

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 11, 2019, 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

Robert Dominguez

Rona Stratton Gouyton

TCCO Staff

Marsha McLane
Mike Necker

Stanley Muli

Jessica Marsh

Senator John Whitmire's Office

Mike Ward

Senator Charles Perry's Office

Caitriana Corkill

Legislative Budget Board

Michael Diehl
Rustin Dudley

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 report

Ms. Jack introduced and welcomed guests from Senator Whitmire's office, Senator Perry's office and the Legislative Budget Board. Ms. Jack presented no formal report.

Executive Director's report concerning program operations and the routine functioning of the Texas Civil Commitment Office

TCCO Executive Director, Marsha McLane began by discussing caseload statistics and tier movement of the clients in the program. Currently, there are 492 people who are civilly committed to the program, with 120 of them still in prison. Additionally, there are five who are living independently in the community, three who are in county jails, and 347 at the Texas Civil Commitment Center in Littlefield. The remainder of the clients are in state schools, state hospitals, nursing homes, or are deceased and will remain on TCCO's caseload until their death certificates are received and they can be officially removed.

Regarding TCCO's projected caseload growth, it is difficult to project because there can be additional releases of clients from prison that are not expected. The number of releases is subject to change at any moment due to various circumstances such as Parole Board decisions or trials where a client may be sent directly from the trial to the program. There are a total of five of these additional releases so far this fiscal year as of today, one

in September, three in October and one in November. TCCO's active caseload was 370 at the end of last Fiscal Year and is projected to be at 409 by the end of this fiscal year.

There was a meeting between Disability Rights staff, TCCO staff and vendor staff to ensure that any TCCO client with any disabilities is being properly accommodated in accordance with Federal requirements, and representatives from the Veterans' Administration will be going to the facility December 17 to meet with the clients who are veterans to answer any of their questions and provide information regarding benefits they are eligible for. Representatives from the Social Security Administration will also be going to the facility though that date has not yet been set.

TCCO is currently in the process of updating policies and procedures to ensure best practices are employed and any changes in statute are included. Eighteen policies have been reviewed and updates completed. There are several more policies that are going to be reviewed and updated, and TCCO is making completion of the process a priority.

Two TCCO clients in Tier Five, which means they are living independently in the community had a video conference with the clients in the facility who are in Tier Four and will be preparing to advance to Tier Five so they could share their experiences when returning to life in the community and help better prepare them for the changes and challenges they may face, including budgeting their money and adjusting to day-to-day life outside the facility while learning how to apply their treatment to real-world situations. To date there have been seven clients who have been totally released from civil commitment because they were found to no longer have a behavior abnormality.

TCCO is looking into additional security measures for community case managers, who are expected to conduct home visits with their clients at all hours of the day and night, including weekends and holidays. Representatives from a company dealing with body cameras like those worn by police officers will be meeting with TCCO staff to discuss their product explain how it may work for TCCO case managers. They will bring examples of their products for TCCO to utilize on a test basis to ensure the product will be helpful to the case managers. There is also a product that TCCO is looking into called Safe Signal. This product works in conjunction with the case manager's cell phone and will set off a silent alarm with the command center who will summon police to the specific GPS location of the case manager in the event the device or head phones are pulled out of the jack on the cell phone. TCCO is currently working with the DFPS, who utilizes the product for case managers, in an effort to piggyback on their contract with the company for the purposes of cost effectiveness. If TCCO is allowed to do this, the use of this product would cost TCCO approximately two to three dollars per day versus thousands of dollars per year otherwise.

Presentation from Management and Training Corporation regarding the Texas Civil Commitment Center Treatment Curriculum

Dr. Shelley Graham, a sex offender treatment provider with thirty years' experience, helped MTC develop the best treatment curriculum that will meet their goals utilizing best practices and research evidence, while following guidelines put in place by the Council on Sex Offender Treatment, Association for the Treatment of Sexual Abusers and the State of Texas. The program focuses on both treatment as well as motivation for the client to actively participate in their treatment, while creating accountability and responsibility in the client. There are five tiers in the program with Tiers One through Four occurring while the client resides at the facility and Tier Five is completed while the client is living in the community.

The program is self-paced and clients can promote to higher tiers by successfully completing the treatment for that tier and the can also be moved into a lower tier if there are issues indicating that they are not successfully internalizing and utilizing what they have learned in treatment or have disciplinary issues. The program is designed to be a five to seven-year program; however, can be shorter or longer than that based on the client's success in meeting targets for progression in treatment. Tier One focuses on treatment readiness, Tier Two on taking responsibility for the offenses committed and identifying risk factors and triggers leading to that behavior, Tier three on self-management where the client learns to apply what was learned in Tier Two and learn to expand on their social support system and begin to create plans for how to apply the treatment in their lives, Tier Four is where actual plans are put into place for how the client will move to independent living. Dr.

Graham then further discussed the treatment models and manuals utilized in the program and the fact that the program utilizes both individual and group treatment.

Presentation from Management and Training Corporation regarding the bed space plan for the Texas Civil Commitment Center

John Cochran, MTC Director of Operations stated that the population at the facility continues to grow and is nearing maximum capacity. MTC has the ability to expand the facility to house up to 500 clients without the use of major construction by using portable or modular buildings and expansion to a capacity of 750 clients will require major construction to erect larger buildings. Expansion is planned in phases to keep ahead of population growth, which currently increases by approximately three clients per month, without expanding more than needed which will make the process easier and more cost effective.

The expansion plan includes additional space for living areas and restructuring the sleeping areas and restroom facilities to make the existing spaces more efficient while adding some modular buildings for living area space. The plan is to include separate spaces for Tier Four clients to live more independently and include space for them to prepare their own meals and recreation space separate from the lower tier clients to more closely resemble life in the community. There are also plans for more administration space, treatment space, space for staff training, and additional classrooms so that each treatment provider can have their own classroom. All the plans have been submitted to the City Manager and Mayor of Littlefield to ensure compliance with city regulations.

Budget Director's report regarding FY 2019 Budget/Expenditures and Offsite Healthcare Costs

TCCO CFO, Stanley Muli, presented an up-to-date summary of the Fiscal Year 2019 budget along with the status of the Fiscal Year 2020 budget at this point. It is currently too early in the fiscal year to find trends in expenditures but the expectation is that TCCO's budget will be tight this fiscal year; however, a more accurate snapshot will be possible for subsequent board meetings.

Mr. Muli began his discussion of off-site healthcare costs by noting that the vendor is responsible for the first \$25,000 in off-site healthcare costs per client. It is the vendor's responsibility to negotiate with the provider for the best possible rate for treatment provided. There is no obligation for TCCO to cover any of the medical care beyond the \$25,000 covered by the vendor and TCCO has requested additional funding for these costs but, any amount over the funding received will fall on the local indigent healthcare system in the community. Funding appropriated for the previous biennium totaled \$561,000. A rider was submitted in the last legislative session for the legislature to fund additional coats of offsite healthcare, so the funding was increased by \$267,738, making the funding for this biennium just over \$828,000. The actual cost for off-site healthcare will quickly exceed the amount of funding, especially considering that just one client has already incurred healthcare costs of approximately \$510,000. Additionally, TCCO has been receiving free medication for the treatment of Hepatitis C from the pharmaceutical company but it is likely that this will not be the case long-term and these medications are very expensive.

Audit Committee Chair update regarding the FY 2019 Internal Audit Annual Report

Committee Chair, Robert Dominguez stated that the TCCO is required to submit the Internal Audit Report to the Legislative Budget Board, the State Auditor's Office and the Governor's office prior to November 1 of each year. Additionally, TCCO is required to post the report on their website. The report included three audits as well as the peer review that was conducted this fiscal year. One audit area was data reliability of the Corrections Software Solutions database utilized for all client records, one was focused on the vendor's monthly billing and one on the vendor's internal quality assurance processes and procedures.

Additionally, TCCO staff thoroughly and constantly monitors and audits the vendor's performance and compliance with the contract requirements down to the smallest detail. The goal is to ensure that MTC is in compliance with all requirements and to provide them information on the audit plan for the next two years so they will know what is expected of them and they can internally ensure that they are in compliance.

Report regarding potential, contemplated, and pending litigation

The Board went into Executive Session for this agenda item at 11:31 AM. The open session reconvened at 11:35 AM with no formal action taken by the Board during the closed session.

Discussion, Consideration, and Possible Action Regarding Excused Absences

Ms. Jack noted that all Board Members were present at the last Board Meeting on August 23, 2019.

Discussion, consideration, and possible action regarding August 23, 2019 Meeting Minutes

Board Chair Christy Jack asked for a motion to adopt the August 23, 2019 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 Friday, February 7, 2020 at 10:00 a.m. at the Texas Civil Commitment Office.

Public Comment

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

Meeting Adjourned at 11:38 a.m.

SIGNATURE ON FILE

Christy Jack, Chair

Date

SIGNATURE ON FILE

Marsha McLane, Executive Director

Date