quality Service**

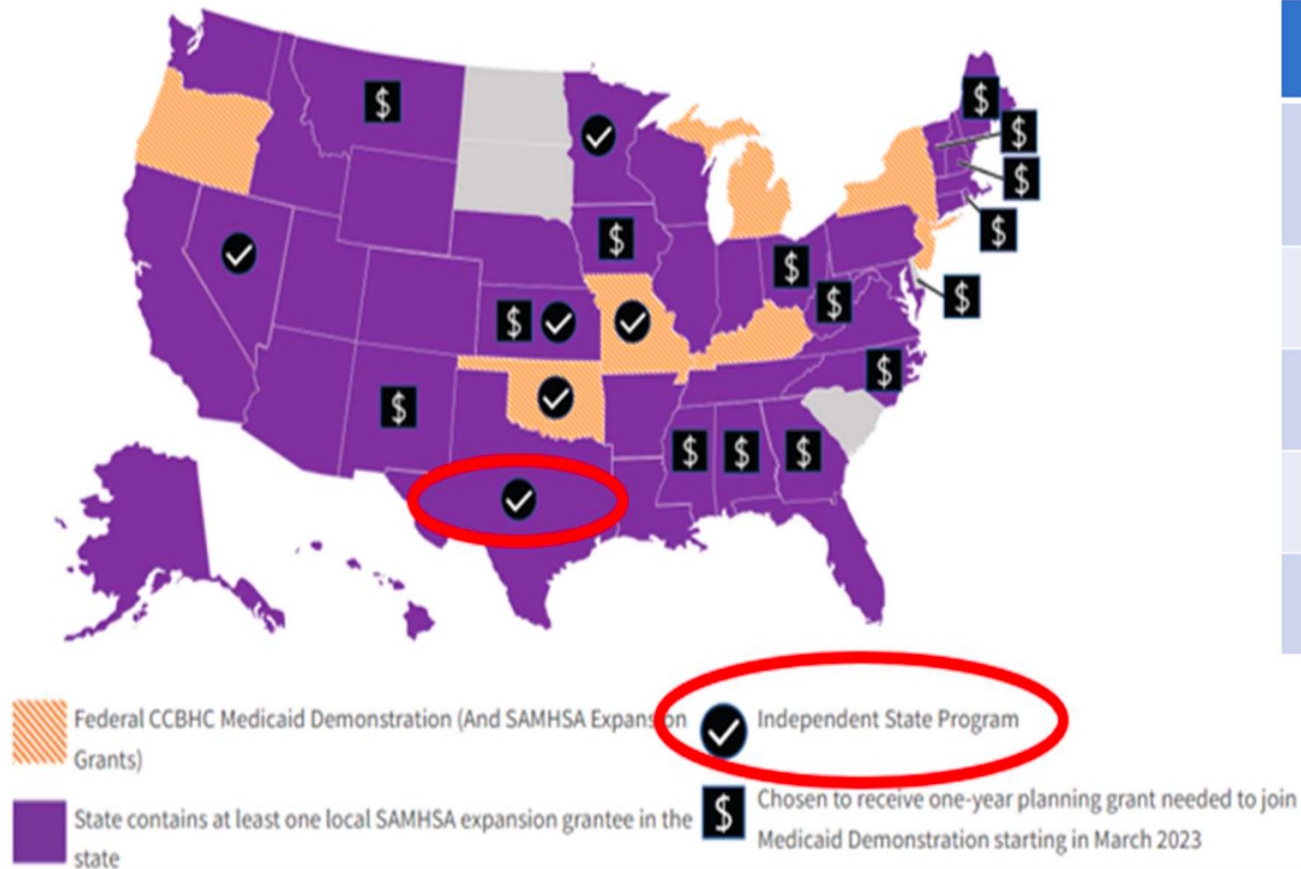


# CCBHC Financing Map from SAMSHA Website

## Map of CCBHCs Across the United States\*

\*Current as of March 6, 2023.

Currently, there are over 500 CCBHCs operating across the country, as either CCBHC-E grantees, as clinics participating in their states' Medicaid demonstration, or as a part of independent state CCBHC programs.



## CCBHC Financing Strategies:

|                         | DPP-BHS                       | PHP-CCP            | Total DPP-BHS & PHP-CCP |
|-------------------------|-------------------------------|--------------------|-------------------------|
| Population              | STAR, STAR+PLUS, and STARKIDS | Indigent Uninsured |                         |
| State Match Supplied By | IGT                           | CPE                |                         |
| Fiscal Year             | State (Sept-Aug)              | Federal (Oct-Sept) |                         |
| Net Revenue FY22/FFY22  | \$91,585,831                  | \$286,170,551      | \$377,756,382           |
| Net Revenue FY23/FFY23  | \$126,033,527                 | \$294,966,264      | \$420,999,791           |

NOTE: the Directed Payment Program – Behavioral Health Services (DPP-BHS) and Public Health Provider Charity Care Pool (PHP-CCP) are financing strategies within the CMS approved 1115 Waiver for Texas



■ = Population

■ = Inpatient psychiatric beds

14,921

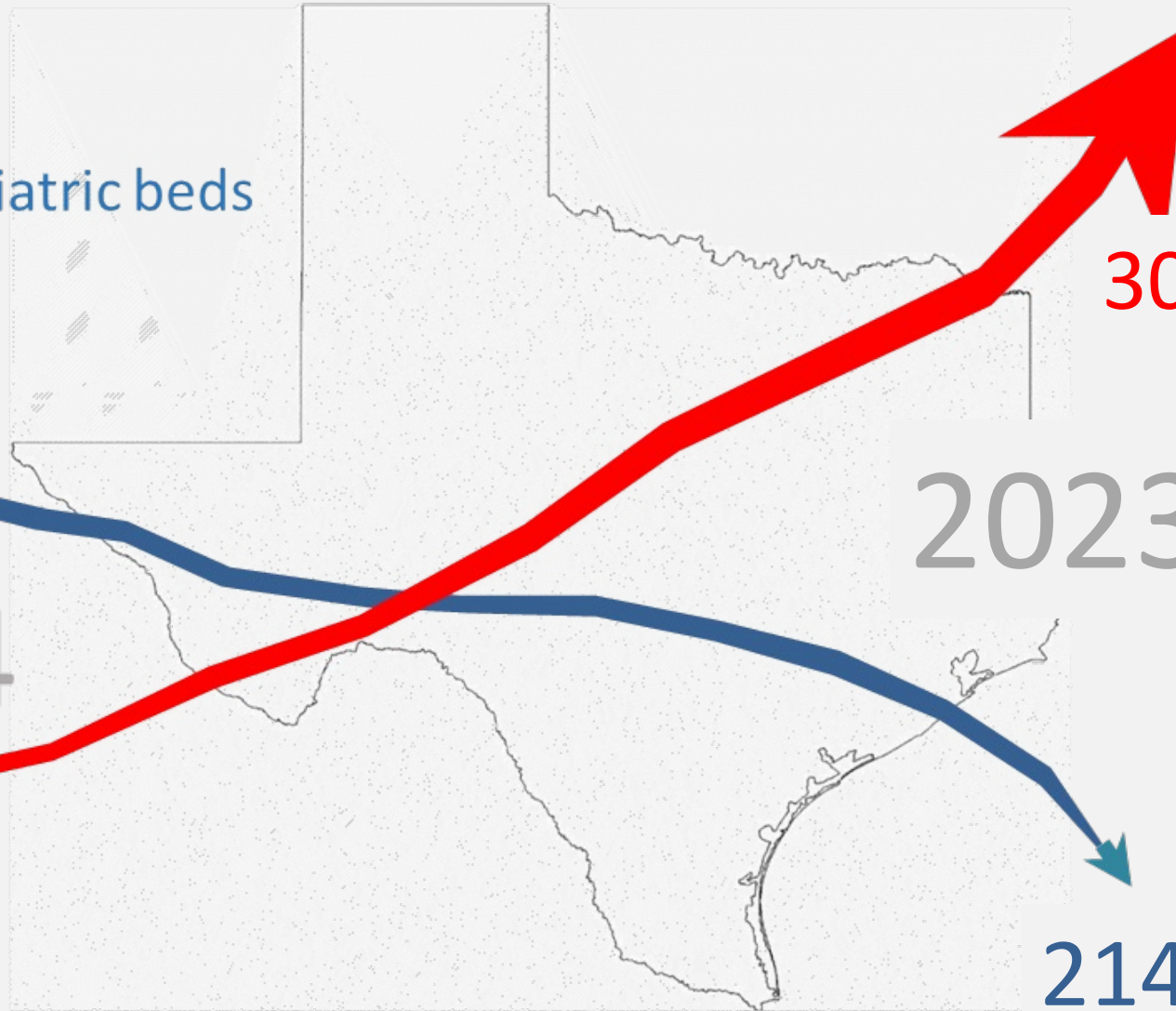
1964

10.3M

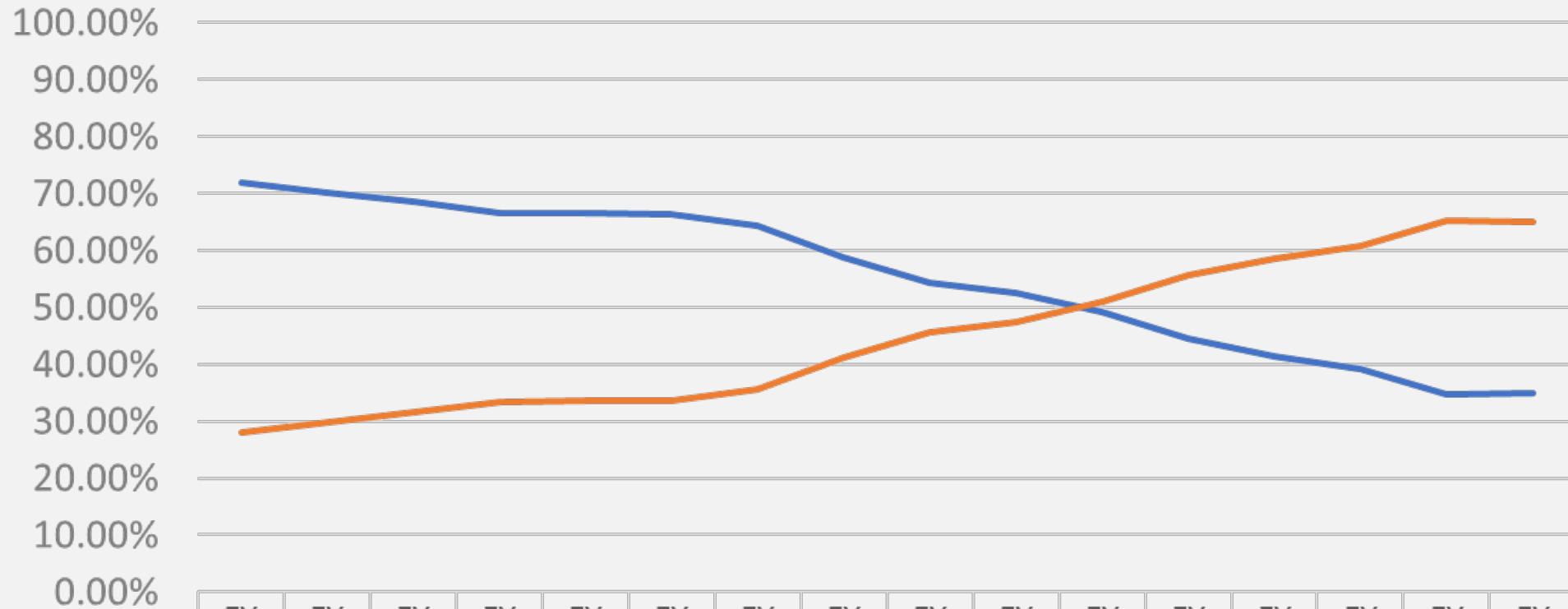
2023

30+ M

2149



# Percent Civil Vs Forensic Average Daily Census (State Hospitals)



|          | FY 2006 | FY 2007 | FY 2008 | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
|----------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Civil    | 72%     | 70%     | 69%     | 67%     | 66%     | 66%     | 64%     | 59%     | 54%     | 53%     | 49%     | 44%     | 41%     | 39%     | 35%     | 35%     |
| Forensic | 28%     | 30%     | 31%     | 33%     | 34%     | 34%     | 36%     | 41%     | 46%     | 47%     | 51%     | 56%     | 59%     | 61%     | 65%     | 65%     |



**TEXAS**  
Health and Human  
Services

# Forensic Waitlist



- 2019: 883
- Dec 20, 2021: 1,995
- Dec 23, 2022: 2,571
- Dec 22, 2023: 1,935
- Apr 16, 2024: 1,886 **(-26.64%)**

## **Count Breakdown (as of 4/16/2024):**

Non-MSU: 1,200

MSU: 686

# Local Authority Services

(Highlighted items are Child & Adolescent services and/or services available to both children and adults)

## Statewide

Certified Community Behavioral Health Clinics (CCBHC)

Texas Resilience and Recovery (TRR) Model

Accredited Crisis Hotlines

Jail Diversion Planning

Mobile Crisis Outreach Teams

Locally Purchased Psychiatric Beds

Crisis Transitional Services

Intensive Ongoing Services

Benefits Assistance

Medication-Related Services

Skills Training (psychosocial rehab)

Case Management

Therapy (CBT, TF-CBT, PCIT and Family)

Supported Employment

Supported Housing

Assertive Community Treatment

Mental Health First Aid (MHFA)

Youth Empowerment Services Waiver (YES Waiver)

Peer Support & Family Partner Services

Substance Use Disorder Services

## Certain Local Service Areas

Diversion Centers

Community Psychiatric Hospital

Crisis Stabilization Units

Extended Observation Units (23–48 hrs)

Crisis Residential Services

Crisis Respite Services

Crisis Step-Down

Jail-based Competency Restoration

Outpatient Competency Restoration

Homelessness Services

Coordinated Specialty Care (CSC)

Multisystemic Therapy (MST)

School-Based Services

Youth Services Navigators

Youth Crisis Outreach Teams (in process)

Community Health Workers

# 88<sup>th</sup> Legislative Session (MH Budget FY2024-25)

Total BH funding is \$9.4B, >15% increase from last session

Workforce

Grant Programs

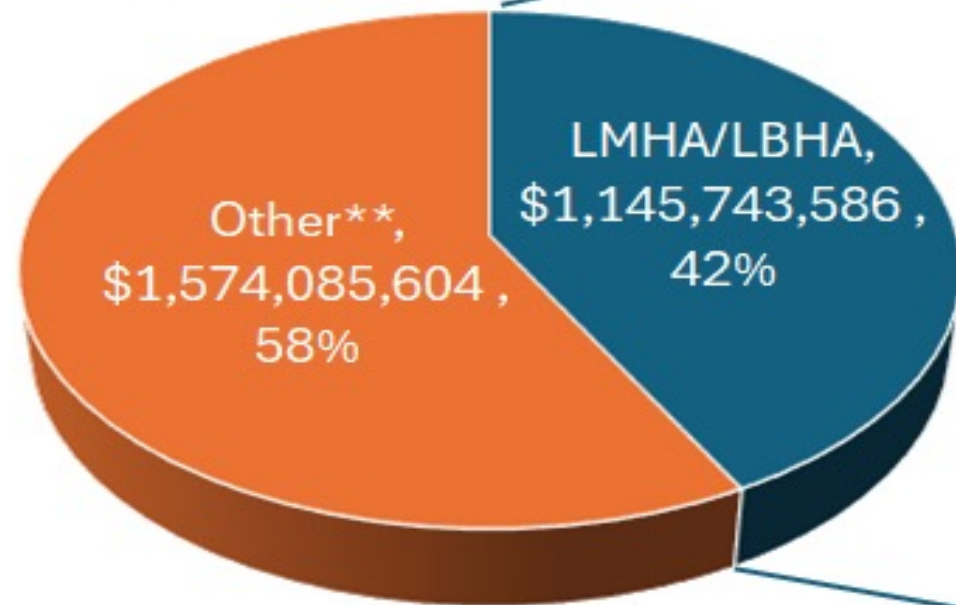
Diversion Centers & Inpatient Care

Youth & Intensive Services

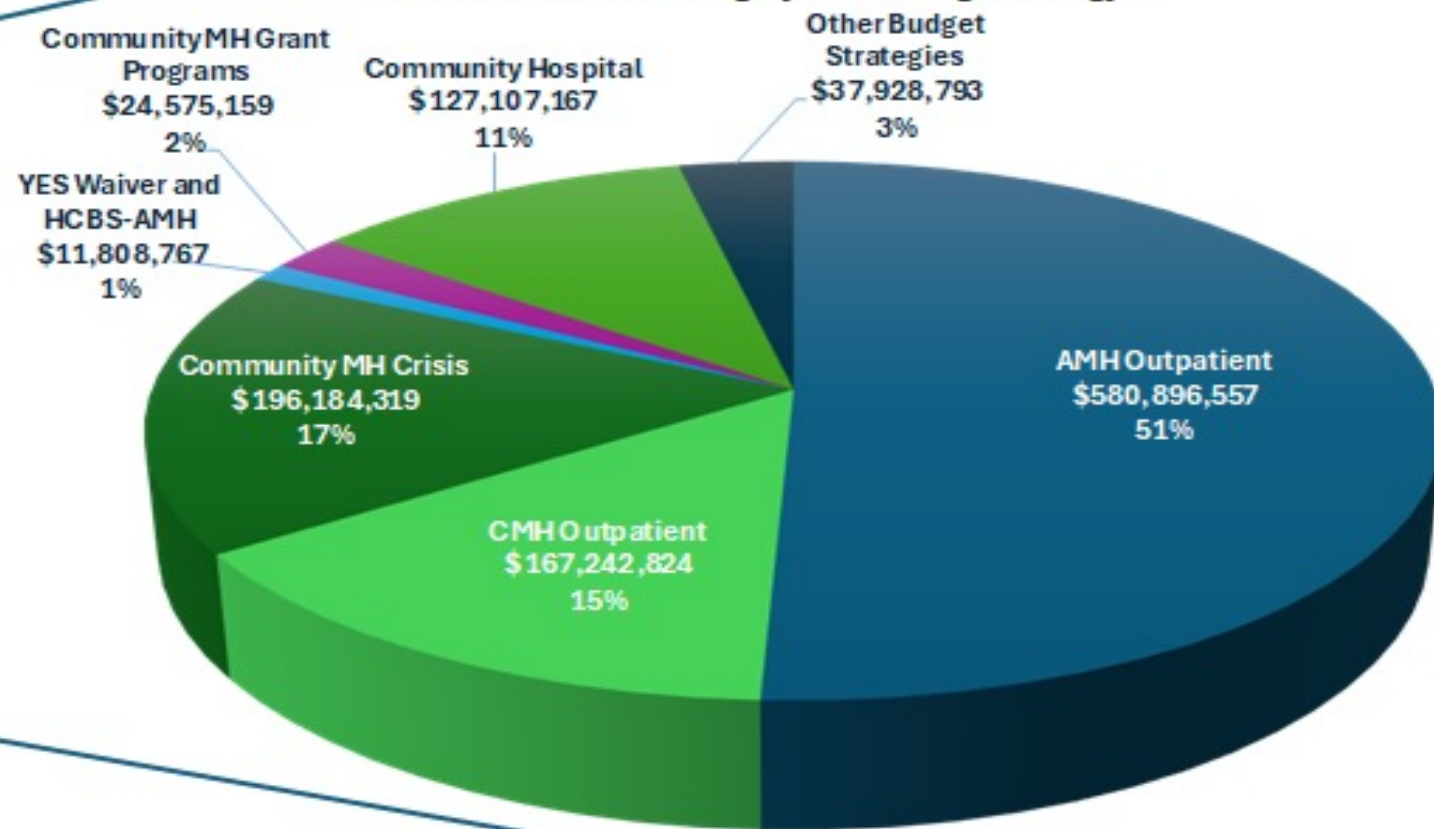
CSSB 30 (Supplemental Appropriations Bill)

## FY23 Statewide Behavioral Health Expenditures

**\$2,719,829,190\***



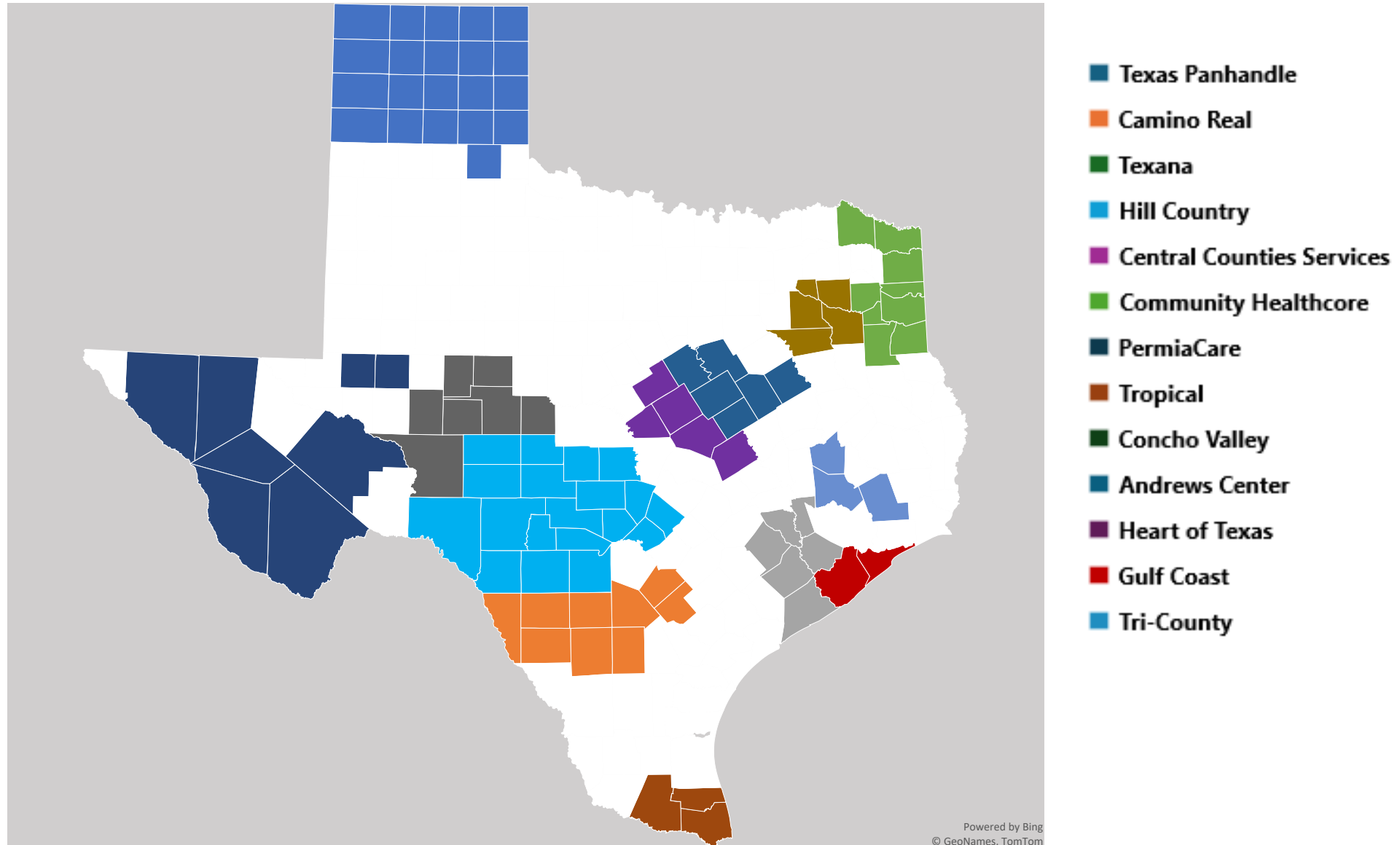
### LMHA/LBHA Funding by Financing Strategy\*



\*Includes \$193,837,066 of Federal funds leveraged by Local Mental/Behavioral Health Authorities (LMHAs/LBHAs) through the Public Health Provider Charity Care Pool (PHP-CCP) and Directed Payment Program Behavioral Health Services (DPP-BHS) by leveraging state General Revenue as non-Federal share for Medicaid match through Certified Public Expenditure and InterGovernmental Transfer.

\*\*Includes behavioral health services provided directly by the state or through non LMHA/LBHA providers, such as \$140,277,957 for programs operated under the Texas Child Mental Health Care Consortium

## Rider 52: Crisis & Diversion Programs



# State Hospitals & SB 30 Projects

- Current state hospitals
- ★ SB 30 new facility projects
- ★ SB 30 expansion and renovation projects

\* Rebuilding existing hospital

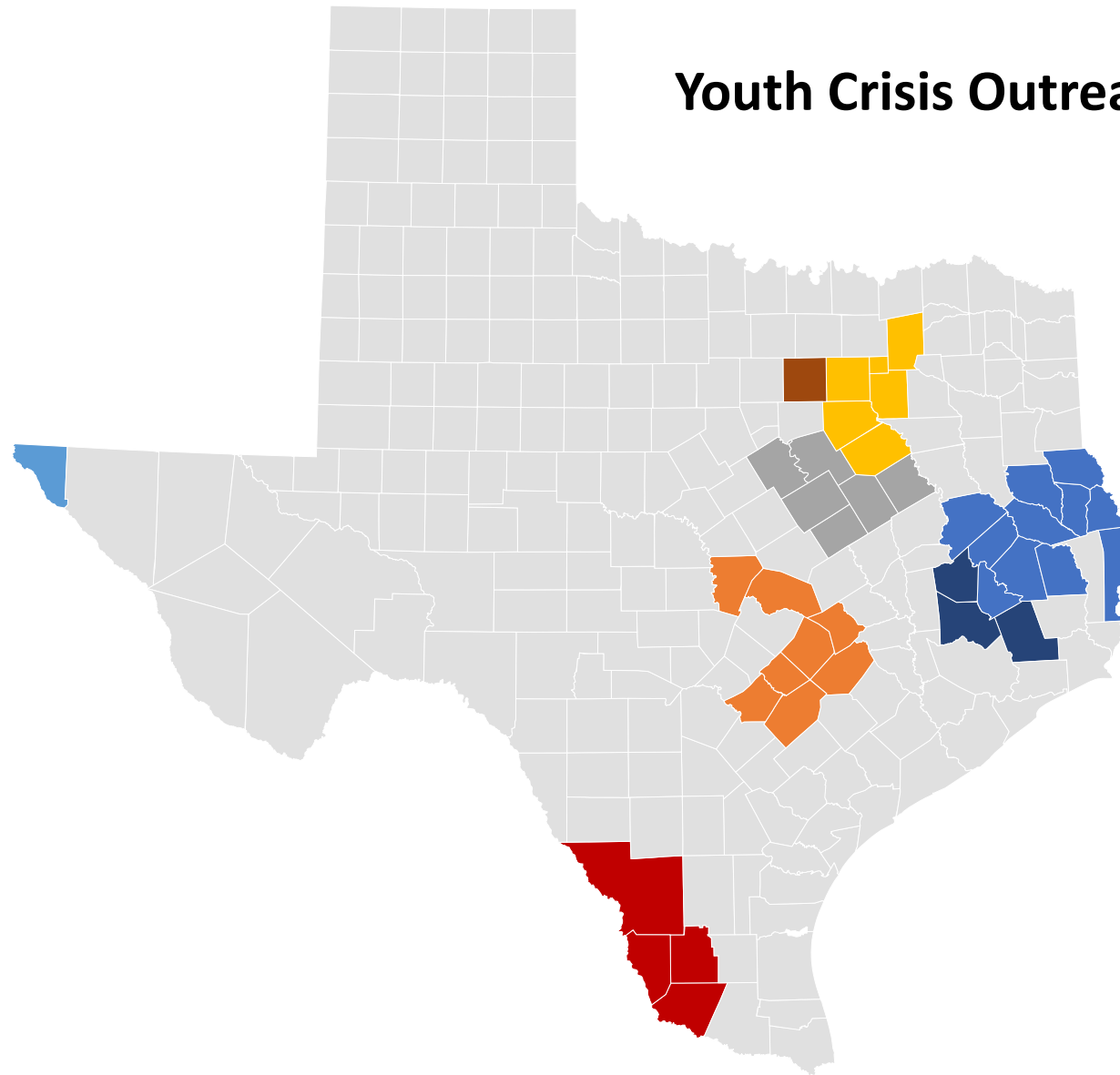
\*\* Expanding capacity









<sup>1</sup> Owned by HHSC and operated by an academic partner

<sup>2</sup> Community mental health hospital



# Youth Crisis Outreach Team (YCOT) Programs



-  Burke
-  Bluebonnet Trails
-  Heart of Texas
-  NTBHA
-  Emergence Health Network
-  Border Region
-  Tri-County
-  MHMR of Tarrant County

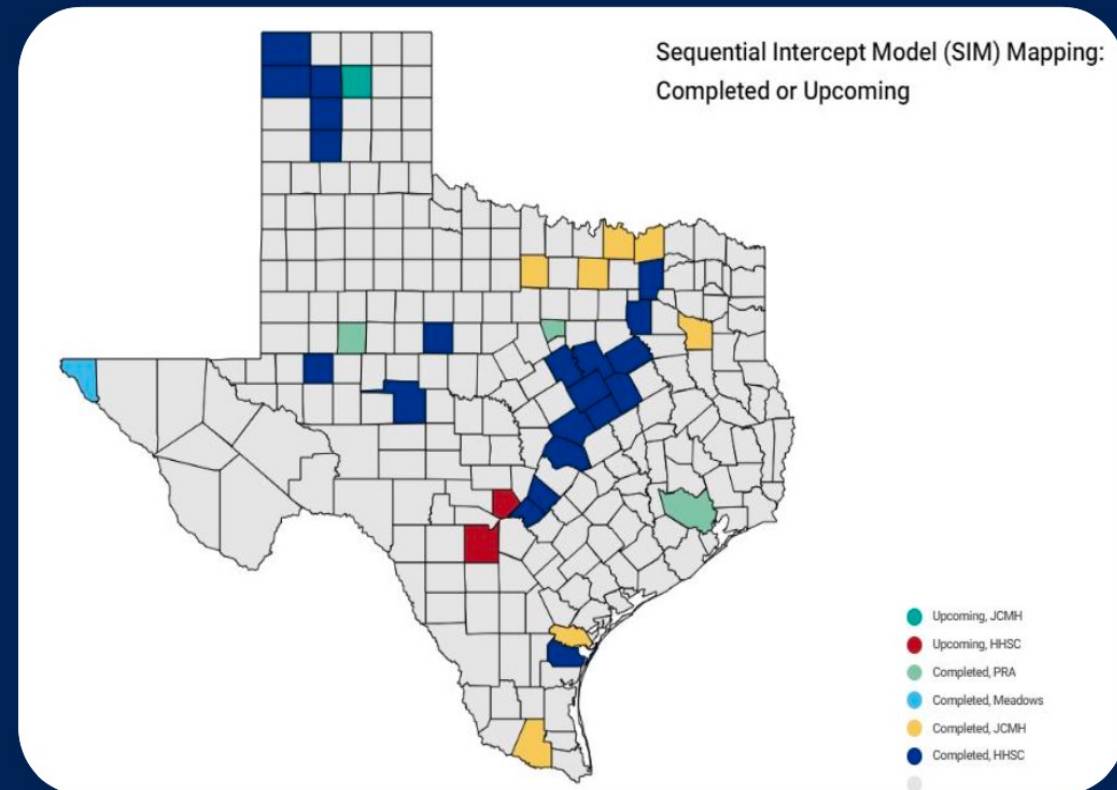
# Sequential Intercept Model (SIM) Mapping Workshops

**19** SIM Mapping  
Workshops Completed

**28** Counties  
engaged

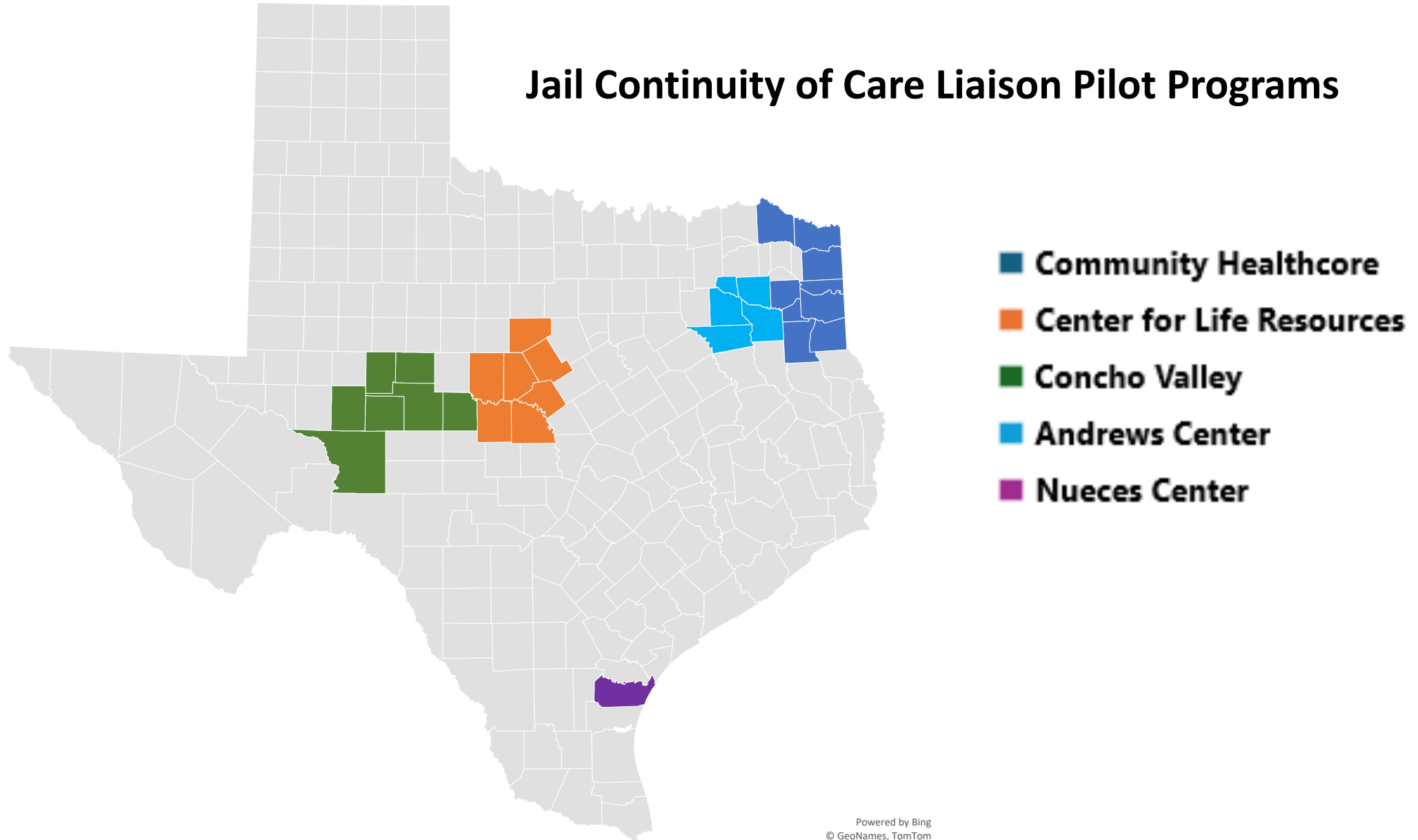
**1,000** Local  
Participants

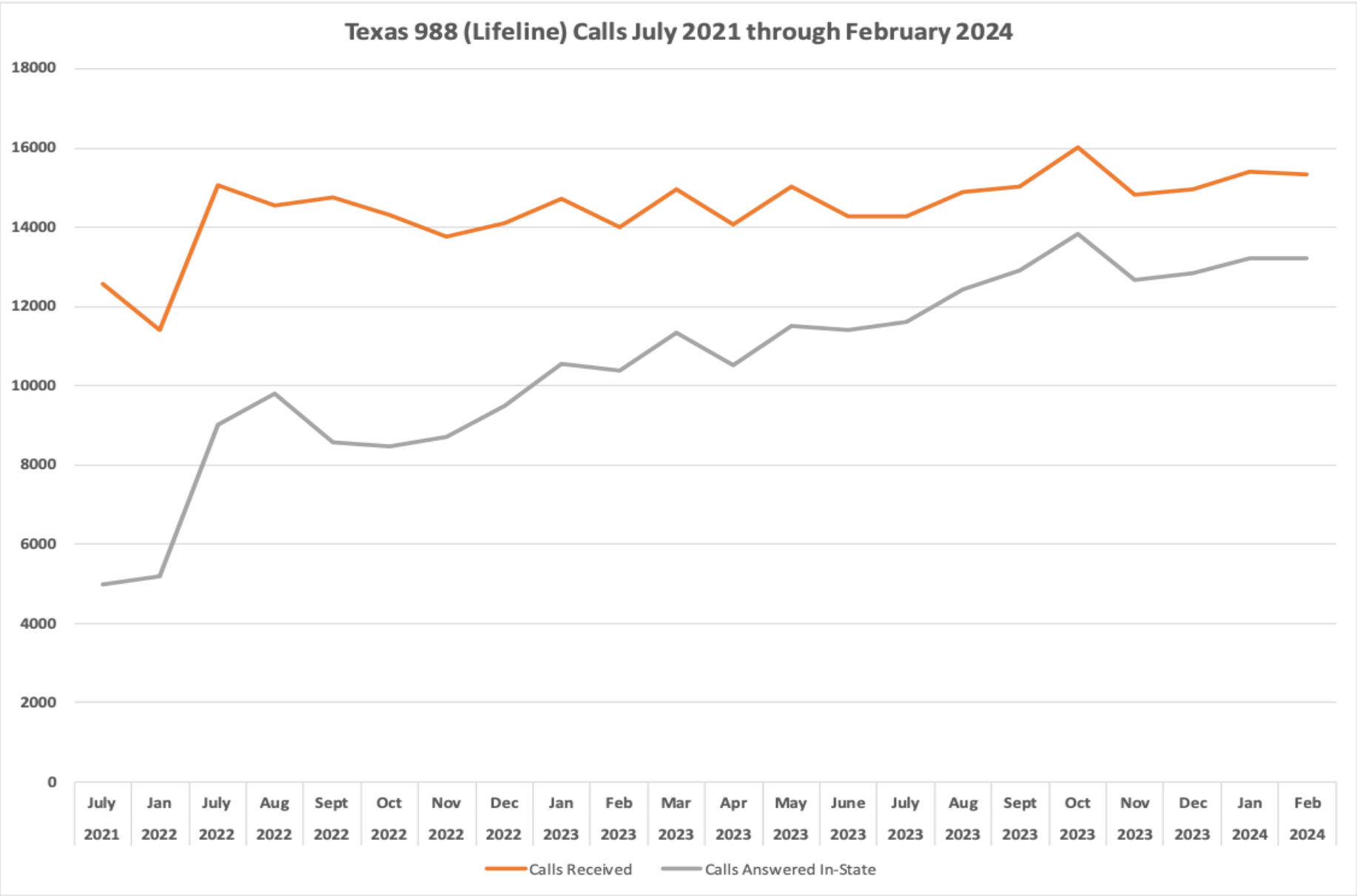
**16** Behavioral Health  
Leadership Teams



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Health and Human  
Services

# Jail Continuity of Care Liaison Pilot Programs



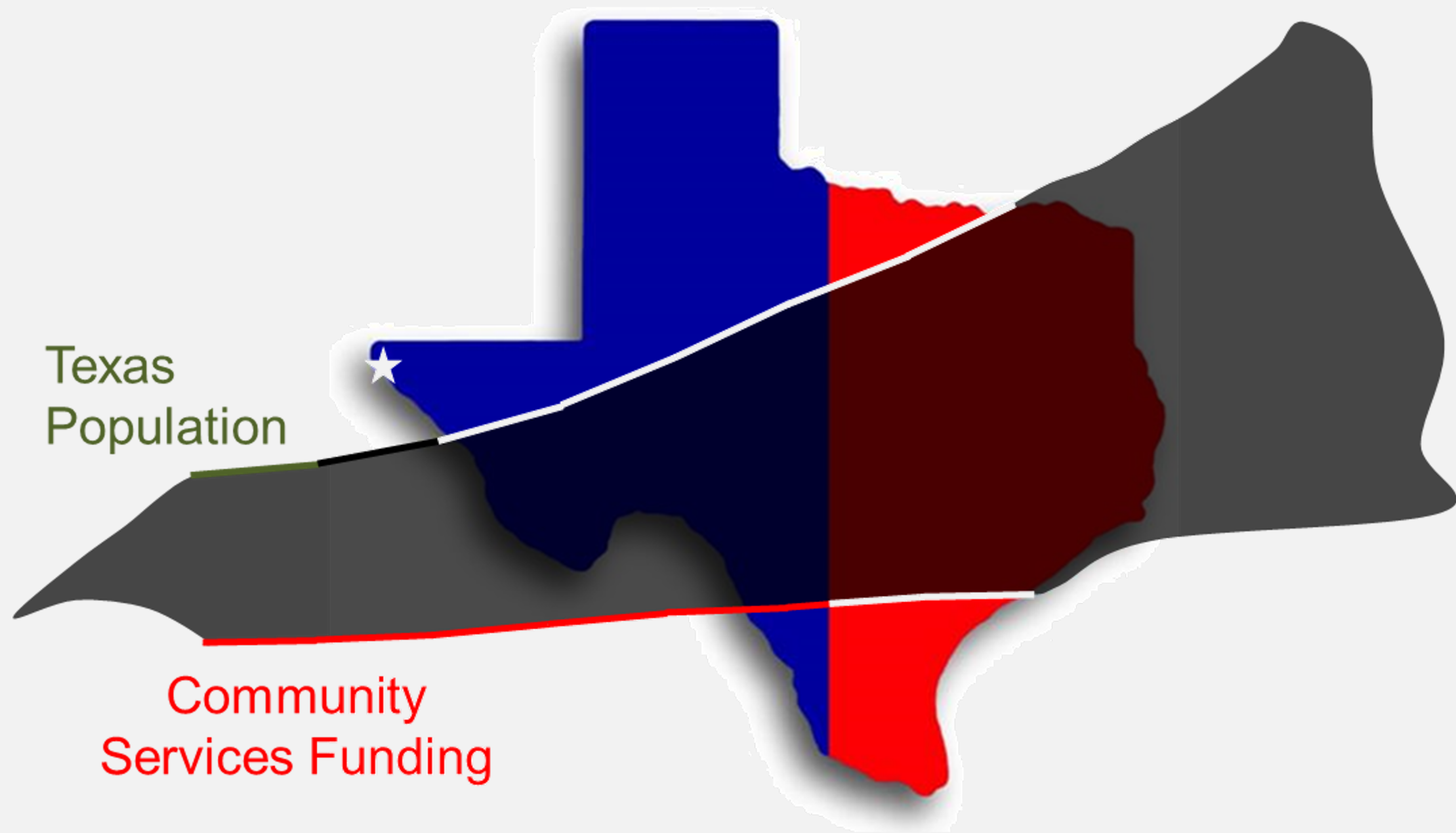


# Specialized Youth Services

- YES Waiver: 1915(c) Medicaid program for children and youth with serious mental, emotional and behavioral difficulties (2009)
- Residential Treatment Center (RTC) initiative for “at risk of relinquishment” situations (2013)
- Coordinated Specialty Care (CSC) (2014)
- Multisystemic Therapy (MST) (2022)
- Children’s Crisis Respite (2022)
- Youth Services Navigators (2022)
- Youth Crisis Outreach Teams (YCOTs) (2023/2024)

# Recommendations

- YES Waiver – Improve rates and update rules
- Expand specialty services statewide (e.g., MST, CSC)
- Medicaid coverage for Family Partner services
- Increase opportunity for innovation through continued and enhanced investment in grant programs benefiting children and youth
- Consider presumptive eligibility for high-acuity/high-risk referrals to Local Authority services and TCHATT referrals for longer-term services
- Modernize UM Guidelines for TRR to permit new EBPs and broader curriculum usage
- Strengthen MCO engagement and coordination for children with complex needs
- Strengthen interactions with schools/504 accommodations
- Address ongoing workforce challenges
- Ensure ECI has resources necessary to address the mental health needs of very young children



# Election 2024



- Party Primaries: March 5, 2024
- Party Runoffs: May 28, 2024
- Early Voting: Oct. 21- Nov. 1, 2024
- Election Day: Nov. 5, 2024



*89<sup>th</sup> Texas Legislature begins Tuesday,  
January 14, 2025*

# Texas House

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- 16 members did not seek reelection
  - 9 Republicans 7 Democrats
- 16 members lost their primary or runoff elections
- Total: Minimum of 32 new House members for the 2025 Legislative Session
- Speaker's race is already underway

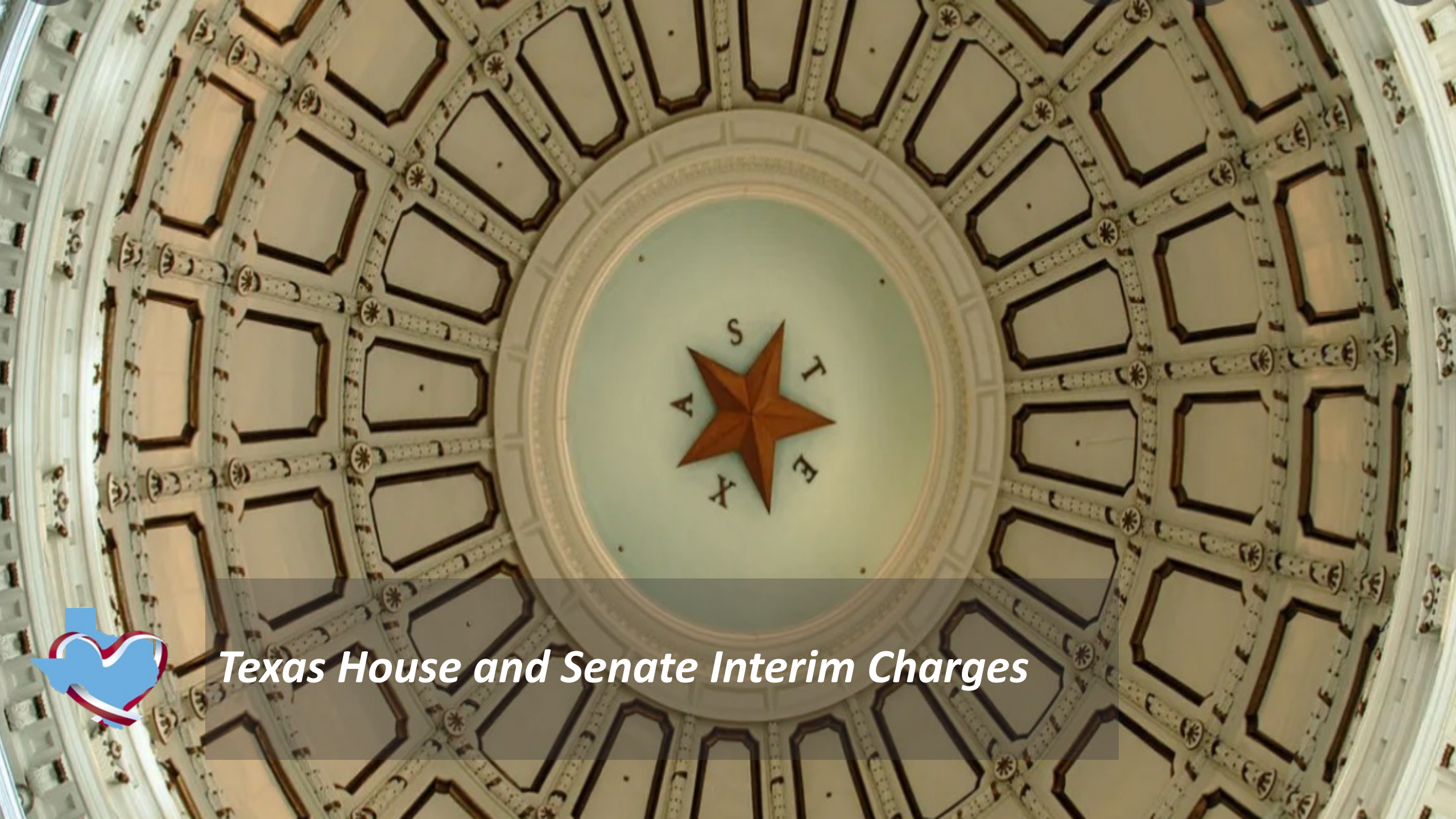




# Texas Senate

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- 1 member did not seek reelection (Senator Springer)
- 1 member vacated seat to run for Houston Mayor (Senator Whitmire)
- Total: 2 new members of the Texas Senate



## *Texas House and Senate Interim Charges*

# House Interim Charges

- **House Appropriations**

- Implementation and impact of appropriations under Article II for reimbursement rates

- **Human Services:**

- Monitoring:
  - SB 24, SB 24 (powers and duties of HHSC and transferring of powers from DFPS)
- Medicaid Contracting
- Support for Texans with Intellectual Disabilities

- **Juvenile Justice and Family Issues**

- Juvenile Justice System Outcomes

- **Public Health**

- Monitoring
  - SB 26 (LMHA/LMHB audits and reporting, services, and programs)
- Responses to Mental Health Emergencies: Review and evaluate best practices of procedures for the emergency detention of a person with mental illness.

# Senate Interim Charges

- **Business and Commerce**
  - Artificial Intelligence
- **Health and Human Services**
  - Monitoring
    - SB 24 (powers and duties of HHSC and transferring of powers from DFPS)
    - SB 26 (LMHA/LMHB audits and reporting, services, and programs)
  - Children's Mental Health
  - Access to Health Care
  - Health Insurance
- **Veteran Affairs**
  - Veterans' Mental Health

# Upcoming Committee Interim Hearings

- **House Youth Health and Safety, July 9<sup>th</sup> and 31<sup>st</sup> at 10:00am**
  - Charge: Behavioral Health Services for At-Risk Youth
- **Senate Finance, Sept. 9<sup>th</sup> at 9:00am**
  - Charge: Mental Health Services and Inpatient Facilities
- **Regularly check [Capitol.Texas.Gov](http://Capitol.Texas.Gov) for the latest updates on committee hearings.**

# Opportunities & Threats

## Budget Items:

- Crisis Response Infrastructure (MCOT, YCOT, Diversion Centers, JBCR, EOUs, Crisis Respite)
- Children and Adolescents MH Services

## With Legislative Voices:

- Mental Health Case Loads
- LIDDA TCM Capacity
- IDD Group Homes Workforce

## Policy Items:

- Managed Care for IDD Waiver Programs
- Future of the Local MH/IDD Authority System
- Mental Health Code Changes: Emergency Detention

# What Can **YOU** Do to Build Champions?

- Educate your community that mental health and substance use disorders are treatable public health problems that affects us all;
- Educate your community that people with intellectual disabilities can and do live successfully in the community with varying levels of support;
- Share the strides made and the challenges we continue to face—particularly the cost of the gap between need and service availability;
- Encourage people to tell their own success stories; and
- Nurture community champions who will support the effort.