

**GOVERNOR'S ADVISORY COMMISSION ON MENTAL ILLNESS AND  
THE CORRECTIONS SYSTEM**

**MINUTES**

**January 29, 2021  
9:00 a.m.**

**DEPARTMENT OF CORRECTIONS CONFERENCE ROOM  
COMMISSIONER'S OFFICE  
105 PLEASANT STREET  
CONCORD, NH  
Held remotely by Zoom**

Participants:

Helen E. Hanks, Commissioner New Hampshire Department of Corrections, Chairperson  
Robert Lynn, Retired Chief Justice, NH Supreme Court  
Tina Nadeau, Chief Justice, NH Superior Court  
Alex Casale, Statewide Drug Offender Program Coordinator, NH Supreme Court  
Henry Lipman, Director, NH Medicaid, DHHS  
Heather Moquin, Chief Operating Officer, NH Hospital  
Cassandra Hoyt, MLDAC, Sullivan County House of Corrections  
Emily Rice, Manchester City Solicitor  
Thomas Velardi, Strafford County Attorney  
Sarah Blodgett, Executive Director, Judicial Council  
Ken Norton, Executive Director of NAMI  
Dean Christon, Executive Director, NH Housing Finance Authority  
Richelle Angeli, Administrative Assistant, Commissioner's Office

This Commission was formed to examine and make recommendations on issues facing individuals with mental illnesses in the corrections system. Executive Order 2019-02.

Commissioner Helen Hanks called the meeting to order at 9:01am.

**Meeting Minutes**

- The meeting minutes from 10/30/20 and 12/22/20 are currently in draft form and are not ready to be approved at this time. They will be available prior to the next meeting.

**Legislative Initiatives**

- The Commission members provided input on legislation that is being tracked by the Department of Corrections as it relates to mental illness.
- Alex Casale spoke on legislation currently out there calling for the NH judicial branch to come up with statewide standards for the mental health courts, which has no funding attached. He feels it will need to be handled internally within the state and if at a later date

there is some funding, a consultant may need to be hired within the judicial branch from a moderator capacity (not a research capacity). That is something that the judicial branch is keeping an eye on. Ken Norton added that the bill is HB578.

- Dean Christon stated that there is an LSR in the Senate that focuses on providing resources to the DHHS targeting homeless services to supportive housing for individuals with various disabilities. It will address housing related issues that some individuals are dealing with. Senator Ray is going to be the prime on it and it is currently being built out and will have some additional pieces with it.
- Henry Lipman is working on something that was in the 19th Session to supportive housing 1959 Waiver. The intent is to have an internal draft by mid-February and the goal is to submit it before this legislative session is over. They are working with a consultant and hope to have a draft ready by mid-February. The 1959 Waiver will be discussed at the March Governor's Advisory Commission on Mental Illness and the Corrections System meeting.
- Heather Moquin referenced a list from December 2020 and wondered if those bills are still being worked on. She recalled something relative to standards for mental health courts and also something relative to a secure psychiatric unit at NH Hospital.
- Commissioner Hanks addressed Ms. Moquin's inquiry and recalled that the once piece of legislation focused around psychiatric was regarding juveniles and she did not see anything else on continuing the conversation of relocating a secure psychiatric unit to NH Hospital.
- Ken Norton talked about HB 578 focusing on the transfer of civilly committed patients served in the current SPU and building infrastructure and resources to transfer this patient group to the care and custody formally to DHHS as it once was. By the time the budget gets to the Senate, there will be a much better projection of where things are at in the state. Mr. Norton then spoke on homelessness, specifically regarding HB 503. HB 286 involves how law enforcement professionals are responding to people who are homeless. LSR 0996 is being worked on right now with members of the Senate which would provide funding for Crisis Intervention Training and mental health first aid for law enforcement.
- The members watched a short video on police response to homelessness entitled, "Promise of 988. Crisis Care for Everyone, Everywhere, Every time". Following the video, Mr. Norton summarized things. He stated that there was a Request for Proposal (RFP) out and bids are now in. The department of health and human services is currently vetting responses that would create a call center or the hub. Federal legislation was passed to create 988, which is designated as the suicide prevention hotline number for the state. There was a federal grant awarded for planning 988 and Julianne Carbin put a committee together which includes Mark Doyle from the Department of Safety. Mr. Doyle is the head of 911. Mr. Norton and a couple of other folks are on the committee as well. Concord, Manchester and Nashua crisis units were created in that order to primarily serve adults, but some will include children and the overall plan is to include the entire state in time. Teams are in place currently and there is success in diverting people from hospitals emergency departments and jails. Riverbend in Concord, NH is the only crisis call center in the state which includes a walk in psychiatric emergency clinic, as well as access to respite beds, showers, computers and crisis support. Steps are being taken to divert people from the criminal justice system. Julianne Carbin, Commissioner Hanks and Ken Norton are working together on funding for

training for courts and corrections, with a focus on mental health, trauma and suicide prevention. This is in process and needs to be completed by September 30, 2021.

### **National Best Practices**

The Commission members discussed their knowledge on existing programs and practices in behavioral health services.

- Commissioner Hanks asked the members to share their knowledge about other states best practices that have implemented new innovative and effective models for diversion and intervention for those people with mental illness who could be safely diverted from the Corrections system.
- Ken Norton is familiar with the state of Arizona's practices, which included the expansion of the "living room model" or the "fusion model". In the room, they have recliners, showers, computers, and they are greeted by a peer, someone who has been in a crisis before. They do not turn anyone away and it is on a voluntary or involuntary basis. They have support and resources available to them and it is a wonderful opportunity. There is also support in place for when they transition based on their inpatient or outpatient needs where they can move in and out effectively. This was described as the fusion model and there are other states in rural areas that are doing this as well.
- Commissioner Hanks expressed that in regards to the mental health network, real time access is a critical point of care so that people are not waiting. She wondered how we can use the existing framework or perhaps adjust the framework, so that it is more efficient here in NH when an individual is having a relapse of a substance use disorder, a psychiatric episode or when one feels suicidal. The Commissioner welcomed the members' thoughts and ideas.
- Ken Norton feels that waiting times in the ER have been improved for those in a mental health crisis. A habeas corpus appeal is going before the Supreme Court, of which filings are due on Monday. It is also being litigated in federal court, specifically around the due process hearing piece. The state has also opened PATH for the transitional housing program on the grounds of the state hospital, yet workforce poses a challenge and staff is always lacking.
- Heather Moquin feels as though the workforce is a bigger issue due to the pandemic. In addition to PATH, they are working on the capacity to better serve children in need. It is agreed that every facet of healthcare is struggling with staffing nurses in the workplace.
- Commissioner Hanks generated a discussion on what is missing in the framework and also what is missing in the community and state. She added that pieces are being built and we are putting them together, however, if we don't have a big picture the Commissioner questioned where we are headed. She expressed not wanting to see people incarcerated for mental illness, and she also wants to ensure public safety. That being said, how do we maximize outpatient opportunities and also get ahead of planning in our state as we build the right system?
- Heather Moquin added that by building a new system, we will be able to carve out more by encouraging resources for people who are voluntary and that are willing to accept help.

Many people become involuntarily admitted because of limited resources and if there were more options, they wouldn't be involuntary.

- Sarah Blodgett asked about training for local law enforcement so that all can understand the resources that are available at locations such as Riverbend.
- Ken Norton explained that CIT training classes, which totals 40 hours, house 30 individuals and includes a tour of mental health centers including the state hospital. He added that there are departments that do mental health training, for example the cadets, who are trained for 16 hours at the academy. Additionally, the state police academy spends time at the NH Hospital upon completion of the academy wearing street clothes upon their visit and spend time on the units, which brings the human aspect to the situation. It is agreed that there is always more need for training.
- Commissioner Hanks spoke on suicide and law enforcement, specifically HB 91, which adds suicide to line of duty death for police officers. The Department of Corrections is monitoring that bill because there are other certified law enforcement members and there are sad and glaring statistics in regards to nationwide suicides involving correction officers. It reaffirms the long term impact on hearing tragic stories and working with individuals in a corrections setting. The bill did pass, but with no amendment to include other types of law enforcement in the state. Commissioner Hanks will continue to advocate for the inclusion of those law enforcement professionals.
- Ken Norton spoke on the workforce issue specifically in regards to the peer piece, which is important as well. People are being paid less. He questioned how can we develop a career path, how do we value expertise and develop training and certifications for peers and really give them a prominent role in the mental health service delivery system.
- Commissioner Hanks spoke on substance use disorder where a lot of individuals need interventions and the agency is struggling to recruit licensed alcohol drug counselors. The agency has been training residents in peer recovery support, but is also looking at community partners in the peer recovery space. The reimbursement rates for NH Medicaid for peer recovery support services range anywhere from \$24.19 for an individual for 15 minutes of support and a group session offers \$9.47 for 15 minutes of support. The individual recovery support hourly rate is a promising career and the agency has seen people leave corrections and become certified in peer recovery support. How do we continue to reinforce and support that peer recovery process?
- Alex Casale added that we can't keep staff with such little pay. Case workers have a great turnover and it is so hard to keep staff at mental health centers without a livable wage. Schooling results in major debt and a person has to have a passion for it. A lot of valuable counselors leave NH positions to make a lot more money in Massachusetts.
- Commissioner Hanks made a side note on an interesting statistic that the average in facility population at the end of November, 2020 was 2,324 people incarcerated, while today the number decreased to 2,102. Is the drastic change a result of caseloads in the court, are there significant diversion efforts or could it possibly be on the decline as a result of COVID 19? The Commissioner deferred to her judiciary partners for some clarification.
- Tina Nadeau acknowledged a decrease in felony cases in the court as a result of the pandemic as there were less arrests made and also at the same time, a backlog exists and the

felonies that they do have are not resolving as quickly as they were in the past. It is difficult to tell until we move past the pandemic.

- Thomas Velardi noted that in March-May, 2020 most departments were told not to do anything and that caused the description that Chief Justice Nadeau spoke of.

### **Committee Member Updates**

- Dean Christon provided an update on the program with Sullivan County regarding ex-offenders as they transition into the community. The project is moving forward and is on the next NHHFA agenda. They will be adding about 30 beds for residents transitioning and moving into the community. The NHHFA is also partnering with the community finance authority to issue a NOFA for supportive housing for a broad ranged population with various needs. The next 30-45 days predicts \$5-\$6 million worth of capital funding to create housing facility. Fifty housing vouchers will be attached to that, as well as long term rental facilities and 40-80 housing units in multiple smaller projects. The hope is to set models for future development as well. The final RFP, or the NOFA, will be shared with members when available.

Commissioner Hanks advised that agenda items for discussion can be sent to her Administrative Assistant, Richelle Angeli, in advance of the next meeting. Commissioner Hanks wished the members well and ended the meeting promptly at 10:00am.

Respectfully submitted by:

Richelle Angeli on 2/11/2021