



Frequently Asked Questions Part 2 (Rural): Mental Health Grant Program for Justice-Involved Individuals

Submission Deadline

1. April 20 to May 15 most likely is not enough time to get on the agenda of many rural counties and gain their support through a written document. Any chance the submission deadline will be extended?

Answer: HHSC recognizes the need for additional time to complete the Needs and Capacity Assessment (NCA) proposals. As such, the NCA submission deadline has been extended to June 15, 2018, 5:00pm, Central Daylight Time (CDT).

Program Services

2. A. May S.B. 292 funds be utilized to fund court-ordered assessments as directed in 16.22 to support diversion?

B. Can the S.B. 292 NCA be used to provide services (in person or telemedicine) and medications for inmates in the county jails? As our rural jails are being required to meet the S.B. 1326 and S.B. 1849 (Sandra Bland Act), we are being asked if this grant can be used to fund these services and medications inside the jail.

C. Are the provision of basic psychiatric services and payment of psychotropic medications in county allowable expenses or projects under SB 292?

D. Can this grant, in any way, be used to fund existing services that may meet the definition of S.B. 292 eligible programs/services?

Answer: Yes, the funding may be used to provide these services, depending on how the provision of services is communicated in the proposal, which must meet the parameters listed below.

Per S.B. 292, acceptable uses for state grant and matching funds under the Mental Health Grant Program for Justice-Involved Individuals may include:

¹ Authorizing Legislation: Senate Bill 292, 85th Texas Legislature, Regular Session, 2017 and the 2018-19 General Appropriations Act, Senate Bill 1, 85th Texas Legislature, Regular Session, 2017, (Article IX, Section 18.30, Contingency for S.B. 292)



- The continuation of a mental health jail diversion program;
- The establishment or expansion of a mental health jail diversion program;
- The establishment of alternatives to competency restoration in a state hospital, including outpatient competency restoration, inpatient competency restoration in a setting other than a state hospital, or jail-based competency restoration;
- The provision of assertive community treatment or forensic assertive community treatment with an outreach component;
- The provision of intensive mental health services and substance use treatment not readily available in the county;
- The provision of continuity of care services for an individual being released from a state hospital;
- The establishment of interdisciplinary rapid response teams to reduce law enforcement's involvement with mental health emergencies; and
- The provision of local community hospital, crisis, respite, or residential beds.

3. Crisis beds are mentioned, can this be for crisis residential or extended observation and is this just for justice-involved individuals?

Answer: Crisis residential beds and extended observation beds are permissible program areas per the S.B. 292 legislation. The purpose of the funds are to reduce recidivism, arrests, and incarcerations among individuals with mental illness. As such, crisis residential and extended observation beds may be used to prevent individuals from justice involvement.

4. Would psychiatric rehabilitation services be allowable services to provide in the jail?

Answer: Yes, the funding may be used to provide these services, depending on how the provision of services is communicated in the proposal, which must meet the parameters of S.B. 292 (see also Question 1).

5. In reference to Jail-Based Competency Restoration, do the individuals have to be housed in a separate area or the entire program?

Answer: Code of Criminal Procedure (CCP), Chapter 46B, Article 46B.090, relating to Jail-Based Competency Restoration (JBCR) Pilot Program specifies the following: "designate a separate space in the jail for the provider to conduct the pilot program."



CCP, Chapter 46B, Article 46B.091, relating to JBCR Program Implemented by County specifies the following: “operate in the jail in a designated space that is separate from the space used for the general population of the jail.”

The proposed 25 Texas Administrative Code, Chapter 416, Subchapter C, relating to JBCR Program defines JBCR as “competency restoration conducted in a county jail setting provided in a designated space separate from the space used for the general population of the county jail.”

Collaborative Composition

6. I understand that the community collaborative related to S.B. 292 must consist of at least the LMHA, Counties involved and Hospital Districts representing those counties. Can any one of these three entities be the administrator of the grant?

Answer: The LMHA must be the lead entity applying for funding with letters of commitment from the county and hospital district(s) in the proposed local service area(s). In order to streamline the process, HHSC is encouraging county entities, hospital districts, and LMHAs to collaborate and submit an NCA through the local authority. The LMHA is the entity submitting the proposal that meets the needs of the community as defined by the community collaborative. HHSC anticipates the proposals will reflect the needs as defined by all members of the collaborative.

7. Can any of the three required collaborative partners or other collaborative partner agreed upon by the collaborative partnership members be the fiscal agent for the grant?

Answer: No, the LMHA must be the lead entity applying for funding with letters of commitment from the county and hospital district(s) in the proposed local service area(s).

8. We understand the project collaborative is intended to be comprised of the county, LMHA, and hospital district, if there is one. In our county, the city PD does all of the MH work and the community wants to propose rapid response teams. If the county provides a letter of support, but the city is the primary collaborative partner with the LMHA, does that meet the spirit of the requirement?

Answer: Based on the language in the legislation, the city can't be the primary collaborative partner despite a letter of support from the county.



Per S.B. 292, a community collaborative is defined as including the following:

- A county;
- A local mental health authority (LMHA) that operates in the county; and
- Each hospital district, if any, located in the county.

A community collaborative may include other local entities designated by the collaboratives members.

NCA Application Instructions

9. We have 6 counties in our LBHA. 1 urban (already has an approved project) and 5 rural. If all five are rural and we are doing one project for them all, do we need 5 submissions or 1? Also, does the total population size of all 5 matter or is it the individual size of each county?

Answer: If the same program will cover five counties, then you will submit one NCA proposal and one budget, work plan, etc. If you are proposing a program in each of the five counties, then you will submit one NCA proposal, addressing each program, five budgets, five work plans, etc. The individual size of the county matters, not the combined five counties.

10. All facets of the original grant application are identical and will continue. The addition of the outpatient restoration was included in the original NCA it just wasn't coming online until FY19. This was stated in the NCA and included in the FY19 budget. Do we need to resubmit?

Answer: No, resubmission is not required for projects already proposed and funded under the fiscal year 2018 NCA, even if they will not be implemented until fiscal year 2019.

11. Do you want the separate documents submitted separate in one email message, or can we send you one PDF file with all documents, along with the Excel budget?

Answer: You can submit the NCA and all additional requested documents in a single PDF file with the excel budget separate or as individual documents. It is important to note that each program proposed under the NCA will need individual program designs, work plans, budgets, and performance measure tracking reports. Please clearly indicate the program associated with the document.



12. What are the timeframe parameters for the budgets? We were caught off guard by the need for a 5-month budget and a 12-month budget in the previous NCA.

Answer: The need for the 5-month budget in fiscal year 2018 was due to adjusted timeframes that took into account Hurricane Harvey. This NCA for rural counties in fiscal year 2019 will require the submission of 12-month budgets.

Other

13. Will the grant be available for FY20?

Answer: HHSC does not have a definitive answer at this time. HHSC is currently preparing for the 86th Legislative Session. Information regarding grant availability in the next biennium will be provided as soon as it is available.

14. When awarded funds will finally be distributed?

Answer: Awarded funds will be distributed as soon as possible.

15. Any word on the earlier proposals?

Answer: Fiscal year 2018 contracts are currently being processed. Execution will occur as soon as possible.