

Texas Civil Commitment Office

Christy Jack, Chair
Board Members:
Kathryn “Katie” McClure, Vice Chair
Jose Aliseda
Roberto “Robert” Dominguez
Rona Stratton Gouyton
Marsha McLane, Executive Director

Friday, October 19, 2018, at 10:00 a.m.
4616 West Howard Lane
Building 2, Suite 350
Austin, Texas 78728

MINUTES

Board Members Present

Christy Jack, Chair
Jose Aliseda

Katie McClure
Rona Stratton Gouyton

Roberto “Robert” Dominguez

TCCO Staff

Marsha McLane
Stuart Jenkins

David Flores
Mike Necker

Jessica Marsh

Convene the Board of the Texas Civil Commitment Office

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’s report and update concerning current operations and the functioning of the TCCO Board

Board Chair, Christy Jack did not have a formal report to present.

Executive Director’s report concerning program operations and the routine functioning of the TCCO

Per TCCO Executive Director, Marsha McLane, since the last Board meeting in July, TCCO gave a presentation to the Legislative Budget Board, which included an overview of TCCO and the Legislative Appropriations request for the upcoming legislative session beginning in January. At the request of the LBB, the TCCO Executive Director and Chief Financial Officer met privately with the LBB to review the LAR. The LBB inquired as to the status of TCCO’s RFP for the operation and management a civil commitment center and TCCO provided them a timeline of the RFP process thus far. TCCO also met with the Appropriations Analyst to clarify the specific reasons for the funds requested in TCCO’s LAR.

The new TCCO website was scheduled to go live in September; however, at this point it has not. It is now scheduled to go live in November but TCCO will keep the board apprised on the progress toward that goal.

The total sanctions assessed to the Contractor for noncompliance issues for the year was \$849,821.00. This number is actually trending downward from a high of \$205,000 in February to \$1,300.00 last month. This indicates the Contractor is making progress toward compliance, delivering services required by the contract and properly documenting those services.

TCCO General Counsel, Jessica Marsh, provided additional training to the Contractor’s staff regarding the biennial reports they are required to submit to the courts on every client, and the importance of the reports being accurate, detailed and clear, as well as submitted in a timely manner.

TCCO scheduled an informational family meeting for family of clients who have been civilly committed and are nearing their prison release dates, or those who are currently at the facility. The meeting was cancelled

due to lack of interest because there were only four clients' families who expressed an interest in attending but were not sure they could, and only one client's family said they would for sure attend but that client is still in TDCJ. Some of the clients expressed interest in TCCO holding the family meeting at the facility in Littlefield so their families could visit them while they are in Littlefield for the family meeting, and this is something TCCO is considering.

There was one client released from civil commitment and two clients who promoted from Tier 4 to Tier 5 meaning they now live in the community rather than the civil commitment center. Both clients were able to secure gainful employment within a week of their release from the civil commitment center.

An amended MOU outlining the responsibilities of each agency in the administrative attachment of TCCO to HHSC was signed and executed. The first MOU was signed last year but required renewal each year thereafter. The new version only requires renewal at the discretion of either party or when information requires updating so it will not have to be revisited each year.

The TCCO Internal Auditor resigned his position due to family issues; however, prior to resigning, he ensured this year's audit report was completed and submitted to the State Auditor's Office and any other entities required. Additionally, he completed and submitted an audit plan for 2019.

There have been two audits, in addition to regular site visits, completed by TCCO at the civil commitment center and the Contractor's compliance has improved markedly.

Budget Director's report regarding FY 2018 Budget/Expenditures

TCCO Budget Director, David Flores stated that the TCCO FY 2018 budget was \$17 million and, at this point, \$13.8 million has been expended. By the end of this fiscal year there will be about \$2.8 million left in the budget, which will transfer into the FY 2019 budget and will help offset costs of expanding capacity or opening a second facility, which will become necessary in 2019.

Budget Director's report regarding FY 2019 Budget/Expenditures

TCCO was appropriated \$16.3 million for the FY 2019 budget. This balance will change after the remaining funds from FY 2018 are transferred into the FY 2019 budget. This amount does not include the grant TCCO received from the Governor's office. The grant was extended through April 2019; however, TCCO has saved so much money by using the Sex Offender Program Specialist to provide training rather than contracting with outside providers for such training, they will have to notify the Governor's Office and request another extension or reallocation of these funds.

Report from the Chair of the TCCO Board Audit Subcommittee concerning audit activities, FY 2018 Annual Audit Report and discussion, consideration, and possible action regarding review and approval of the TCCO FY2019 Internal Audit Plan

Audit Subcommittee Chair, Robert Dominguez, began by reiterating that the TCCO Internal Auditor recently resigned; however, he had completed and submitted the proposed FY 2019 audit plan prior to leaving the agency. The plan includes 100 hours budgeted for follow-up audits on Audit reports 1701 regarding data reliability of the Corrections Software Solutions (CSS) database and 1801 regarding Correct Care Recovery Solutions (CCRS) monthly billing. Additionally, 250 hours have been budgeted for an audit of CCRS internal quality assurance processes, to ensure they are catching issues of noncompliance and addressing them prior to them becoming findings on a TCCO audit. Finally, 100 hours have been budgeted for TCCO Internal Audit to submit to a peer review, which is required every three years to ensure the Internal Audit function meets statutory guidelines and acceptable internal audit practices.

A motion was made to approve and adopt the FY 2019 Internal Audit Plan; the motion was seconded and passed without opposition.

Executive Session for report regarding potential, contemplated, and pending litigation

The Board went into Executive session and all members of the public were asked to leave at 10:27 a.m. The Board reconvened in open session at 11:09 a.m. with no formal action taken during the executive session.

Discussion, Consideration, and Possible Action Regarding Excused Absences

Ms. Jack noted that Board Member Katie McClure’s absence from the last Board Meeting had already been excused during that meeting.

Discussion, Consideration, and Possible Action Regarding July 20, 2018 Meeting Minutes

Board Chair Christy Jack asked if all board members had a chance to review the minutes from the July 20, 2018 meeting. When all Board Members affirmed their review of the minutes, a motion was made to adopt the July 20, 2018 meeting minutes; the motion was seconded and passed without opposition.

Discussion, Consideration, and Possible Action Regarding Future Meeting Dates

The next meeting of the TCCO Board was tentatively scheduled for Friday, February 22, 2019 at 10:00 a.m.

Public Comment

There was no member of the public requesting to address the Board.

Meeting Adjourned at 11:11 a.m.

Signatures on File

Christy Jack, Chair

Marsha McLane, Executive Director

Date

Date