

**Kentucky Mental Health Coalition Meeting**  
Meeting Minutes – April 21, 2010  
Seven Counties Services IT Building, Louisville KY

**In Attendance:** Ms. Cathy Epperson, Mr. Dean Johnson, Ms. Leah Hagan, Ms. Jean Henry, Ms. Jennie Hulette, Ms. JoAnne Maamry, Ms. Cheryl Hunt, Mr. Brian Berhow, Mr. Rob Robinson, Ms. Diane Herrick, Ms. Julie Segal, Ms. Theresa Walton, Ms. Sally Rhoads, Mr. Tom Knox, Mr. Terry Henderson, Dr. Carl Metz, Mr. Hank Cecil, Ms. Barbara Hedspeth, Mr. David Olds, Ms. Gina Metelica, Dr. David Susman, Mr. Mike Stone, Dr. Ida Dickie, Dr. Liz McKune, Mr. Mike Barry, Rev. Pat Delahanty, Mr. Phill Gunning, Ms. Oyo Fummilayo, Ms. Debbie Bellairs, Ms. Sarah Brumfield, Ms. Kelly Gunning, Mr. Paul Andis, Ms. Christin Miller, Dr. Sheila Schuster, Ms. Deloria Lundy, Ms. Debra Anderson, Mr. Mike Rankin, Ms. Janine Dewey, Mr. Carl Boes, Ms. Molly Clouse, Dr. Howard Bracco, Ms. Debi Smith

Members were treated to lunch prior to the meeting. Ms. Cathy Epperson called the meeting to order at 11:45 a.m. and introductions were made.

Ms. Epperson thanked Seven Counties for their hospitality and drew members' attention to the minutes from the December 9<sup>th</sup> meeting. The minutes were approved, following a motion from Ms. Rhoads with a second by Mr. Cecil. Dr. Schuster presented the minutes from the Legislative Briefing meeting held March 3<sup>rd</sup> in Frankfort. The minutes were approved following a motion from Mr. Johnson with a second by Mr. Gunning. Mr. Barry presented the financial report, which was included in the packet. The financial report was approved as submitted following a motion from Ms. Gunning and a second by Dr. McKune.

Ms. Miller reported that only 27 organizations and 6 individuals still owe 2009-2010 dues, totaling \$6,025.00. Ms. Miller encouraged those with outstanding dues to pay them promptly. She will be mailing out third dues notices this week. Dr. Schuster reminded everyone that the Advocacy Action Network is a 501(c)(4) organization and that the Kentucky Mental Health Coalition is a program within the AAN infrastructure. The dues money which comes into the KMHC program is what is used solely for advocacy and lobbying efforts. Ms. Epperson thanked all those who have paid their dues.

Dr. Schuster announced that she is circulating a sympathy card which will be sent to Myrna Miller Wellons' widower and son. Dr. Schuster encouraged everyone to sign the card and to include a memory or special note to Ms. Wellons' son so that when he is older, he will know how much people cared for and respected his mother. The coalition will make a donation to the account which was set up for Ms. Wellons' son and include it with the card and notes.

**2010 General Assembly Session:** Dr. Schuster asked those present to look at the handout prepared by Mr. Steve Shannon. In the current biennial budget, there was language requiring an increase in the employer contribution to the state employees' retirement fund. The quasi-state agencies such as the CMHCs are also required to make these increased contributions, but without financial help from the state. This additional cost of \$30.5 million could result in 600 layoffs and 12,000 Kentuckians not being able to get the services they need. There was great support from the CMHCs and the advocacy community to find relief. We need to thank Rep. Jimmie Lee (D-Elizabethtown) for using \$55 million in federal "claw-back money" to help the CMHCs and Public Health Departments with an enhanced Medicaid match and the Rape Crisis and Domestic Violence Centers with increased funding to offset this cost. The funding was in the House budget and stayed in the Senate version, although the Senate proposed a 1% cut to funding in FY 2011 and another 1.5% cut in FY 2012.

The biggest difference in the House and Senate versions of the budget was that the House budgeted for numerous school construction projects. As we all know, a biennial budget for Fiscal Years 2011 & 2012 was not passed in the Regular Session. This will force the Governor to call a Special Legislative Session. One of the biggest concerns is that the \$55 million Rep. Lee managed to “set aside” will be used to plug holes in other parts of the state’s budget.

Dr. Schuster reminded the coalition members that the budget was not as bad as it could have been and that the coalition should take some credit for that. The coalition has done a very good job of “putting a face” on Human Services and the Governor has tried to protect Medicaid, K-12 Education and the CMHCs. The budget information will be made available on the AAN website.

**HB 10** – legislation to promote employment opportunities for individuals with disabilities, including mental illness, failed. This was the fourth or fifth year this legislation has been introduced. It passed the House and was never heard in committee by Senate. Senator Leeper told Dr. Metz that the Senate President would not let him hear the bill. Changes had been made to the bill from previous years in an effort to satisfy President Williams. Representative Siler, the bill’s primary sponsor, will try to convince the Governor to include the language in the budget proposal. As a possible long shot, Rep Siler had mentioned waiting until the last minute and amending the language to a tax incentive bill during the 2011GA.

**HB 16** – preclude the use of the death penalty for persons with severe mental illness at the time a capital offense is committed, failed. Rev. Delahanty reported that Chairman Rep Tilley seemed favorable to hearing the bill in the House Judiciary Committee, but the bill was never heard. Behind-the-scenes politics over other issues was likely a factor. Rev. Delahanty feels that the bill can be strengthened. Rep Tilley has indicated that he would hear the bill during the interim. Mr. Boes added that he was encouraged by the bi-partisan support the bill garnered and that both Judiciary Committee Chairmen seemed that they would hear the bill in committee.

**HB 51** – require the posting of suicide prevention information on the CHFS website, signed by Governor. Mr. Boes credits this success to the good work of advocates. Rep Linda Belcher is the widow of former Rep Larry Belcher. She is fast becoming a “friendly” legislator.

**HB 70** – restoration of voting rights for felons, failed. This bill passed the House again and was not heard in a Senate Committee.

**HB 136** – any pregnant woman who tests positive for drugs is charged with a felony and sent to jail, failed. PAR was successful in keeping this bill from being heard in committee. Currently waiting for a ruling from Kentucky Supreme Court on this issue. Mr. Boes mentioned that while the coalition might not agree with this measure, it is good to see that Rep Henderson is concerned about substance abuse and is interested in learning. This is a good opportunity for organizations to “educate” Rep Henderson about treatment, rather than punishment.

**HB 159** – insurance mandate to cover all autism spectrum disorders, create licensure board for Applied Behavioral Analysts, signed by Governor. This is a huge victory for retiring Rep Brinkman who has a son with autism. Insurers would provide \$50,000/year for children ages 1-7 and \$12,000 for children ages 8-21 for diagnosis and treatment. Rep Greer has used this piece of legislation to learn a lot about autism and as a result has become “friendly”.

**HB 231** – would create second tier of PRTFs to bring children who are currently out-of-state back to KY, signed by Governor. Rep. Jimmie Lee worked hard with advocates and providers to craft a bill which would keep Kentucky kids from being sent out-of-state for treatment.

**HB 297** – create non-profit auto dealer license, signed by Governor. Passed both chambers unanimously.

**HB 417** – substance abuse screening for anyone receiving public assistance, failed.

**HB 459** – contain costs in Medicaid, failed. Important to note that money is not the only defining characteristic of a good Medicaid program..

**HB 518** – relating to the disproportionate share program, signed by Governor. Resolved that funds would be distributed evenly.

**HB 530** – fiscal matters and declaring an emergency, failed. Revenue issues. House proposed cutting 2 school days, and suspending the net operating loss tax deduction.

**HB 576** – compulsive gambling and making an appropriation, failed. Rep Mills is “sold on the idea” and will pre-file the bill for 2011 GA if re-elected.

**SB 2 & 21** – expanded gaming, failed. Senate President Williams believes that any expansion of gaming would require amending the KY Constitution.

**SB 13** – autism mandate, failed. This was an early Senate version of HB 159.

**SB 15** – allow holders of personal ID cards who have been diagnosed as autistic to receive a sticker identifying that condition on the ID card, failed.

**SB 42** – change language in State Use Statute to give preference in bidding to CRPs for state contracts, amended to SB 45 and signed by Governor. Original legislation not heard by Senator Thayer in committee because President Williams felt that it created “special preference”. The language was amended to the SB 45 while in the House, approved in Conference Committee.

**SB 49** – establish a \$2 charge for ID cards issued to persons without a fixed, permanent address, failed.

**SB 65** – require principals, guidance counselors and teachers to complete a minimum of 2 hours of instruction in suicide prevention each year, signed by Governor.

**SB 112** – residential program for substance abuse with education component, failed. Would create program similar to The Healing Place, subject to available funding. Legislation was needed in case Secretary dedicated any money to the program.

**SB 154** – health benefit plan for acquired brain injuries, failed. Insurance mandate, no hearing in Senate committee.

**SB 173** – require CFHS to establish a registry of persons found to have abused, neglected or exploited an adult, failed.

**SR 185** – proclaim March 3, 2010 Disabilities Awareness Day in Kentucky. Proclamation from House on February 3<sup>rd</sup> , and from Governor’s Office on February 17<sup>th</sup> .

**SCR 192** – establish a Medicaid Cost Containment Task Force, passed. Authored by President Williams to look at saving money in Medicaid through cost containment strategies.

**2010 Special Session Strategy:** Dr. Schuster shared with attendees that one of the rumors floating around is that Senator Williams will recess the Senate until after the Primary Elections if a special session is called prior to May 18<sup>th</sup> . There has been talk that the call will be expanded to include charter schools. A special session will cost approximately \$60,000/day and must be at least five days in length. A major concern is that if the Governor calls a special session too soon, it could drag on. The budget established in the special session will really be about FY 2011 and the FY 2012 will just be a shell because we just don’t know about the economy and how it will/will not rebound.

Dr. Schuster proposed the KMHC go on record with a unified message and have an organized press conference and day for advocates during the Special Session. Mr. Johnson stated that he liked the idea and thinks that it would be beneficial to do some work in advance of the session because most decisions will be made by the time legislators are back in Frankfort.

Dr. Schuster let the coalition know that “Keep Medicaid whole” is a talking point that will continue to be used. Mr. Cecil suggests that the messaging be direct and simple. Dr. Schuster suggests holding a press conference on the first day of the special session. Rev. Delahanty suggests that the coalition may want to think about a press conference now if it is true that a session won’t be called until an agreement is “ironclad”.

Mr. Boes shares that he has heard that a special session could be called as soon as the first week of May. Mr. Olds shared that during a messaging training session Mental Health America was told that “recovery” doesn’t resonate with others, and with those with whom it does, it means a myriad of things.

Dr. Schuster reminded the coalition that May is Mental Health Awareness Month and that all information from the press conference should be tied to the various activities throughout the month. Legislative leadership and A&R chairs should be specifically targeted with messaging. Mr. Andis called for a stop to the discussion and a motion. Dr. Schuster’s suggestions were approved following a motion from Ms. Gunning and a second from Dr. Bracco. Dr. Schuster asked that anyone who wants to volunteer on to serve on the messaging committee call or email the office.

Dr. Schuster reminded coalition members about the KY Forward Coalition which is working on long-term strategies for comprehensive tax reform. Some have mentioned that this year – probably after the November elections – would be the perfect time to tackle tax reform. This would be the farthest out any legislator would be from their next election and it would be an easier vote for “lame duck” legislators who would not be returning to Frankfort.

**2010 Election Information:** A grid identifying whether all seated legislators, both state and federal, had opposition in the upcoming elections was included in the meeting packet. More detailed information about the primary elections will be made available on the AAN website.

Dr. Schuster suggests that the KMHC create a questionnaire to send to all candidates prior to the general election and then to post the responses on the AAN website and make it available to all KMHC member organizations. Dr. Schuster’s suggestion of a candidate questionnaire was approved following a motion from Ms. Walton and a second from Dr. McKune.

Ms. Maamry announced that a Political Action Committee (PAC) has been formed by 12 organizations with an interest in mental health. Ms. Maamry circulated information to those interested.

**Registered Legislative Agents Dr. Sheila Schuster, Dr. Carl Metz, Mr. Hank Cecil, Mr. Mike Stone, Mr. David Olds, Mr. Carl Boes, and Rev. Pat Delahanty all recused themselves from the discussion.**

Mr. Johnson states that whether anyone “likes it or not, money talks” and that most of the bills discussed earlier in the meeting which failed to pass had PAC money behind the opposition. Mr. Johnson continued, “The mother’s milk of politics is money. I strongly urge everyone to be involved. Agents can participate; they just cannot influence where the money goes.”

Ms. Gunning stated she’d like to make a counter-point to Mr. Johnson’s statement and shared that there was NO money behind the grassroots movement to help get a new Eastern State Hospital. She urged that the coalition not limit its activities with the idea that the only way to get things done is to throw money at them.

**National Health Care Reform:** Dr. Schuster announced that information will start to be posted on the AAN website about national health care reform. She asked coalition members to share information they are getting from their national organizations and that Christin Miller will circulate it to all coalition members. Dr. Schuster also announced that she will circulate information about the Kentucky Voices for Health coalition and encourages KMHC organizations to join.

Ms. Clouse asked if anyone knew what mental health services were specifically outlined in the federal reform law. Dr. Schuster responded that levels of services are essentially the same as the parity that already exists in Kentucky. Ms. Clouse indicated that she would like to have more detailed information and Dr. Schuster replied that it would likely not be available until the Health Benefit Exchanges are established over the next several years.

**Pharmacy & Therapeutics (P&T) Committee:** Dr. Schuster announced that the next meeting of the P&T Committee will be May 20<sup>th</sup>. Dr. Schuster asked what members have heard about upcoming meetings. Mr. Knox stated that he has heard that the P&T Committee will look at managing atypical antipsychotic medications. He also shared that the committee is not required to post the list of medications that will be discussed at the upcoming meeting more than two weeks prior to the meeting date. Ms. Metelica shared that she had heard that the committee will be contacting advocates. Dr. Schuster asks if it would make sense for her to contact the Secretary of the Cabinet to volunteer to talk with the committee. It is agreed that Dr. Schuster should contact the Secretary and Medicaid Commissioner about our concerns.

**Wrap-Up of 2010 GA Advocacy Events, Up-Coming Events & Advocacy Calendar:**

Dr. Schuster shared that the United 874K Coalition had over 1,100 participants over the course of the three advocacy days at the Capitol held in February and March with over 70 face-to-face meetings with legislators. Dr. Schuster encouraged all members to share their event information with Christin who will post it on the online calendar and include it in the calendars that are circulated during the meetings. Dr. Schuster announced she has spoken with Ms. Ramona Johnson, the coalition chair, and they have discussed setting the next coalition meetings for September 1<sup>st</sup> and December 8<sup>th</sup> to set legislative priorities.

**Information Sharing:**

Mr. Olds announced that the National Conference of State Legislators will be held in Louisville, July 25-28<sup>th</sup>.

Ms. Julie Segal announced that she had completed handbooks available for those who had requested them. She also announced that anyone who had not already requested a handbook could meet with her after the meeting to obtain one.

Rev. Delahanty shares on behalf of the KY Coalition to Abolish the Death Penalty that Kentucky is set to execute 5 people this year and that only 4 have been executed in KY in the last 53 years. He encourages coalition members to join KCADP.

Ms. Gunning shares that the ribbon-cutting ceremony for the Participation Station will be held May 21<sup>st</sup> at 11:00 am. NAMI Lexington will be celebrating its 25<sup>th</sup> anniversary on May 27<sup>th</sup> and will show "When Medicine Got It Wrong" and have a celebration fiesta. The Bluegrass Consumer Conference will be May 12<sup>th</sup>.

Ms. Epperson adjourned the meeting at 2:40 pm.

Minutes respectfully submitted by Christin Miller.