

Texas Civil Commitment Office



Christy Jack, Chair
Board Members:
Kathryn "Katie" McClure, Vice Chair
Roberto "Robert" Dominguez
Rona Stratton Gouyton
Bruce Toney
Marsha McLane, Executive Director

Friday, May 30, 2025, at 10:00 a.m.

MINUTES

Board Members Present

Christy Jack, Chair
Robert Dominguez

Katie McClure
Rona Stratton Gouyton

Bruce Toney

TCCO Staff

Marsha McLane
Jessica Marsh
Hayley Glisson

Brittney Winters
Kenneth Biddle

Convene the Board of the Texas Civil Commitment Office (TCCO)

Board Chair Christy Jack convened the meeting at 10:00 a.m. Roll was taken and it was noted that a quorum was present.

Board Chair Report

Board Chair Christy Jack stated she did not have a formal report and took a moment to welcome and introduce the Board's newest gubernatorial appointee, Bruce Toney, who has over three decades of law enforcement background and currently works with the 39th Judicial District Attorney's Office.

Executive Director's Report Concerning Program Operations, Routine Functioning of the TCCO and Legislative Update

Executive Director Marsha McLane began by reintroducing Chief Financial Officer Kenneth Biddle, and introducing Internal Auditor Alice Johnson-Collins, who is working on a fiscal security audit of IT devices and data management practices.

Ms. McLane discussed the Global Positioning Systems (GPS) contract change, stating over 230 clients were switched to a new GPS bracelet. Ms. McLane stated this has been a challenge due to the high number of alerts the new bracelets have been giving, noting one hundred and nineteen alerts throughout one night. Ms. Jack stated to her understanding the new contract would be at less cost to the state, and the GPS bracelets come with a portable charging device. Ms. McLane confirmed, and stated the main issue with the new GPS bracelets is the zones and that the vendor is not used to operating in a confined facility.

Ms. McLane stated a client was released from civil commitment last month, totaling to twenty-six clients released. Panel training was provided for the case managers and the therapists, staffing training was provided to the case managers, and the Clinical Director attended a Penile Plethysmograph (PPG) training, and then provided the training to all staff. By the next Board Meeting there will be more information on the curriculum revision. Ms. McLane discussed the sunset review, where every 10 years each state agency goes

through sunset, and stated that HHSC is also under the sunset review. Ms. Jack asked if the Board should expect to be contacted in regards to the review and Ms. McLane stated anyone who wants to give comments is able to do so, and the Board should plan to attend a few meetings. The process will take a year and half, and the report will be issued before the next legislative session. Ms. McLane stated for the past four years TCCO has been under different types of review and audits.

Ms. McLane discussed the legislative session, stating that Kenneth Biddle will discuss the financial part further, and that the only thing we did not get was a per diem increase for the vendor. Ms. McLane discussed SB 1610, which is a pretty extensive bill. Once the bill is finalized and the Governor signs, staff will spend time meeting with clients to discuss the bill. The bill won't affect the clients unless they commit new felony offenses. If they do, the sentencing for new felony offenses will be twenty-five years to life in prison. Ms. McLane discussed sex histories, stating when a client goes from tier two to tier three they must write out their entire sex history, including sexual offenses they were not charged with. Once this is done they do a polygraph to verify the information. A review was completed of the twenty-eight clients in tier four totaled 10,633 sex offenses. Ms. Jack thanked Ms. McLane and the TCCO staff for the exceptional work they've done this legislative session.

Budget Manager's Report Regarding FY 2025 Budget and Expenditures

Budget Manager Kenneth Biddle discussed the FY 2025 budget, projecting an \$11.2 million shortfall, which is primarily driven by two costs. Mr. Biddle stated he's expecting an additional \$14.4 million for the client services contract with MTC and an additional \$8 million for offsite medical. Mr. Biddle stated originally the FY 2025 medical costs were projected to be \$5.4 million; medical costs have already reached \$5.6 dollars, and there are still four months left in FY 2025. Mr. Biddle is projecting the total medical costs for FY 2025 to be around \$9 million. .

Mr. Biddle discussed HB 500, stating we will receive \$7.3 million, once the Governor signs the bill, for the FY 2025 shortfall. Mr. Biddle stated we received \$60,000 for vehicle funding and \$43,000 for Microsoft 365, leaving a \$4million shortfall in FY 2025 due to offsite medical.

For FY 2026-2027 funding a total budget of almost \$66 million was received for the biennium, which is an increase of \$18.4 million from the FY 2024 and 2025 appropriations. We received funding for caseload growth, reinstatement of client services, offsite medical, case manager career ladder, high-risk supplemental pay for staff, and client dental care. Ms. McLane stated the client services reinstatement was the five percent that was taken away during the Covid pandemic, and we received more funding for medical than we have ever received.

Ms. McClure stated the finance committee met and went through the budget and financial status and the major concern has always been offsite medical. TCCO received \$5 million in additional funding, and had \$5 million originally in the budget, totaling \$10 million for the next two years. Although we are already over that amount, there are mechanisms in place with the Health and Human Services Commission (HHSC) to provide coverage if necessary.

Texas Civil Commitment Center Updates Concerning Facility Expansion and Staffing

MTC Facility Administrator David Bowers introduced Chief of Security, Calvin Brannon. Ms. McLane stated she is very impressed with how Mr. Brannon turns every interaction with staff or clients into a learning experience.

Mr. Bowers discussed staffing, stating the facility fluctuates from seventeen to twenty-two security officer vacancies each month, and additional security officers are in the hiring process. The facility is short four therapists, two on the contract and two overhires, and there is one vacancy in maintenance. Ms. Jack asked if there are any regulations on clients to security officer ratios and Mr. Bowers stated no.

Mr. Bowers stated the facility's current population is four hundred ninety-two. Ms. Lang has had her hands full but has done well since the lead therapist was offered another job with state benefits and left the facility. Mr. Dominguez asked if they have fallen behind on individual or group counseling sessions and Mr. Bowers stated they are a little late, but they have not fallen behind.

Mr. Bowers provided a construction update including pictures and stated there was a water pressure issue, which cost a few weeks of construction progress, and building three is now further along in construction than building two. Mr. Bowers stated with the population not growing as fast as expected and from a security aspect, he doesn't intend to open building three until both buildings are completed. Mr. Bowers stated he spoke to the head contractor who gave a completion date of September 26th, although Mr. Bowers believes both buildings will be completed closer to December 1st.

Mr. Bowers stated Prosperity Bank is now providing banking services for the clients and six clients recently took the science portion of the GED and failed within two to four points. Regional Director Jennifer Brown stated she is hoping to visit the facility next month and is very proud of the direction the facility is going.

Update from MTC Medical Staff Regarding Efforts to Reduce Cost While Maintaining a High Level of Client Care at the TCCC

MTC Senior Director of Medical Jason Terris introduced himself and discussed his visit to the Texas Civil Commitment Center. Mr. Terris stated at the time of his visit there were 493 clients, 462 of whom are in chronic care; meaning they are being treated for some sort of chronic medical condition, sixty-one are in one clinic, and 401 are in multiple chronic care clinics being treated for several chronic conditions. Mr. Terris stated 447 clients are currently receiving medications, 312 are on direct observation therapy (pill line medications), and about 386 are receiving keep on person (KOP) medications. Mr. Terris stated fifteen clients are in Depends due to urinary and bowel incontinence, over 100 clients are using wheelchairs and walkers, seven clients are O2 dependent, twenty-one clients are cancer diagnosis patients, one client is receiving dialysis three times a week, and four clients are in medical observation.

Mr. Terris discussed staffing coverage, stating there is not twenty-four hour coverage, coverage is from six a.m. until ten p.m. The Health Services Administrator (HSA) is routinely called in after hours to assist with care, which could contribute to the extra cost. A nurse practitioner started in March 2024 after the position being vacant for half of the year, which would increase offsite services consultations. Mr. Terris stated in FY 2024 there were 671 offsite consults, and in FY 2025 there has been 655.

Mr. Terris discussed ways to decrease medical expenses, such as having twenty-four hour medical care and opening a medical unit, which would eliminate some of the after-hours emergency room visits and the length of hospital stays. Mr. Terris discussed the virtual emergency care the facility offers stating if there is an after-hours emergency, the clients have access to a virtual provider. Mr. Terris stated two additional nursing positions were added, and he has been attempting to communicate with providers to see if there is any room for reducing rates. Mr. Terris stated ninety percent of the medical budget is spent on ten clients.

Mr. Toney asked the average number of after-hours trips and Mr. Terris did not have that information. Ms. Stratton asked who reviews the decisions to send clients out for care and Mr. Terris stated there is a utilization review process, which includes all consultations being approved by the medical director on a weekly basis.

Ms. McClure discussed meetings with community providers, stating this has been discussed for years. Meetings were set up and attended by TCCO staff, not MTC staff, and she asked if Mr. Terris had any specific plans or any meetings scheduled. Mr. Terris stated he is coordinating with the treatment providers and will personally meet with them. Ms. McLane asked how quickly this is going to happen because this

has been discussed since 2019, which is very disappointing. Ms. McLane discussed ongoing medical issues at the facility, including a diabetic client not receiving medication for two weeks. Mr. Terris stated an administrative review is being done on that case. Ms. McLane stated she gave Mr. Terris specific questions and has not received a response. Ms. McLane discussed twenty-four hour medical coverage, stating this was included in the original Legislative Appropriations Request (LAR) for \$3.6 million. The Legislative Budget Board (LBB) asked if any changes needed to be made in the exceptional items and MTC doubled the original request and was not able to provide any justification, so the \$3.6 million was removed.

Mr. Terris circled around and stated he will continue attempting to meet with community providers. Ms. Jack stated the Board would like Mr. Terris to attend the next Board Meeting and provide to the Board the number of face-to-face meetings Mr. Terris attended with community providers to work towards reducing rates and a report on each of the questions Ms. McLane previously emailed.

Ms. McLane discussed 340B pricing and stated this was something MTC was previously going to look into to reduce costs. Mr. Terris stated he would look into 340B pricing and Ms. Jack stated to let Ms. McLane know the outcome that week.

Discussion, Consideration, and Possible Action Regarding Excused Absences

Ms. Jack noted that all Board Members were present at the last meeting.

Discussion, Consideration, and Possible Action Regarding February 24, 2025 Meeting Minutes

After determining that all Board Members present had reviewed the minutes from the previous meeting, Board Chair Christy Jack asked for a motion to adopt the February 24th meeting minutes. The motion was made, seconded, voted on and passed without opposition.

Discussion, Consideration, and Possible Action Regarding Future Meeting Dates

The next meeting of the TCCO Board was tentatively scheduled for August 15, 2025 at 10:00 a.m. at the Texas Civil Commitment Office in Austin.

Meeting Adjourned at 11:15 a.m.

SIGNATURE ON FILE

Christy Jack, Chair

SIGNATURE ON FILE

Marsha McLane, Executive Director