

**Idaho Statewide Drug Court and Mental Health Court  
Coordinating Committee**

**Thursday, May 10, 2012  
8:30 a.m. – 3:00 p.m.  
Idaho Supreme Court  
Lincoln Room  
Boise, Idaho**

**MINUTES**

**Next Meeting Dates:**  
**September 2012 - TBD**  
**November 15, 2012**

<b><u>Members Present</u></b>	
<b>Chair, Justice Daniel Eismann</b> <b>Debra Alsaker-Burke</b> <b>Hon. Richard Bevan</b> <b>Jared Bingham</b> <b>Roger Bourne</b> <b>Marreen Burton</b> <b>Burt Butler</b> <b>Roger Christenson</b> <b>Denise Chuckovich</b> <b>Matt English</b> <b>Dennis Hardziej</b> <b>Sharon Harrigfeld</b> <b>Kerry Hong</b> <b>Norma Jaeger</b> <b>Lisa Martin</b> <b>Mark Mimura</b>	<b>Eric Olson</b> <b>Hon. Mike Reardon</b> <b>Hon. Thomas Ryan</b> <b>Michele Sherrer</b> <b>Hon. Darren Simpson</b> <b>Dustin Smith</b> <b>Hon. Judge Southworth</b> <b>Hon. John Stegner</b> <b>John Tanner</b> <b>Martha Tanner</b> <b>Sara Thomas</b> <b>Patti Tobias</b> <b>Hon. Jack Varin</b> <b>Hon. Scott Wayman</b> <b>Linda Wright</b>
<b><u>Guests Present</u></b> <b>Scott Bandy</b> <b>David Birch</b> <b>Elda Catalano</b> <b>Ross Edmunds</b> <b>Shawna Hopple</b> <b>Marilyn Kesner</b> <b>Dan Kessler</b> <b>Larry Reiner</b>	<b><u>Staff Present</u></b> <b>Jeff Morris</b> <b>Scott Ronan</b>

The meeting was convened at 8:30 a.m. by Justice Daniel Eismann, Chairman, and members and guests present at the meeting introduced themselves.

### **Approval of Minutes of the November 17, 2011 Meeting**

The minutes of the previous meeting on November 17, 2011 were approved.

### **Guidelines and Standards for Effectiveness and Evaluation: Implementation Plans and Activities**

Norma Jaeger presented current activities and plans for implementation of the adopted Standards and Guidelines for Effectiveness and Evaluation, including the peer review process. Jeff Morris presented materials and a recently designed distance learning module covering the Standards and Guidelines that can be used to help drug court staff members better understand the standards and guidelines and evaluate their knowledge. Jeff Morris first presented the learning module which takes the form of a PowerPoint that explains the standards and guidelines, points out changes in language and formatting that identify a standard as opposed to a guideline, and gives tips and comments for why a standard or guideline is a recommended practice. Jeff Morris also presented the testing portion of the education module. The test item is powered through Google and is accessible via hyperlink. Anyone who obtains the link will be able to take the test. The Google program then retrieves the results, enters them into spreadsheets, and gives the administrator the ability to create outputs, summary charts, and other functions with the results. The process of creating a way for the test takers to receive their results automatically is still being developed.

Norma Jaeger then asked the committee to consider a motion to apply the revised and previously approved Standards and Guidelines to all Adult Drug Courts.

**A motion was made to apply the Adult Drug Court Guidelines to all Adult Drug Courts with the possible exception of Veterans Treatment Courts. The motion was seconded and passed unanimously.**

### **Medical Issues and Needs in Drug Courts**

Norma Jaeger opened discussion on the medical issues and needs of those in drug courts. Many people who have significant physical health issues as well as treatment and addiction issues are involved in drug court. Marilyn Kesner and Marreen Burton provided information on the medical issues they have encountered in drug courts and Marilyn Kesner reported on the participation of a physician on the Bonner County Team. Marilyn Kesner said that the physician has an immense amount of knowledge and expertise that is helpful to the court. All those who are admitted to the court are asked to go see him. She noted that misuse and abuse of prescription drug is at an epidemic level and that narcotics deaths now outnumber automobile fatalities. The physician has said that there is no effective way for him to monitor prescription drug abuse, but he is able to better identify it. The physician has also said that he would like to establish some cost effective baseline tests to assess more needs. Ms. Kesner also noted that there have been a significant number of participants reporting pain, which the physician identified and then referred the individual to a specialist.

Marreen Burton said that they also have a doctor who assists the court and was a former participant. The largest issue they have identified has been that of dental problems. Approximately 40% of participants have reported medical issues such as Hepatitis-C. Marreen

Burton said that they also have a social worker who identified drug companies that have products designed to treat Hep-C.

Scott Ronan said that at a recent conference in Reno during a discussion on the impact of the healthcare law, it was said that many more people are slated to be covered and will be on medication management. This could have a huge impact on a court, so there is an impetus to identify related needs.

Roger Bourne asked about how drug courts are able to sort out what a participant is on versus what they need to be on in terms of medication. The response, which came from many at the meeting was that, especially with opiates, the court must be very vigilant, and sometimes an ER trip which is OK'd by the counselor is necessary. Judge Stegner said that they need to take an ID card issued by the drug court to the ER, which limits some unauthorized visits. He also asked whether Suboxone is a treatment option that is covered by Medicaid and whether it would be part of the behavioral health RFP. Ross Edmunds said that behavioral health is something that will be covered by managed care under the new healthcare law. Mental health is first in priority and substance use is next. Suboxone is not currently covered in Idaho by the new managed care plan. Medicaid will cover medication, but it is not managed by the new plan. Ross also said he would ask Medicaid about Suboxone to be sure.

Norma Jaeger asked when the RFP decision would be made. The answer from Ross Edmunds was that, by the end of May, there should be a 30-60 day trial in place and that by September the RFP should be contracted and operational. Norma Jaeger followed up by asking if the substance abuse portion of the RFP would be rolled into the program by next year, circa July, to which Ross Edmunds said that yes, it would.

The committee agreed that they should follow the developments of the Medicaid RFP due to the direct impact it is expected to have on drug court participants.

### **Community Medical Resources**

Denise Chuckovich, committee member and Executive Director of the Idaho Primary Care Association, reported on the role of community health centers and how they can become a better resource for participants in drug court and to drug court teams. She provided the committee with a handout titled, *Idaho Community Health Centers*. She said that unfortunately, the community health centers are a well-kept secret, as many people are not aware of the services they offer. There are 13 centers in Idaho located throughout the state. They were established by federal law and have served 133,000 people in Idaho. They provide access to high quality services for low income people. The new healthcare law is highly focused on primary care and will in turn affect the health centers. All the centers are non-profit and are community owned and operated. Funding is scarce and is not aided by revenues due to the sliding scale that determines patient fees combined with patients' lack of insurance. The new healthcare law could include as many as 50% of the health center's current patients in Medicaid, as opposed to those people remaining uninsured, which will be a great help to the center. The populations served by the health centers are very similar to the populations of drug courts. They also have reported a significant need of dental services. Ms. Chuckovich also said that she wants to emphasize the fact that the centers are available for use by drug court participants. The staff is familiar with these populations and

looking ahead. They are hoping to be able to treat more people who will then be eligible under Medicaid.

Judge Varin added that the level of professionalism is very high among the physicians and staff who work at the health centers and that those individuals choose to work there to do good, rather than to collect impressive salaries.

Norma Jaeger asked if there were any conferences at the statewide educational level, to which the response was unfortunately no, but that there is an annual meeting with the Idaho Academy of Family Physicians. Norma Jaeger also asked if any of the drug courts present had used the centers before, to which some said yes, but that there are barriers such as a condition of homelessness and that the centers are available on a first come first serve basis.

### **Medication Assisted Treatment and Statewide Medical Consultant**

Norma Jaeger reported on the activities of the workgroup which is exploring issues relating to implementing the recently adopted NADCP position of avoiding blanket exclusions of medication assisted treatment for drug court participants. She said that the NADCP is encouraging education on medication treatment. Many western states focus on Meth, but there is a shift towards medication use and abuse. Unfortunately, treatment can be expensive. Additional information on this topic is located on page 53-57 of the meeting materials. With the support of the committee, the workgroup will continue to work on the issue and will report back to the committee at the next meeting.

### **Legislative Update**

Judge Varin provided a legislative update on HB 475 which extends the allowable length of misdemeanor probation by an additional year if the person needs additional time to complete their requirements in a problem solving court. Judge Varin said that this can mean probation for drug court participants of up to three years, and that there may be a need for some judicial training on this rule. The individuals in drug court to whom this applies need to understand that there is potential for an extension of their probation. There may also be a need for discussion on how this affects felony offenders, which may call for an amendment under Chapter 19.

Kerry Hong said that there are situations where someone could be on probation for time in Drug Court as well as for one year after the program. Potentially, the view of defense counsel and the participant themselves could be that, for a misdemeanor offense, simply accepting the penalty without entering drug court is a better option. Judge Varin said that we should also send out language to the coordinators clarifying HB 475 (the text of HB 475 is included in the meeting materials on page 78-80).

### **Department of Correction Update**

David Birch (on behalf of Director Brent Reinke) reported on the developments and FY 2013 prospects for the Department of Correction and any impacts on partnership activities with problem-solving courts in the coming fiscal year. He said that although over the last few years there has been either low or no growth, there has been higher population growth in the current year. Capacity is at 99% and there are 700 inmates in county jails. Lawmakers have approved supplemental dollars, but the IDOC is looking at having to send inmates out of state. The IDOC

is also looking at the potential construction of a separate mental health facility to accommodate 300+ beds and a planned 300 bed extension in the future. David Birch also said that staff shortages are causing caseloads to increase. The department does see the success of the problem solving courts, but the challenge is that they need more manpower to conduct the necessary probation supervision. The provision of services combined with new courts and fewer probation officers makes increased supervision untenable.

Judge Varin said that the legislature reintroduced 19-2524 to require drug screenings for all felony cases, unless waived by the judge. IDOC must screen for both substance abuse and mental health. All this falls under the presentence investigation process, the goal of which is for the judge to have a better understanding of the available treatment options in accordance with the problems presented. This is significant legislation that will require additional work.

Ross Edmunds said that the Department of Health and Welfare and IDOC are supportive of this effort but are cautious of future needs. They are looking forward to the pilot project to measure full implementation needs.

The committee should note that there is a provision for treatment during the gap between the initial hearing and sentencing. Please refer to the copy of the statute (19-2524) for more information.

A question was asked as to whether or not there was a known reason for increases in crime. David Birch said that there seemed to be new crimes, but were not necessarily related to drug crime. The situation in county jails with the mentally ill is potentially a 30-50% increase in such populations. Burt Butler asked if there has been outreach between CITs and the problem solving courts along with IDOC. The answer is that there is some underutilization that could assist with the problem.

Norma Jaeger said that there is a gulf between the ability of the IDOC to conduct supervision and the desire to fill up underutilized courts. It is hard to do one without the other. Justice Eismann added that we need to get better information on those probation violators who are eligible for problem solving courts.

### **FY 2013 Allocation Recommendations**

Judge Varin and Kerry Hong presented the recommendations for the allocation of dedicated funds and substance abuse treatment funds for FY 2013. The materials for this portion of the meeting begin on page 95. There is also an additional handout, *FY 2012-2013 DC/MHC* which will be used for additional reference. Be sure to consider the notes on the handout indicated by asterisk. The 2012 budget is coming to a close and the first year of SUD's allocation is in the budget. In terms of drug testing funds, for FY 2013 it has been proposed that there be a one-time funding disbursement, rather than having all the courts send in vouchers and get them approved. The courts will instead get the money up front to manage for themselves. The issue of reallocation based on underspent dollars is also a part of the FY 2013 budget. Looking at the bigger picture, the legislature does not take kindly to unspent funds. There is also documented underutilization by the courts. The two items that are driving the reallocation of funds in the budget are underutilization and pressure to create new courts. These items need to be considered

when looking at efficiencies and best practices. Additional concerns include the addition of WITS and the move towards departing from BPA. The previous budget also approved by the legislature included funding for two new staff members to assist with needs, quality control, data analysis and greater efficiency.

Scott Ronan presented additional information relating to budget reallocations via PowerPoint. He said so far through the FY 2012 budget there is a significant need of dollars for mental health courts. However, the courts are underspent for substance abuse treatment. WITS contracting efforts are ongoing and the DHW reimbursement of travel for providers has been paid by the courts. During the discussion of the need for dollars for mental health courts, Ross Edmunds said that the DHW anticipates that they may be able to assist with covering some of the dollars needed to fund treatment for mental health courts. He said he would investigate this potential action and report back to the committee. Scott Ronan also said that in terms of changes between the FY 2012 and FY 2013 dedicated fund, coordination enhancement has increased and drug testing money is also increasing. Dollars will be re-used from the unallocated coordination enhancement fund and will be put back into the courts.

Judge Stegner said that in Latah County they are not testing as much as they should be and testing dollars are problematic because at the rate of \$325 per slot, it is not working. At a lower rate it will be all the more untenable. He said he is in agreement with the current drug testing dollar amounts.

Patti Tobias said that there needs to be a discussion on testing dollars for FY 2014 because the courts are unable to sustain at lower levels of funding. Justice Eismann added that there will be future discussion on testing dollars, but there is not necessarily an anticipated annual decrease each year into the future.

It should also be noted that several counties are unable to spend more due to levee limits. That will be considered because the ISC cannot force county spending.

Judge Varin said that we need to get feedback from the courts on what they feel would be a solution to the problem and we need to know what the need is for each court/district. This will most likely require comprehensive discussion. Norma Jaeger said that the Sustainability and Institutionalization Committee will meet again to talk about those problems.

Scott Ronan added that there is one-time assistance money which can help us meet needs in the future. That dollar amount will increase. In terms of allocation, coordination enhancement has increased and drug testing has increased. Overall, there are slots that will be reduced in order to adequately balance out increases to testing dollars as well as treatment dollar increases.

Kerry Hong spoke more about the proposal for reallocation of treatment slots. He said that continued underutilization is a problem for trying to get funding to help more people get into treatment. The analysis of treatment slot utilization is based on actual utilization over the last 21 months. The formula used to determine reallocation can be found on page 99. In short, the numbers are derived from number of participants over the last 21 months with weight given to the past 6 months. The weighted average plus the standard deviation is what was used to

determine utilization. Because there is underutilization, recommendations have been made to reallocate slots. Page 98 has the full breakdown by utilization and reallocation for FY 2013. The biggest concern is that the number of actual people has been consistently below the rate available. It should be kept in mind that not all courts have lost slots.

Justice Eismann noted that when the money for treatment slots was divided up, it was not the intention to just send it out and let it sit. The money was allocated with the understanding that there will be new needs in the future and with the hope that the money pot would grow.

Norma Jaeger said that when looking at underutilization, when there is a reduction, it does not mean that all slots are lost. In fact, some slots do come back in and are reapportioned. Kerry Hong added that we did not look at reducing the number of mental health court slots.

Marreen Burton said that the graphs provided in the materials seem to conflict with the stated reallocation recommendations in the sense that it appears some courts are losing slots for being at overcapacity, but some others are gaining slots even though they are under capacity. Kerry Hong answered that the graph does not reflect properly the courts that are not utilizing state court dollars, just treatment slots.

Judge Stegner said that in the past the courts were asked to curtail enrollment, and they did; but now this reallocation seems like a penalty for doing so. Previously, it seemed like it was not so bad to be over, but now it is not desirable to be under. Kerry Hong answered that because things are more dynamic now. We have to be more responsible for the state dollars. Judge Varin added that because we now have specific allocations for dollars, things require greater sensitivity. Kerry Hong also added that we had anticipated that the courts would ramp up utilization in the last six months, which did not happen to the extent expected.

Matt English said that he is concerned that at any given time it is possible that there may be better ways he can allocate slots within his district, but with an annual reallocation, he may not be able to allocate effectively. He asked if it would be possible for the committee to approve an intra-district slot shift on a six month basis. Norma Jaeger answered that the real agenda here is not to penalize and take away slots, but to put ourselves as a collective whole in better position to get more funding in the future for more slots. The purpose is to create a more structured system for shifting slots so that it is easier and more effective to collect data and also for assisting districts to maneuver slots better. Judge Stegner added that he sees two positions to the question: (1) either to let the districts shift as they see fit or (2) only to allow the committee to decide. To clarify, Scott Ronan said that once the allocation is established for the district, the courts can allocate within the district, but we at the Supreme Court need to be updated. Additionally, if changes result in underutilization, that would be counter to what the committee is recommending currently. Scott said that he needs to know in July and again in January what the changes to courts within each district are in terms of allocation, rather than a continuous update.

**A motion was made to allow the districts to report changes in allocation by court to Scott at the Supreme Court in July and January. The motion was seconded and carried.**

**A motion was made to approve the reallocation proposal which was seconded by Judge Southwick. Before it was voted on there were additional questions.**

One member of the committee asked if the new slots have taken into account the drug testing dollars, to which the answer was yes.

It was also asked if slot reallocation would be something examined annually, to which the answer was yes, and that past utilization will continue to be observed. Norma Jaeger said that the method used to analyze slot allocation and utilization is not necessarily the hard standard and will most likely be improved. It is important to remember that even with the reductions in treatment slots, the situation does not exist where a coordinator will have to go back to their court and eliminate participants. The courts are underutilized already, so no people have to be sent away. The number of slots will not go below where utilization has been for the past several months.

The group agreed that this method of examining utilization will need to be re-examined and that the committee should look again in the fall at these utilization numbers. In the future, it will be beneficial to have more notice of such changes and allow courts to adjust.

**The motion to accept and approve the reallocation proposal as written was made and seconded. The motion carried with 6 OPPOSED.**

**Letters of Intent**

**Bonneville County Young Adult Drug Court**

Burt Butler reported on the proposed Young Adult Drug Court in Bonneville County. The court is geared toward 18-24 year olds whose outcomes are not good in terms of graduation from treatment courts. The effort of this court is to find a remedy to this outcome. Jared Bingham spoke about the methodology the court intends to use. He said the program is based on the 7 *Challenges* approach advocated by Randy Muck, which is more successful with 18-24 year olds. The court is really a separate treatment track within the court and they hope to recognize it as a court. The treatment challenges participants to address why they “use,” targets trust and willingness to talk about issues, and suggests that participants are more honest with probation officers. Bonneville County plans to present an operations manual at the next committee meeting.

Judge Stegner asked if there have been any studies of successfulness for these groups. The answer is that there has been some success with this age group in the program, but not in drug courts as of yet. Judge Stegner also asked how the program can tell if the treatment is working, to which they said they can track numbers from past year, although the outcomes are bleak so far.

**The motion to approve the letter of intent carried unanimously.**

**Ada County DUI Court (update)**



Marreen Burton provided an update of the activities of the Ada County DUI Court. She said that the letter of intent has been approved and they are pursuing grant funding. They have had ten slots approved for the court. No action items are required.

### **Canyon County Juvenile Drug Court**

Elda Catalano, Chief, Canyon County Juvenile Probation presented a letter of intent for a Canyon County Juvenile Drug Court. She said that statistics indicate that there are many men and women (juv.) who go to residential treatment in the area. The team has also had meetings with the prosecutor's office concerning the court. They are looking to take 25 juveniles and would like to start as early as October. They have also aligned finding for a coordinator and a probation officer.

Norma Jaeger asked if they had developed any plans for treatment at this time, to which the response was no, they have not, but are looking to hire someone who could come in and do the treatment.

**The motion to approve the letter of intent carried unanimously.**

### **Operations Applications for New Courts**

#### **Canyon County Veterans Court**

Judge Southworth reported on the status of the Canyon County Veterans Treatment Court and the court's operations application. He said that the court is already beginning to fill slots and could take as many as 20 participants. Funding will come from participant payment of fees, community funds and resources proved by the VA. The court will not require state funds. To be eligible for the court, veterans must be eligible for treatment under Veterans Treatment, have PTSD, Co-occurring disorders, or substance abuse disorder and cannot have had a dishonorable discharge. One challenge faced by the court is that their coordinator is a county employee, which the court has less control and authority over. The court is also hoping to be able to use fees to pay for housing.

**The motion to approve the operations application was seconded and carried unanimously.**

#### **Bannock County Veterans Court**

Matt English reported to the committee on the progress of the Bannock County Veterans Treatment Court and sought an operations approval request. He said the court has been operating for one week and has taken on four participants with eight potential referrals waiting. The interagency collaboration has been excellent and he has found the Veterans' office from Salt Lake City, Utah, to be exceedingly helpful. Thus far, the court has handled issues of homelessness by finding housing and has been assisted by multiple community agencies. The staffing team as well as the stakeholder's group is significantly large showing high levels of community support.

**The motion to approve the operations application was seconded and carried unanimously.**

#### **Latah County Mental Health Court**

Judge Stegner reported on behalf of the Latah County Mental Health Court and sought an operations approval. He said that the letter of intent has already passed and they have submitted the operations application. The court is designed for misdemeanor and felony offenders, and will be able to include those with co-occurring disorders. The court has an MOU between the judge, IDOC, probation, and the treatment provider. They are hoping to take 10 participants.

**The motion to approve the operations application was seconded and carried unanimously.**

### **Proposed Pilot Project for Transition to WITS**

Scott Ronan reported on the development of the WITS system for substance abuse client treatment data management. It is proposed that a pilot test be conducted with the problem-solving courts. The system will cost approximately \$4.8 million to implement and the result will be to move away from BPA. To implement the system it will be necessary to acquire funding as well as specialized expertise. The court is also in the process of exploring the possibility of having a contract of their own to operate WITS without being tied to everyone else in terms of site maintenance. The pilot project will begin with Districts 7, 4 and some courts in District 2 with potential for other districts. WITS is designed and intended to be the new monthly report. An additional goal is to find a new way to use Medicaid funds without the use of BPA (currently DHW can only use BPA for this purpose). Kerry Hong added that the changes proposed by the court in terms of separate contracts would apply only to elements that are non-universal and tied to the court's funding system. The court is looking at integrated data, but wants a separate contract so they don't have to wait in the queue for change orders. The universal elements cannot be changed without consent, but other items can be customized within our funding system.

Matt English asked how much of WITS is in place, to which the answer was that it is not fully in place, but the pilot program will assist in planning a full implementation.

**The motion to approve the proposal to begin the pilot program for the transition to WITS was seconded and carried with 1 ABSTAINING (on the condition that BHIC continues to work with FEI and agrees to work as a collective governance structure).**

### **Mental Health Collaboration Grant-Chief Justice's Criminal Justice Mental Health Initiative**

Norma Jaeger reported on the recent meetings of the Department of Justice grant-funded Mental Health Collaboration Project continuing the work of the Chief Justice's Criminal Justice Mental Health Initiative. At the recent meeting, Idaho applied for and was selected as one of the six cities to participate in a Community Mapping workshop provided by the GAINS Center. The workshop will be held in Boise in the summer. The workshop will enable the Ada County criminal justice/mental health system to develop an inventory of resources and identify gaps. The date for the meeting is to be determined.

### **Judicial Education Conference**

Judge McLaughlin reported to the committee to summarize the recent Judicial Education Conference. He said that the focus of the conference was on three key components of the court, for which there were three excellent speakers. He also said that all of the TCA's came and a vast percentage of judges were also in attendance. Overall it was a very successful and enjoyable conference/training.

### **Department of Juvenile Correction Update**

Sharon Harrigfeld, Director of the Department of Juvenile Corrections, reported on developments and FY 2013 prospects for the Department of Juvenile Corrections as well as any

key impacts on partnership activities with problem-solving courts. She said that number have been going up, with 216 maximum state beds and 217 juveniles. They have a group that is working on anticipating needs and are looking at how to address forecasts of increased populations as well as increasingly complex needs. They are facing a decrease in funds in addition to rising needs and are looking for additional community resources. Director Harrigfeld provided three additional handouts, *Transforming Behavioral Health Services within the Idaho Juvenile Justice System*, *Juvenile Justice SUD Services*, and *SUD Expenditures Table*. For juvenile justice, rural areas are problematic due to lack of access to services, unlike Boise. There is a need to find ways to access new services because they are currently underutilized. She also said that the IDJC is enthusiastic about moving forward with WITS and is committed to finding new services to assist juveniles.

### **Department of Health and Welfare**

Ross Edmunds reported on developments and FY 2013 prospects for the Department of Health and Welfare as well as any likely impacts on partnership activities with problem-solving courts in the future. He said that they are partnering for the treatment of misdemeanor offenders and that there are 1.2 million misdemeanants under ATR. They would like to increase misdemeanor drug courts because DHW is committed to working with the courts. Within IDAPA 1607-20 they are looking to update the rules or maybe consider not continuing to use the rules. Patti Tobias said that we should be sure to look at the IDAPA rules in relation to drug courts, but Ross Edmunds replied that the rules are not being enforced regardless. The treatment providers may not be aware of the rules. Norma Jaeger said that since the courts rely on DHW to ensure that providers are approved to administer treatment, what is the timeframe for proposing and approving a rule? Ross Edmunds responded that he would find out an answer and get back to her. It was also mentioned that the rules in IDAPA can be handled by contract. Because the rules offer a sense of security to the courts, there needs to be a committee to review the rules and determine what the next steps should be. Volunteers for the committee thus far include: Burt Butler, Marreen Burton, Judge Varin, Dennis Hardziej, and Jared Bingham.

### **Child Protection Drug Courts**

Debra Alsaker-Burke reported on the status of child protection drug courts in the state of Idaho. She said she has been working with Norma Jaeger and several judges to bring the courts up to speed. They are looking at doing earlier screenings and treating substance abuse, mental health issues, and trauma as target populations. The court uses a case management/"triage-esque" approach and utilizes more frequent hearings and higher engagement with participants.

### **Juvenile Drug Court**

Jeff Morris and Scott Ronan reported on information presented on Idaho Juvenile Drug Court Data for participants who left drug court between January 2004 and December 2005. The study presented is a Utah State University Master's Degree thesis. Jeff Morris related the most striking and relevant findings to the committee for comment and further discussion. Among the many interesting points made by the study there were several important outcomes such as: a greater proportion of females graduated than males; there was no predictive relationship between race and graduation; there was no significant difference between number of arrests and graduation; school attendance prior to drug court was found to be a predictor of success in drug court; and there was no predictive relationship between age of first use and graduation success. Additional

information can be found in the one sheet summary provided in the meeting materials on page 112-113.

### **Additional Items**

Judge Varin took time to recognize retiring Judge Larry Duff for his service and as a member of this committee.

The next meeting is to be scheduled for a date in November, but there could also be another meeting in the late summer (August or September to provide input to the Administrative Conference in early October).

**The motion to adjourn was seconded and carried unanimously. The meeting concluded at 3:00 p.m.**

### **Action Items:**

- **Disseminate links to the Self-paced Learning Module on the new Standards and Guidelines**
- **Follow-up on the Medicaid Behavioral Health Request for Proposals for managed care**
- **Continue information gathering on medication assisted treatment**
- **Communicate with misdemeanor courts on HB475 which allows extending probation for an additional year**
- **Obtain further information on probation violators who might be eligible for problem-solving courts**
- **Communicate FY13 allocations and court capacity changes**
- **Reconvene the Sustainability and Institutionalization Subcommittee**
- **Implement and evaluate the WITS Transition Pilot Projects**
- **Provide input on ADAPA rule revisions relating to substance abuse treatment facility approval**