Sharing Information between Behavioral Health and Criminal Justice Systems

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Overview

Needs and Challenges for Information Sharing

Example of a Successful Information Sharing Collaboration

Questions
What is an information sharing need?

“We never know if our clients are in jail” – Community Behavioral Health Clinician

“We don’t know how many people screen positive for mental illness in our county jail” – Mental Health Court Coordinator

“We have HIPAA problems” – Mental Health Court Coordinator

“I supervise a specialized caseload for people with mental illness and I would like for the assigned therapist to coordinate services with me” — Probation Officer

“I will be developing a plan for pretrial supervision and I need to know if the individual should be connected to mental health services” — Pretrial Release Officer
Your Information Strategy

• What do you need to know in order to make good decisions?
• Who has access to this information?
• How do your policies and procedures facilitate the appropriate collection, sharing, and use of information?
  • Do people know what they need to collect?
  • Do they know the legal frameworks that affect information collection, sharing, and use?
  • Do they have policies, processes, systems in place to help?
  • Do they have the training they need to do this well?
Diagnosing Information Sharing Barriers

Collecting

Sharing

Using

Knowledge

Legal

No process to capture data

No system to transfer

Unidentified obstacles
Classify barriers identified

- Relevant intake information is not available to judges considering MHC
- Court-orders evaluations not transferred to probation/parole
- Reentry plans not shared with DOC
- Erreys lose papers and do not report to community providers
- Individuals lose papers and do not report to community providers
- “Next to impossible” to release prison treatment information to community providers
- Intake information is not transferred to reentry planning
- Unclear how ER transfers records to DOC
- Community treatment information is not transferred to ER or DOC

Initial Detention (DOC) → 1st Court Appearance → Court → Jail/Prison → Probation → Parole

Community Treatment Providers
Relevant Sources of “Law”

Federal Statutes and Regulations
• Health: HIPAA/ 45 CFR 164
• Substance Use: 42 CFR Part 2
• Educational Records: Federal Educational Rights and Privacy Act (FERPA)

State Statutes and Regulations
• Information privacy
• Duty to report
• Duty to warn

Professional standards and ethics

Local policies

Agency policies & procedures

Interpersonal relationships
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Questions
My Resource Connection

Collaborating for Success
The Vision:

Invent a system to increase client success.....the medical clinic model
How can we better serve our communities?

By asking the tough questions:

**Question 1:** How can we increase the amount of information staff have about services available to clients?

**Question 2:** How can we increase the amount of information about mutual clients & mutual households?

**Question 3:** How can we help internal and external agencies be more effective & efficient?

**Question 4:** How can we work together for clients to be self-sufficient?

**Answer:**  *My Resource Connection* – A web-based resource developed to equip Human Service Professionals with information about mutual clients, mutual households, and community resources available to clients.
Development of My Resource Connection

- **System Specialists** - COR, CRT, HSD, HED, MNH, JCDS, Library, Unified Government
  - System Design and Enhancements
  - Critique and Feedback

- **Department Directors** - COR, CRT, HSD, HED, MNH, JCDS, Med-Act
  - Respond to recommendations from the System Specialists
  - Provide direction and clarity for ethical issues
  - Provide leadership for integration into regular department workflows

- **Legal Services and Risk Management**
  - Ensure compliance with HIPAA, Federal and State laws and regulations
  - Coordinate requirements with department Privacy and Security Officers
  - Draft Releases of Information, NOIPS, and Policies and Procedures

- **Johnson County Department of Technology and Innovation**
  - Work closely with System Specialists on design and enhancements
  - Technical development and assistance

- **Community Partners**
  - United Way 211 is the largest provider of resource data
  - Unified Government is actively working with Johnson County to become full partners in the continued development of My Resource Connection
  - Non-profits, hospitals, school districts, and community resource agencies all have access to My Resource Connection, and also provide resource data to the system
MyAvatar

- Johnson County Mental Health Center’s Electronic Medical Record
- Document treatment and interventions provided for approximately 10,000 clients
- Document intervention and contacts with non-clients
- Capable of creating a wide range of reports and customizable forms
- Client Portal
JIMS- Justice and Information Management System

- Shared criminal justice data base by Sheriff’s Dept, Clerk’s office, DA, Judges, Court Services and Community Corrections
- Mental Health Center, Court trustee’s, Attorneys, Title Companies, CASA and other Law Enforcement agencies have limited access
- Nearly paperless-all paper documents are scanned into JIMS
- Significant data reporting capabilities
- Utilized for Co-responder data
Business Associate Contracts

To ensure compliance with all Federal and State laws, all departments entered into Business Associate Contracts with our Department of Technology and Innovation, specifically our Automated Information Mapping Systems (AIMS) division. They provide the technical support, storage and maintenance to the application.
Confidentiality and Information Exchange Agreement

All staff who are granted access to the application have to go through HIPAA training and 3.5 hours of training on appropriate use the application. Included in this training, staff reviews and signs a Confidentiality and Information Exchange Agreement. This signed is maintained as part of the training records.
A red flag indicates this individual is a “mutual” client with another program.
Hover over a red flag to get a quick list of the other programs a client is involved with.
Click on a red flag to retrieve all program records for a client.
Expand a client record to obtain more detail about the client and the services they are receiving.
Click on the service coordinator’s email address to send them a message.
HIPAA and Law Enforcement

• Exception: “To a law enforcement official reasonably able to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public (45 CFR 164.512(j)(1) (i)).”

• JCMHC frequently outreaches clients with LEO present due to safety risk factors.

• JCMHC will share any safety related information up front. This is often reciprocated by LEO.

• Emphasize the value in receiving non-emergent information.

• Seek releases when relevant and able
JCMHC Care Coordination with Probation/Corrections

• Able to see when we have mutual clients
• If someone is on probation, the contact information in MyRc tends to be more accurate aiding in outreach efforts
• Clients forget name and contact information of probation officer
• Utilize both JIMS and Sheriff’s inmate search to see if known clients have been arrested leading to care coordination with the jail
Criminal Justice Coordinating Council

Demanding More Vigilance: Synthetic Drugs in the District of Columbia, Maryland, and Virginia

This day-long, regional symposium on synthetic drugs brought leaders from a variety of disciplines together to examine the current landscape of synthetic drugs in the DC, MD, and VA.

Criminal Justice Information Sharing

The following podcast deals with state information exchanges regarding offenders on parole and probation and other issues vital to public safety.

2015 Spring Public Meeting

The 2015 CJCC Spring Public Meeting addressed the critically important issue of mental health policy in the District of Columbia's criminal justice system.
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With Your Team: Taking It Home

- From call through case disposition, where do you see opportunities to improve your collection, sharing, and use of information?

- What policies, processes, and paper did you see today that you want to bring to your jurisdiction?

- What will be your first steps to apply what you learned today?
Thank You

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