

final minutes

State Drug Treatment Court Advisory Committee Meeting

9:30 a.m. • Tuesday, January 28, 2014

Legislative Council Conference Room • 3rd Floor Boji Tower

124 W. Allegan • Lansing, MI

Members Present:

Judge Amy Ronayne Krause, Chair
Stephanie Drury (via teleconference)
Janette Kolodge (via teleconference)
Andrew Konwiak
Douglas Lloyd
Judge Frederick Mulhauser (via teleconference)
Robert Nida (via teleconference)
Dr. Jessica Parks (via teleconference)
Mark Risk (via teleconference)
Stacy Salon
Judge Raymond Voet (via teleconference)
Mark Witte

Members Excused:

Judge William Ervin, Vice Chair
Judge Michael Haley
Judge Harvey Hoffman
Judge Brian MacKenzie

I. Call to Order

The Chair called the meeting to order at 9:35 a.m.

II. Roll Call

The Chair asked the clerk to take the roll. A quorum was present and absent members were excused.

III. Minutes of the November 26, 2013 Meeting

The Chair directed attention to the proposed minutes of the November 26, 2013 meeting and asked if there were any changes. There were none. **Mr. Witte moved, supported by Mr. Lloyd, to approve the minutes of the November 26, 2013 SDTCAC meeting as presented. There was no objection. The motion was unanimously approved.**

IV. Committee Vacancy

The Chair opened a conversation regarding the vacant law enforcement representative position. Mr. Lloyd shared that Sheriff Tom Reich of Eaton County is interested in the appointment. The Chair noted that at the last meeting Judge Ervin and Judge MacKenzie offered to search for possible candidates to bring forward as well. The Chair asked that the clerk obtain Sheriff Reich's resume and distribute it to Committee members so that a recommendation can be made at the next meeting.

V. Subcommittee Updates

Cross Assignment Subcommittee: Judge Haley was not in attendance at today's meeting. No update was given.

Defense Attorney Participation Subcommittee: Mr. Risk had nothing new to report.

Funding Alternative Subcommittee: Judge Hoffman was not in attendance at today's meeting. No update was given.

Juvenile Issues Subcommittee: Mr. Nida reported he is anticipating that the people involved in juvenile drug courts will meet at the annual conference to discuss the scheduling of another juvenile drug court forum in the fall.

Legislative Subcommittee: Judge Hoffman was not in attendance at today's meeting. No report was given.

Medical Marijuana: The Chair called on Judge Voet for an update from the subcommittee formed to review whether the Committee should take a position on the NADCP position statement. Judge Voet recommended that because there is diversity of opinion among the subcommittee members, the discussion of this subject should be before the full committee. The Chair agreed and a discussion followed. After the discussion, the Chair suggested that no action be taken by the Committee at this time. There was no objection.

Recidivism Subcommittee: Dr. Parks reported that they have received their data dumps from the judicial data warehouse in January and the information is in the process of being analyzed. They should have some preliminary figures regarding Calendar Year 2013 recidivism data in the next couple of week. The legislative report is due April 1.

Vision Subcommittee: Judge Bowler was not in attendance at today's meeting. No update was given.

VI. Ad Hoc Committees

a. Veterans Treatment Court

Judge MacKenzie was not in attendance at today's meeting. No update was given. The Chair asked that the update on the national conference be added to the next meeting agenda.

b. Affordable Health Care Act Impact

Mr. Witte presented the following report:

**Report of the Ad Hoc Committee
on the Affordable Health Care Act Impact**

Mark Witte and Judge Hoffman

1. We note that the committee has not formally met, yet there is motion in the state's efforts to implement the ACA (Affordable Care Act).
 - a. The state's application for the Healthy Michigan is posted on this website:
http://www.michigan.gov/documents/mdch/Healthy_Michigan_Waiver_Amendment_for_Web_439514_7.pdf
 - b. The state has posted a FAQ (Frequently Asked Questions) document its website:
http://www.michigan.gov/documents/mdch/HMP_FAQ_1-14_443928_7.pdf
2. In other public behavioral health system developments:
 - a. **Medicaid** – As of 1/1/2014, the state has now transitioned its Medicaid contracts for mental health and substance abuse services from the 18 PIHP's that held them through 12/31/2013 to a somewhat more consolidated set of 10 new regional PIHP's (Prepaid Inpatient Health Plans). Most, if not all of these PIHP's subcontract with one or more of 46 CMH's and sometimes (at least until 10/1/2014) to one or more of the current 16 substance abuse Coordinating Agencies.
 - b. **PA 500 of 2012** will result in the Department of Community Health shifting its contracts for substance abuse with the current 16 Coordinating Agencies to the same 10 PIHP's which assumed responsibility for the Medicaid contracts on 1/1/2014. This will be a major piece of implementation from the Poleski bills.
3. In other legislative activity related to substance use disorders and the public system:
 - a. **House Bill 4891** – Proposes a dedicated funding stream for publicly substance abuse systems (through the 10 PIHP's) from a 9.5% split of the proceeds (excess revenue, or profits) of the Liquor Control Commission. The main argument for this bill is to help meet the costs of prevention and treatment (1) made more pressing by the heavy use of alcohol by a small percentage of the consuming public and (2) further warranted by the expanding access to alcohol products in our diminishing regulatory environment. The bill awaits Appropriations committee action.
 - b. **House Bill 4486** – Proposes a means through the probate court for concerned family members and select health professionals to secure involuntary assessment/treatment for loved ones with serious/severe substance use disorders and are unwilling to seek help. The bill awaits committee action.
 - c. **House Bill 4118 (passed) /Senate Bill 275 (passed)** – Proposes a three-county pilot to obtain suspicion-based drug tests from persons enrolled in Michigan welfare programs. Costs would be borne by recipients, and would result in removal from participation if found repeatedly positive. The bill awaits conference committee reconciliation.
 - d. **Marijuana** –
 - i. **House Bill 4271 (passed House)** – Would create "medical marijuana provisioning centers" which would create a legal outlet for "medical marijuana", as well as require compliance with non-contamination/food safety rules.
 - ii. **House Bill 5104 (passed House)** – Would permit creation of "marijuana-infused products" and establish standards for determining useable amounts in various types of product.

- iii. **Public Act 268 of 2013** – Treats Marijuana as a Schedule 2 drug if the federal government ever does so.

VII. Funding Update

Dr. Parks had no update to report.

VIII. Public Comment

The Chair asked for public comment. There was none.

IX. Next Meeting Date

The Chair announced the next meeting will be held on **Tuesday, April 22, 2014** and that there will be no meetings in March or in May. There was no objection.

The Chair also asked that a discussion of conducting future meetings on a quarterly basis instead of every other month be added to the next Committee meeting agenda.

X. Adjournment

There was no further business. The Chair adjourned the meeting at 10:15 a.m.

(Approved at the April 22, 2014 SDTCAC Meeting.)