

ANNUAL REPORT

FY2020

A Report to the Governor Regarding the
Status of Mental Health Facilities and
Treatment Programs Inspected by the Board
From July 2019 through June 2020.

Mental Disabilities Board
of Visitors

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MENTAL DISABILITIES BOARD OF VISITORS

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Helena, Montana

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Site Inspections FY 2019 & FY 2020

Date of Inspection	Facility	Team Members
November 2018	Montana Mental Health Nursing Care Center, Lewistown	All BOV staff and Board Members were able to participate in this site inspection.
January 2019	Yellowstone Boys and Girls Ranch, Billings	Amy Tipton, Board Member Melissa Ancell, Board Member Sicily Morris, Board Member Dennis Nyland, Mental Health Ombudsman (MHO) Michelle Reinhardt, Consultant Craig Fitch, Staff Attorney
April 2019	Acadia, Butte	Dan Laughlin, Board Member Jeff Folsom, Board Member Michelle Reinhardt, Board Member Dennis Nyland, MHO Craig Fitch, Staff Attorney LuWaana Johnson, Staff
May 2019	Intensive Behavioral Center, Boulder	Dan Laughlin, Board Member Jeff Folsom, Board Member Dennis Nyland, MHO Craig Fitch, Staff Attorney
June 2019	Billings Clinic Psychiatric Center, Billings	Amy Tipton, Board Member Melissa Ancell, Board Member Dennis Nyland, MHO Richard Holt M.D., Consultant Craig Fitch, Staff Attorney
	FY 2020	
October 2019	Montana State Hospital, Warm Springs	Dan Laughlin, Board. Member Jeff Folsom, Board Member Sicily Morris, Board Member Melissa Ancell, Board Member Tracey Perez, Consultant Dennis Nyland, MHO
January 2020	Shodair Children's Hospital, Helena	Dan Laughlin, Board Member Melissa Ancell, Board Member Amy Tipton, Board Member Andi Daniel, Board Member

In accordance with § 53-21-104

Types of Inspections:

The Board may conduct site inspections at any time, but inspections are primarily:

- routine, scheduled inspections, or
- special inspections prompted by specific issues that come to the Board's attention.

Other Functions and Duties of the Board

- review and approve all plans for experimental research or hazardous treatment procedures involving people admitted to the former Montana Development Center, now the Intensive Behavior Center (IBC), or any mental health facility
- annually complete an inspection of the Intensive Behavior Center
- review and, if necessary, conduct investigations of allegations of abuse or neglect of people admitted to the Intensive Behavior Center or any mental health facility
- review and ensure the existence and implementation of treatment plans
- inquire concerning all use of restraints, isolation, or other behavioral controls
- assist persons admitted to the Intensive Behavior Center or any mental health facility to resolve grievances, and report to the director of the Department of Public Health and Human Services if the Intensive Behavior Center or any mental health facility is failing to comply with the provisions of the state law

BOV Helena office / Intensive Behavior Center

The executive director of the Mental Disabilities Board of Visitors (BOV) in Helena, the staff attorney and legal secretary in Warm Springs, and the staff of the mental health ombudsman's office work together to provide coverage for communications with statewide constituents, their families, and members of the public. Communications come to the BOV via phone calls, emails, and/or face-to-face meetings. Reasons for contacting the BOV are numerous and varied, to include, but not limited to, people requesting assistance, submitting grievances, arranging home visits for loved ones committed to state institutions, discussing a variety of options for loved ones, and concerns about

getting their loved ones into a community-based setting. Communications also include discussing commitment issues with a facility such as the Intensive Behavior Center in Boulder, the Montana State Hospital in Warm Springs or the Montana Mental Health Nursing Care Center in Lewistown, Montana. Oftentimes, family members just need to talk to someone who listens in a concerned, non-judgmental way and can help explain the process to them.

The Intensive Behavior Center in Boulder was directed by the 2017 Montana Legislature with House Bill 387 to maintain a maximum of 12 beds for its capacity. IBC has provided service to and held a census of between 10 and 12 residents in the past fiscal year. Two group homes in Montana received residents that were discharged from the IBC in the past fiscal year.

BOV / Montana State Hospital Overview and Statistics FY 2020

Under 53-21-104(6) MCA, the Board of Visitors (BOV) shall employ and is responsible for full-time legal counsel at Montana State Hospital whose responsibility is to act on behalf of all patients at the hospital. The BOV's attorney represents patients during recommitment, guardianship, and transfer to Montana Mental Health Nursing Care Center hearings, and during administrative hearings (Involuntary Medication Review Board and Forensic Review Board). BOV staff also talks to patients, attends the grievance committee meetings, fields complaints of possible abuse and/or neglect, and regularly reviews treatment plans and other documentation. During the fiscal year, MSH admitted nearly 750 individuals for treatment and coordinated discharge from the facility for nearly as many patients. Average daily census at the MSH campus, including the forensic unit at Galen, for the past fiscal year was 256. BOV staff also reviews grievances, complaints of abuse and/or neglect, and treatment plans and other documentation at the Galen facility, and assists the patient to navigate the forensic legal process without offering specific legal advice. BOV meets regularly with the administrator of MSH to present concerns and discuss issues related to advocacy of the patients.

This year has presented challenges to our usual expectation of timely, in-person, responses to requests from MSH patients and staff. BOV staff have worked more often from a home office and frequented the various units at MSH far less often than normal in an attempt to reduce the likelihood that BOV staff could spread the coronavirus.

Statistical Information for Montana State Hospital

	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
ADMISSIONS TO MSH	759	743	798	790	691
DISCHARGES FROM MSH	750	770	783	818	658
LEGAL REPRESENTATION					
Petitions for recommitment (<i>total number</i>)	166	137	154	219	242
Court Hearings	20	30	14	23	30
Recommitment	13	14	10	11	20
Transfer to MMHNCC	1	0	1	1	1
Guardianship	5	14	2	5	2
Initial Commitment	1	2	1	6	7
Involuntary Medication Review Board (IMRB)					
Initial	207	191	168	161	302
14-Day Review	102	91	82	72	169
90-Day Review	84	78	65	62	96
Forensic Review Board (FRB).	21	22	21	27	37
ADVOCACY					
Grievances (<i>total number</i>)	41	22	49	23	20
Resolved by program manager	638	992	1006	959	1213
Addressed by Committee	444	728	800	633	839
Abuse/Neglect investigations	194	247	206	326	374
Treatment Plan Reviews conducted by BOV	36	22	44	41	30
	306	260	352	363	272

OBSERVATIONS IN THE STATE OF MONTANA

The financial difficulties that Montana providers experienced during the fiscal years 2017 – 2018 created a heavy burden on Montana's mental health system in 2019. In the recent fiscal year 2019 – 2020, the state's traditional providers of public health treatment that previously were forced to cut services and jobs have adjusted for the most part to meet the historic and continued need for mental health services. The COVID-19 pandemic has increased mental health services for citizens of Montana and thus has likely increased the need for mental health services across the state in the previous months.

During the BOV's Annual Meeting on June 29-30, 2020, the board agreed to a proposed site inspection list for FY 2020-2021. The list includes six facilities or psychiatric units in hospitals. Executive Orders introduced in March 2020 due to the COVID-19 pandemic prohibited visitors to the facilities the BOV provides oversight to. As the year progressed and the visiting restrictions were not eased, the BOV decided to conduct a limited version of a normal site inspection with interviews carried out virtually. The BOV was able to conduct site inspections with two of the proposed facilities by the end of the calendar year 2020. The remaining four proposed sites will be contacted in 2021, and dates will be established for the BOV to conduct site inspections per 53-21-104 MCA.