

proposed minutes

State Drug Treatment Court Advisory Committee (SDTCAC) Meeting

10:00 a.m. • Tuesday, October 8, 2024

Legislative Conference Room • 3rd Floor Boji Tower Building

124 W. Allegan Street • Lansing, MI

Members Present:

Heidi Cannon (Chair)
Judge Raymond Voet (Vice Chair)
Ms. Sheila Day
Dr. Jeanne Kapenga
Prosecutor Douglas Lloyd
Sheriff Michael Main
Judge Maureen McGinnis
Ms. Erin Schroeder
Mr. Andrew Smith
Ms. Ines Straube
Mr. David Wallace

Members Absent and Excused:

Sagelei Barnard
Judge Joshua Farrell
Judge Shannon Holmes
Judge Mark Latchana
Judge Deborah McNabb
Ms. Kim Montgomery
Ms. Stacy Salon

Judge Holmes joined virtually and was not able to be counted present as part of quorum and for voting purposes.

I. Call to Order

The Vice Chair called the meeting to order at 10:05 a.m.

II. Roll Call

The Chair asked the clerk to take the roll. The clerk reported a quorum was present.

III. Approval of Proposed March 19, 2024 Meeting Minutes

The Chair directed attention to the proposed minutes of the March 19, 2024 meeting and asked if there were any changes. Ms. Straube asked for name update on page 2 item VII. **Dr. Kapenga moved, supported by Mr. Wallace to approve the minutes of the March 19, 2024 State Drug Treatment Court Advisory Committee meeting with noted change.** There was no further discussion. The Chair asked for a roll call vote. **The motion prevailed and the March 19, 2024 State Drug Treatment Court Advisory Committee meeting minutes were adopted.**

Yeas: 11

Heidi Cannon (Chair)
Judge Raymond Voet (Vice Chair)
Ms. Sheila Day
Dr. Jeanne Kapenga
Prosecutor Douglas Lloyd
Sheriff Michael Main
Judge Maureen McGinnis
Ms. Erin Schroeder
Mr. Andrew Smith
Ms. Ines Straube
Mr. David Wallace

Nays: 0

Absent Members Excused: 7

Sagelei Barnard
Judge Joshua Farrell
Judge Shannon Holmes
Judge Mark Latchana
Judge Deborah McNabb
Ms. Kim Montgomery
Ms. Stacy Salon

IV. Subcommittee Updates

The Chair called on Subcommittee Chairs to report updates.

- a. **Affordable Health Care Act Impact Subcommittee (Dr. Kapenga)**
Dr. Kapenga reported the current status for the Medicaid redetermination process with nearly 3 million cases reviewed resulted in approximately 700,000 individuals disenrolled noting as a result there is an emerging population with no insurance coverage. Dr. Kapenga recommends legislative support of streamlining coverage options for this population and provide continuing support for funding.
- b. **Defense Attorney Participation Subcommittee (Ms. Schroeder)**
Ms. Schroeder reported education and best practices are in process.
- c. **Family Dependency Court Subcommittee (Chair Vacant)**
The Chair called on subcommittee member Mr. Smith for an update. Mr. Smith reported with assistance from MATCP starting in October implementing network forums for family treatment professionals to share subject areas to discuss items and best practices.
- d. **Juvenile Issues Subcommittee (Chair Vacant)**
The Chair called on subcommittee member Sheriff Main for an update. Sheriff Main updated nothing new to report at this time.
- e. **Legislative Subcommittee (Ms. Cannon, Chair)**
The Chair reported HB4523 & HB4525 related to violent offenders recently passed on August 20, 2024. The Chair noted HB4523 is specific to mental health courts amending to allow violent offenders to participant in a mental health court or drug treatment court respectively. The Chair noted HB4525 indicates before an individual is admitted into drug treatment court would require statement on file that either the individual is not a violent offender, or the drug treatment court judge and prosecutor consulted with the victim and agreed the individual can continue into the treatment court program.
- f. **Program Standardization and Alternative Funding Subcommittee (Judge McGinnis)**
Judge McGinnis reported the addition of a public member with a treatment court supervisory background. Judge McGinnis noted the subcommittee is reviewing prior reports and discussing defining goals and best practices leaning on SCAO for funding updates.
- g. **Veterans Treatment Court Subcommittee (Judge Voet, Vice Chair)**
Judge Voet reported nothing new to report at this time. Judge Voet called on Judge Holmes as a member of the subcommittee inquiring if have anything new to which Judge Holmes noted nothing new to report at this time.
- h. **Vision Subcommittee (Prosecutor Lloyd)**
Prosecutor Lloyd reported the subcommittee is focused on a large overall view noting nothing new to report at this time noting observations and recommendations from the subcommittee will be included in the SDTCAC annual report.

V. Review of Mental Health Services for Incarcerated Individuals Ad Hoc Committee Assignments (Dr. Kapenga)

The Chair called on Dr. Kapenga for an update.

Dr. Kapenga reported the Medicaid redetermination process affecting incarcerated individuals noting incarcerated individuals currently lose Medicaid coverage while incarcerated. Dr. Kapenga reported the 1115 waiver that would allow coverage for incarcerated individuals was filed by the state in July noting

part of it is federal funding therefore the state has to apply for the waiver to allow Medicaid coverage for incarcerated individuals. Dr. Kapenga noted the state's waiver application is still waiting for approval.

Dr. Kapenga noted an alternative source of funding by means of the opioid litigation funding available at the county level and state level with approximately \$450 million. Dr. Kapenga noted the need for data surrounding jail programs and logistical statistics of those programs. After further discussion, Dr. Kapenga will follow-up with Sheriff Main separately on how to obtain that data.

Dr. Kapenga asked if there is interest for an MDHHS speaker to present to the SDTCAC or a webinar with MDHHS for a detailed discussion on Medicaid details for incarcerated individuals. After further discussion, Dr. Kapenga will reach out to MDHHS and discuss within the ad hoc committee for further discussion at a future SDTCAC meeting.

Dr. Kapenga proposes a name change to the ad hoc committee. Judge Voet confirmed the committee as a whole can rename subcommittees by a vote of majority. **Dr. Kapenga moved, supported by Ms. Schroeder to rename the Mental Health Services for Incarcerated Individuals Ad Hoc Committee to Treatment Services for Incarcerated Individuals Ad Hoc Committee.** The Chair asked for a roll call vote. **The motion prevailed and the Mental Health Services for Incarcerated Individuals Ad Hoc Committee is renamed to Treatment Services for Incarcerated Individuals Ad Hoc Committee.**

Yeas: 11

Heidi Cannon (Chair)
Judge Raymond Voet (Vice Chair)
Ms. Sheila Day
Dr. Jeanne Kapenga
Prosecutor Douglas Lloyd
Sheriff Michael Main
Judge Maureen McGinnis
Ms. Erin Schroeder
Mr. Andrew Smith
Ms. Ines Straube
Mr. David Wallace

Nays: 0

Absent Members Excused: 7

Sagelei Barnard
Judge Joshua Farrell
Judge Shannon Holmes
Judge Mark Latchana
Judge Deborah McNabb
Ms. Kim Montgomery
Ms. Stacy Salon

VI. Funding Update (Mr. Smith)

The Chair called on Mr. Smith for an update.

Mr. Smith reported 243 grants totaling \$18,823,910 have been awarded to problem solving court to include 172 awarded to drug court for a total of \$11,976,458; 41 awarded to mental health court for a total of \$5,692,452; and 30 awarded to veteran treatment court for a total of 1,155,000.

VII. Committee Member Comment

The Chair asked if there were any additional comments from the Committee members.

Dr. Kapenga expressed concern in obtaining quorum for meetings and asked if it could be expressed to absent members the importance of the committee's work and need for quorum.

The Chair noted that she and the clerk continue to follow up with committee members to confirm quorum prior to meetings. The Chair noted that committee members who have not responded to meeting notices are being contacted individually for follow-up. The Chair expressed committee member absenteeism is being noted.

VIII. Public Comment:

The Chair asked if there were any comments from the public.

Ms. Kate Hude representing MATCP noted MATCP is taking no position on SB844. Ms. Hude noted there are some exceptions to HB4523 and HB4525 related to violent offenders. Ms. Hude noted HB4524 allowing for judge and prosecutor discretion and also noted HB4522 related to family treatment court.

IX. Next Meeting Date: Tuesday, January 7, 2025 at 10:00 a.m.

The Chair announced the next meeting is Tuesday, January 7, 2025 at 10:00 a.m. in the Legislative Council Administrator's conference room.

X. Adjournment

The Chair asked if there was any further business to discuss. Hearing none, the Chair asked for a motion to adjourn. **Judge Voet moved, supported by Dr. Kapenga. With unanimous support, the meeting was adjourned at 11:59 a.m.**

Proposed