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MINUTES of April 23, 2022

MEMBERS PRESENT: Andy Bateman, Jenifer Binder, Barbara Bird, Jacki Block, Jara Bonner, Rebecca Cochran, John Kelly, Patricia Lawrence, Greg Varner

MEMBERS EXCUSED: Kelley Costello, Richard Costello, Laura Esslinger, Erica Koe-Krompecher

ASSOCIATE MEMBERS PRESENT: Raymond Bailey

ASSOCIATE MEMBERS EXCUSED: Richard Chaney

GUESTS PRESENT: Barbara Iseman, Robert Iseman

STAFF PRESENT: Cindy Knoblauch, Erica Pursley, Karen Scherra, Lee Ann Watson

1. The April 23, 2022 Board of Directors meeting was conducted in person at the Carter Center on Wuebold Lane prior to the Board's annual retreat. Chairperson Patricia Lawrence welcomed the attendees and the meeting proceeded.
2. A motion was made, and unanimously approved, to approve the Agenda for the April 23, 2022 Board meeting with the addition of Discussion Item 3. Legislative Language Changes to Ohio Revised Code 340. (Motion-Greg Varner, second-Rebecca Cochran).
3. A motion was made, and unanimously approved, to approve the minutes of the March 14, 2022 Board of Directors' meeting. (Motion-Jenifer Binder, second-John Kelly).
4. Presentation by On Our Way Home: Barbara Iseman of On Our Way Home (OOWH), a non-profit recovery housing organization, gave a PowerPoint presentation on the history, leadership, vision and mission, and operation standards of OOWH. Karen Scherra explained that the Board has been working with OOWH for three (3) years to support OOWH's efforts to obtain capital funds from the Ohio Department of Mental Health and Addiction Services (OMHAS). OOWH is currently working on becoming certified. In order to move forward with the OMHAS capital fund application, the Board of Directors must approve a resolution stating that they support OOWH's application to OMHAS for capital funds for their two (2) recovery houses. Karen did inform the Board that the Board cannot provide funding to a Recovery House unless the Recovery House is certified by OMHAS, beginning in FY 2023, based on a new rule recently implemented by the state.
5. Executive Director's Report: Karen Scherra shared a few highlights from her report. Karen stated that the new Summit Behavioral Health CEO, Courtney Patel, has been meeting with each Board Director in the region, and Karen met with her on April 14th. Karen stated that Ms.

Patel wants to establish good working relationships with each of the Boards and collectively address the high number of forensic clients being hospitalized in Southwest Ohio. Ms. Patel will be attending all the Southwest Ohio Collaborative meetings.

On March 15th, Karen Scherra attended the monthly state-level Drug Trends meeting. The group learned that drug seizures in Ohio rose again in February. Karen relayed that counterfeit pills are still flooding local communities, with adolescents and young adults being the primary users. The counterfeit pills are dangerous as they are often much more potent than the individual buying them realizes. Clermont County was in the group of counties with the highest amount of mismarked fentanyl tablets.

Karen Scherra also mentioned that the Ninth Circuit Court of Appeals reversed the landmark *Wit v. United Behavioral Health (UBH)* decision that required UBH to adopt more stringent standards for mental health and substance use disorder (MH/SUD) treatment and therefore reprocess thousands of claims. The trial court described in detail how UBH made medical necessity determinations for MH/SUD care based on its own financial interests rather than patients' interests. It described eight generally accepted standards of care for MH/SUD that UBH was obligated to follow when making medical necessity determinations. The Ninth Circuit three-judge panel undid this progress, saying it is "not unreasonable" for health insurers' coverage determinations to be inconsistent with generally accepted standards of care. This reversal is a blow to mental health parity.

Karen highlighted President Biden's Fiscal Year 2023 Budget Request which was released the week of March 28, and it includes significant and robust investments in mental health and substance use disorder treatment, prevention, and recovery services. The purpose of the budget proposal is for the President to make recommendations on how the federal government should allocate funds, acting more as a messaging tool to represent the Biden-Harris Administration's goals and priorities. Karen stated that she believes it is a positive step that the Biden administration is addressing behavioral health.

Karen closed by mentioning Governor DeWine's March 23rd State of the State address in which he prioritized mental health and addiction services in Ohio. The Governor noted that mental illness is on the rise, drug overdose deaths remain at a record level, and suicide rates are increasing in rural Ohio and minority communities. The Governor vowed to make mental health and addiction services visible, accessible, and effective. In his address, Governor DeWine stated "My friends, the system isn't broken — it was just never fully built. And so, we must build it! We must do the work that has never been done." Karen added that the Governor pledged to provide more funding for behavioral health.

6. Program Committee: Program Committee Chair Andy Bateman stated that the Committee met on April 6 with Board staff to discuss anticipated funding requests from the agencies and review the status of several grants that will be ending soon. The meeting gave the Committee an opportunity to establish priorities to discuss at the Retreat. Andy said that the Committee will re-convene in May with the provider agencies to set programmatic needs.

7. Action Items: The first action item was the FY 2023 MOU with the Hamilton County Mental Health and Recovery Services Board (HCMHRSB) regarding the PATH Program. Karen Scherra stated that the PATH program has been in place for over five years. The PATH program provides outreach to homeless individuals in Clermont County that have a suspected behavioral health concern. The program is funded annually by OMHAS, and the funds go to HCMHRSB, which then passes on the funds to Greater Cincinnati Behavioral Health Services (GCB), the agency providing the PATH program services in both Hamilton and Clermont Counties. The Board must enter into an MOU with HCMHRSB and also provide match funds in the amount of \$11,624 for the program as detailed in the MOU. The HCMHRSB provides the payments to GCB. Lee Ann Watson added that she meets quarterly with the PATH program staff to review the program outcomes. After a request from a Board member, Lee Ann said she can report outcome data to the Board after her next meeting with GCB. A motion was made, and unanimously approved, to approve the FY 2023 Path Program MOU with the Hamilton County Mental Health and Recovery Services Board and to authorize the Executive Director to sign the agreement on behalf of the Board. (Motion-Greg Varner, second-Andy Bateman).

The second action item was the Addenda to the FY 2022 GCB POS Contract for MSA and AUD Funds. The Board has received funding in the amount of \$30,508 from OMHAS that can be used to meet identified needs of multi-system adults (MSA) who meet the criteria established by the state. The previous eligibility criteria for the MSA funding resulted in very few individuals who met the criteria and needed the funding. As such, GCB was unable to spend the funds. After advocacy by the Boards, the criteria were revised and the amount of money that could be spent per person was increased from \$4,000 to \$8,000. GCB staff have been working to identify individuals who meet the new criteria and could benefit from the funding. Since they are now able to access the funding, the Board needs an addendum to GCB's FY 2022 Purchase of Service (POS) contract to document the funds available to GCB.

The Board received \$141,632 in grant funds from OMHAS to provide additional services to individuals dealing with an alcohol use disorder (AUD). GCB also received grant funding for this population, and the Board's grant funds will supplement the services being provided through GCB's funding. These funds began in November 2021 and can be spent until the grant ends in March 2023. The Board needs to have an addendum to GCB's 2022 and 2023 POS contracts for these funds to be made available to GCB. A motion was made, and unanimously approved, to approve the Addenda to the FY 2022-2023 GCB POS Contract for MSA and AUD Funds as presented and to authorize the Executive Director to sign the addenda on behalf of the Board. (Motion-John Kelly, second-Jara Bonner).

The third action item was the Resolution Supporting the On Our Way Home Capital Request. On Our Way Home (OOWH), a non-profit, 501c3 recovery housing agency, has been in contact with Board and GCB staff for three (3) years regarding various funding sources available to them. Recently, the focus has been on obtaining state capital funds through OMHAS.

Before OMHAS will work with the agency to complete their application for the funds, the Board must indicate its support of the project. OOWH will have to submit an application to OMHAS for the funds, and that decision is made by the state Controlling Board, assuming OOWH meets all the OMHAS requirements and that OMHAS Capital staff recommend OOWH for funding.

A motion was made, and unanimously approved, to approve the Resolution supporting the On Our Way Home capital request as presented and to authorize the Executive Director to submit the resolution to OMHAS on behalf of the Board. (Motion-Jacki Block, second-John Kelly).

The fourth and final action item was the MOUs with the Clermont County Sheriff's Office, the City of Milford Police and Fire Departments, and Miami Township Police and Fire Departments for Quick Response Team (QRT) services associated with the Department of Justice (DOJ) Grant. The Board received \$858,171 in funds from the Bureau of Justice Assistance's Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) grant for a three (3) year period, and the funding is to be used to support the cost associated with two (2) of the Countywide Quick Response Teams (QRTs); the Clermont County Sheriff's Office (CCSO) QRT and the Milford/Miami Township Addiction Response Team (MMART). QRT is a type of overdose prevention model that relies on a multi-disciplinary partnership between behavioral health professionals and first responders to prevent overdose and connect individuals to treatment. The grant funds the overtime for the first responders at the five (5) departments, as well as the salary for the two (2) full time Recovery Coaches attached to the QRTs, and a part-time Handle with Care Coordinator.

The Board needs to enter into Memoranda of Understanding (MOUs) with the CCSO, Miami Township Fire/EMS Department (MTFD), Miami Township Police Department (MTPD), Milford Community Fire Department (MCFD), and Milford Police Department (MPD) to allow the Board to provide funds to those five (5) organizations.

The MOUs will be in place from March 28, 2022 to September 30, 2024 for the CCSO, and April 1, 2022 to September 30, 2024 for MMART. While the actual grant award started on October 1, 2021, the Board was not notified of the award until December 28, 2021, and the budget was not approved until mid-March 2022. The grant project could not start until the budget was approved. Since the grant funding was not available until several months after the award notification, the MOUs will have a start date of when the project actually began. The Board hopes to receive an extension on the grant since the project started late and will enter into new MOUs for that extended time period when the extension is approved.

Barbara Bird asked Lee Ann Watson if there was outcome data she could share regarding the number of QRT clients who enter treatment services compared to the number who complete treatment services. Lee Ann said that the QRT data is measured quarterly and evaluated by the University of Cincinnati. Lee Ann stated that she will bring a report to the next Board meeting. While there are two QRTs funded by the grant, the County has a total of four (4) QRTs. The first QRT was started in 2015 with the Union Township Fire Department and was one of the first in Ohio. Pierce Township also has a QRT. Neither Union Township nor Pierce Township requested funding to continue their teams. Rebecca Cochran asked if the Board of Directors could also review outcome data for the Union Township QRT. Rebecca also asked if there was a difference between how the CCSO and MMART utilize QRT funding. Lee Ann said that the CCSO QRT has expanded from operating one (1) day a week to two (2) days a week for a total of 12 hours a week. MMART operates four (4) hours a week and alternates between Milford and Miami Township. Patricia Lawrence asked if it would be possible to compile a "Contract Master File" that lists all of the funding that the Board receives. Karen Scherra stated that

Board staff could compile a list to share with the Board of Directors. A motion was made, and unanimously approved, to approve the MOUs with the Clermont County Sheriff's Office, the City of Milford Police and Fire Departments, and Miami Township Police and Fire Departments for QRT Services associated with the Department of Justice (DOJ) Grant and to authorize the Executive Director to sign the MOUs on behalf of the Board. (Motion-Greg Varner, second-Rebecca Cochran).

8. Discussion Items: The first discussion item was the Board Search Committee Report. Patricia Lawrence reported that the Search Committee has met with the provider agencies and Board Staff to discuss their expectations for the new Executive Director. The Committee is in the process of completing the first round of interviews. Two (2) candidates have been interviewed, and possibly two (2) more will be interviewed next week. The Committee reposted the position to provide an additional opportunity for possible applicants. The deadline for the new posting is April 29. Patricia said there were initially fifteen applicants, nine of whom met the minimum qualifications. Out of that nine (9), the Committee extended interviews to four (4), one of which declined. Second interviews will be scheduled in May.

The second discussion item was the One Ohio Clermont County Task Force. One Ohio was created to jointly approach the funding Ohio will receive from the settlement of the lawsuits against drug manufacturers and distributors of opioids. One Ohio has outlined a plan for distribution of the funds from the opioid settlement and will be working on how the funds can be used. The funding will be distributed in the following way: 15% stays with the Attorney General's office to cover administrative costs; 30% will go directly to Ohio counties, townships, cities, and villages to address the immediate needs of the residents; and 55% will be set aside at a statewide foundation that will develop rules for, and oversee, the funding of services as requested by communities/counties.

Counties have been grouped into regions. Clermont County's region includes Warren, Butler, Clinton, Clark, Greene, and Madison counties. Each county is required to start their own task force to make recommendations on how to utilize the funding both locally and regionally. The region is currently tasked with finding a representative for the region. Each County can put forth a candidate, and then the regional group will vote on who the representative will be. Joyce Campbell, a judge from Butler County, Greta Mayer, Executive Director of the Mental Health and Recovery Board of Clark, Greene, and Madison Counties, and Karen Scherra have submitted their names to be the southwest region's representative. Clermont and Warren Counties have chosen Karen as the region's representative. Karen said she hopes she gets appointed, as she will have more time to devote to the position when she retires in July of 2022. Karen's hope is to use Clermont's portion of the settlement money to open a crisis stabilization center in Clermont County.

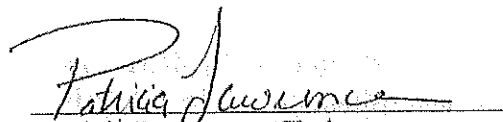
The third and final discussion item was Legislative Language Changes to Ohio Revised Code 340. OACBHA, as the representative of Ohio's Mental Health and Addiction Services Boards, has been trying for several years to make changes to the language of Ohio Revised Code (ORC) 340 which pertains to alcohol, drug addiction, and mental health services. OACBHA is advocating for changes to the language about Board responsibilities and authority of the Boards. The strongest opposition to the new language requests is the Ohio Council. In response to the

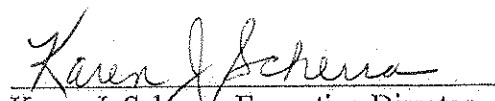
issues that arose last year at the Erie/Ottawa Board that led to the counties separating, Ohio Representative D.J. Swearingen has introduced House bill 523 to amend sections of ORC 340. Swearingen's bill includes 90% of OACBHA's language requests.

If the bill passes, several changes will be implemented. Boards will have the ability to continue to structure their contracts with provider agencies to be specific to each county's needs instead of a statewide contract format as recommended by Ohio Council. Boards will also be able to omit the 120-day notice in Agency contracts. The bill also will add language pertaining to Board Executive Directors and specific reasons for "termination with cause." The bill will remove the reporting requirements of "opiate hub" from Boards, as well as the waiting list reports produced by the agencies. The bill further supports Board access to Medicaid data pertaining to clients, giving Boards the necessary data to plan for local service delivery and complete state-required reports. Boards will also have authorization to be part of the OMHAS certification process for provider agencies in their County. Lastly, there will be changes to the composition of the Board of Directors. Currently, the composition of the Board of Directors can be either 14 or 18-members. For a 14-member Board, eight (8) members are appointed by the Board of County Commissioners (BCC) and six (6) are appointed by the State. For an 18-member Board, ten (10) are appointed by the BCC and eight (8) by the state. If Swearingen's bill passes, the BCC will determine the size of the Board of Directors for its County and could consist of 9, 12, 14, 15 or 18 members. The Commissioners could only change the number of members after a public hearing. The composition of each Board of Directors would be two-thirds appointed by the BCC and one-third appointed by the State, and 50% of the members would need to be either consumers of mental health and addiction services or family members.

Karen Scheira stated that they are anticipating a fight about the bill and that boards, staff and members, will need to advocate for these changes. Karen said that this is the best chance that the Boards have had to finally correct outdated ORC language.

9. Agency Directors' Reports: All agency Directors' reports stood as presented and Board members had no questions.
10. Comments from Public Attendees: There were no public attendees at the April 23, 2022 Board of Directors meeting.
11. Adjournment: There being no further business, a motion was made, and unanimously approved, to adjourn the April 23, 2022 Board of Directors meeting. (Motion-Jenifer Binder, second-Rebecca Cochran).


Patricia Lawrence, Chairperson


Karen J. Scheira, Executive Director