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FEDERAL BOARD GOVERNANCE REQUIREMENTS THREATEN CENTER FUNDING

In a letter to the Texas Department of MHMR dated 7 May 1980, the Region VI Office of the Department of Health and Human Services (DHHS) interpreted the Mental Health Systems Act to exclude Texas Centers formed under House Bill 3 from competing for 95 percent of appropriated Federal funds unless they formed specified advisory committees in accordance with the Act. Under this procedure, these advisory committees would have the authority to establish policy, employ the executive director and establish the budget in the 80 Federally-designated catchment areas in Texas.

Full compliance with the Region VI interpretation would produce 50 additional service entities with functions now performed by 30 Centers. The duplication of administration, difficulties in coordination, confusion of authority (particularly in large urban areas), and potential factionalism and overlapping of services would seriously impede the development of a coordinated, continuous and economical system of care, and also effectively dismantle present Community Centers in Texas.

On 18 July 1980, Dr. Kavanagh, Commissioner of the Texas Department of MHMR, in a letter to Dr. Steven Sharfstien, Director of Mental Health Service Programs of the National Institute of Mental Health (NIMH), requested that the matter be reviewed and that Texas Centers, as government agencies, be permitted to compete for 95 percent of Federal funds.

On 25 July, Dr. Paul Scott, Executive Director of the Dallas County MHMR Center, and Mr. James King of the Texas Department of MHMR visited Dr. Sharfstien of NIMH and supported Dr. Kavanagh's request for relief from the DHHS Region VI interpretation.

During the meeting, Dr. Sharfstien and staff reiterated the position taken by DHHS Region VI interpreting the regulation to exclude Texas Centers as governmental agencies from competing for all but five percent of Federal funds. Also occurring on 25 July, the U.S. Senate passed the new Mental Health Systems Act which, as interpreted by NIMH, also excludes Texas Centers from all but five percent of the funds.

It appears that to overcome the detrimental interpretation of the Federal statutes by NIMH, it will be necessary to put in law specific language authorizing Centers formed by governmental agencies to compete for 95 percent of the funds. On 29 July, the Texas Council suggested to all Centers that a floor amendment be introduced by Texas Congressmen that would have such an effect. Since it was anticipated that the House Extension of the Mental Health Systems Act, H.R. 7299, Title VII would be brought to a vote during the week of 28 July, immediate action by all centers was requested by telephone and memorandum. The next issue of The Curriculor will report the results of these efforts.

TENNESSEE ESTABLISHES INSURANCE COVERAGE FOR CMHC SERVICES

A recent news article in Legislative News, a publication of the National Council of Community Mental Health Centers, reported that the General Assembly of the State of Tennessee has passed legislation making outpatient mental health insurance benefits available at Community Mental Health Centers.

As of 1 July 1980, group health policies are required to offer, at a minimum, 30 outpatient visits with the same deductibles and coinsurance as other illnesses. Further, the new law provides that, if not accepted, the coverage must be rejected in writing. Existing policy holders must be notified of the availability of this coverage and provided a form to indicate acceptance or rejection.

Blue Cross/Blue Shield of Tennessee, the largest group health underwriter in the state, will offer unlimited coverage, with no deductible or coinsurance, at Community Mental Health Centers licensed by the State for evaluation, individual and group therapy, psychological testing, medication, and day care treatment. It has been estimated that for groups of over 50 persons, the Blue Cross package will cost in the range of \$1.00 per month for family coverage. The second largest underwriter, Provident Life and Accident Insurance Company, has stated their intentions to include the Community Mental Health Center coverage in their standard policy and not mention the rejection option unless the subject is raised.

The Tennessee Association of Mental Health Centers, instrumental in getting the insurance legislation passed, expects to see reimbursements

within weeks of the effective date of 1 July. The Texas Council has been exploring options of insurance coverage and expanded third party payments for some time. Mr. Gary Smith, Executive Director of the North Central Texas Community MHMR Center, who has been working with other Center Directors and with the Texas Council in this area, will meet with representatives of the Tennessee Association of Mental Health Centers to review materials, obtain further information on the efforts which led to this legislation, and interview both those responsible for passage of the law and also some insurance carriers that have established the coverage. Mr. Smith will submit a report of his meeting to the Council for their information and use.

A-G ISSUES OPINION ON WORKERS COMPENSATION COVERAGE FOR CENTERS

Upon the request of the Chairman of the Texas Industrial Accident Board, Attorney General of Texas Mark White issued an opinion regarding Community MHMR Centers' coverage under workers compensation laws. Specifically, it was asked if the inclusion of Community Centers as agencies of the state and units of government under the Texas Tort Claims Act, through recent amendment of Article 5547-203 V.T.C.S. by the 66th Legislature, would change the workers compensation coverage of Centers from Article 8309h to Article 8309g V.T.C.S.

Attorney General White offered the opinion that the recent amendment's purpose was limited by the caption of the bill to indicating the status as a state agency and the tort liability of Community Centers, and does not relate to workers compensation. He stated that nothing contained in the definition as "unit of government" would preclude a Center from continuing to be classified as a "political subdivision" under Article 8309h. Further, the Boards of Trustees of the Centers are specifically authorized to provide workers compensation benefits. The Attorney General's opinion, therefore, is that the benefits provided by the local Board would be under Article 8309h, V.T.C.S. and would not be affected by the inclusion of Centers as agencies of the state and units of government under the Texas Tort Claims Act.

In a related area, it was recently reported by staff members of the Texas Employment Commission that some Community Centers are paying unemployment compensation premiums under the classification of nonprofit corporation. There are advantages in Centers seeking recognition as a governmental entity or political subdivision in that, effective January 1980, the rate decreased to one-tenth of one percent of salary up to \$6,000 annual maximum. Centers may be interested in exploring this option as it represents considerable savings in premium costs to being classified and charged as a nonprofit corporation.

TEXAS COUNCIL CONFERENCE ON CONTINUITY OF CARE

The Texas Council sponsored a conference on Continuity of Care on 11-12 July 1980 at the Joe C. Thompson Center in Austin. A number of presentations and panel discussions addressed legislative issues at the state and national levels and other matters pertaining to more effective care.

The conference began with a presentation and discussion of the Texas Department of MHMR's new Continuity of Care Rule, led by Dr. Wayne Lawrence and Mr. Spencer McClure. Dr. Lawrence emphasized that the Rule was a beginning and not the end of a process of improving continuity of care. Mr. McClure covered the budgeting requirements to implement the Rule and other financial aspects.

Dr. Steven Schnee and Mr. John Billings presented concurrent sessions on prevention of institutionalization and closing the revolving door. Treatment of chronic and severely impaired patients in the community was thoroughly examined and found to be both logical and economically feasible.

Following these presentations, representatives of the three major groups studying the delivery of MHMR services participated in a presentation and panel discussion of their findings to date. The panelists, including Mrs. Helen Farabee, Chairperson of the SR-67 study group, Dr. Glen Ivy of the Texas Research League, and Mr. Bob Jordan from the Governor's Office of Budget and Planning, responded to questions covering their respective study group's conclusions and recommendations. Several of these questions involved the omission from the study groups' reports of State Agencies other than TDMHMR who provide MHMR services, and the failure to include recommendations on financing and State construction for Community Center facilities.

Mr. James Ingram discussed past, present and future conditions and issues affecting MHMR legislation. His presentation covered finances, construction, continuity of care and flexibility in funding. Then, Mr. Tom Scott participated with Mrs. Farabee and Mr. L. Gray Beck, Chairman of the State Board of MHMR, in a panel discussion on the reorganization of TDMHMR. There was general agreement that TDMHMR should be reorganized, and it was pointed out that all three study groups and the Texas Council support such a reorganization.

Mr. David Sandler, Director of Government Affairs of the National Council of Community Mental Health Centers, presented information on the new Mental Health Systems Act now being considered by Congress, and answered questions regarding its implications for Community Centers.

Two panel discussions were conducted Saturday morning. The first panel was moderated by Mr. James Ingram, President of Advocates for Improved MHMR Services, and included Ms. Martha Boston, Board Member of the Association for Mental Health in Texas; Mr. Joe Bradley, President of the Texas Society for Autistic Citizens; Dr. Martha Tevis, Executive Committee Member of the Texas Council; Colonel Don Rettberg, Representative to the Texas Committee of Organizations for the Handicapped for the Texas Association for Retarded Citizens; Mrs. Shirley Camfield, President of Citizens for Human Development; and Mr. David Sloane, Director of Systems Advocacy for Advocacy, Inc. Each person on the panel gave a brief overview of their legislative programs for 1981. It was obvious that the organizations had many similar concerns regarding improvement of MHMR services. It was agreed that representatives of the advocacy organizations should meet periodically to coordinate their actions and legislative initiatives and to keep abreast of the organizations' current activities and programs.

The conference concluded with a panel of representatives from State and Federal agencies on MHMR planning, budgeting and implementation. Panelists were Mr. Hershel Meriwether, Budget Examiner in the Governor's Office of Budget and Planning; Mr. Phil Edgington, Program Consultant for Mental Health for the Alcohol, Drug Abuse and Mental Health Division of the Department of Health and Human Services Region VI Office; Ms. Greta Rymal, Senior Budget Examiner for the Legislative Budget Board; Mr. Rudolf Moreau, Director of the Health Facilities Planning and Development Division of the Texas Department of Health; and Mr. Buddy Matthijetz, Chief of Planning for the Texas Department of MHMR. The respective actions of each organization were described by the panelists. The differences between the HSA and SHPDA planning process and that of TDMHMR were explained, as well as the roles of the Legislative Budget Board and that of Health and Human Services Region VI Office. Due to the complexities of the subject and time constraints, in-depth exploration of the interaction between the various organizations was cut short. However, some interesting questions were raised concerning the theoretical and actual roles of communities in planning and budgeting efforts as perceived by the groups represented, and the need for improved coordination and communications between these groups.

Twenty-eight community centers were represented at the conference. Also present were representatives from the Texas Department of MHMR, the Department of Health, the Department of Human Resources, the Governor's Budget Office, seven MHMR advocacy organizations, and some private service providers and research groups. The Texas Council would like to express its appreciation to the panelists for their excellent presentations, to the participants for sharing their experiences and concerns, and to the

Thompson Center staff for their assistance in organizing and implementing this conference. Many valuable suggestions and comments have been received by the Council staff and it is hoped that some of the contacts made through this conference and suggestions for joint planning efforts will result in improved cooperation towards establishing a continuous system of care for the mentally disabled in Texas.

DINNER GIVEN IN HONOR OF DR. JOHN J. KAVANAGH

On Friday evening, 11 July 1980, the Texas Council held a reception and dinner honoring Dr. John J. Kavanagh, M.D., Commissioner of the Texas Department of MHMR. The dinner was in recognition of Dr. Kavanagh's outstanding leadership and personal dedication to improving the mental health and mental retardation services in Texas.

As Commissioner, Dr. Kavanagh has initiated efforts to make MHMR services available to people in their communities and, through such efforts as the Outreach Rule and Continuity of Care Rule, has attempted to improve coordination of services provided by all components to develop a continuous system of care. His cooperation with governmental and private study groups and with advocacy organizations is commendable and his continued support of community-based services is evidenced in the goals and priorities of the Department recently approved by the State Board and in the proposed legislation and construction requests to be presented during the next legislative session.

Rev. G. Taft Lyon of El Paso was Master of Ceremonies for the dinner. The certificate of appreciation and letter of commendation from the Texas Council were presented to Dr. Kavanagh by Mr. Ward Burke, former President of the Texas Council and former Chairman of the State Board. Mr. L. Gray Beck, Chairman of the State Board of MHMR, expressed his appreciation for Dr. Kavanagh's efforts and also introduced the guest speaker for the dinner, Dr. John A. Talbott, Professor of Psychiatry at New York Hospital-Cornell Medical Center. Dr. Talbott spoke on balancing local, state and federal priorities for service, current trends in deinstitutionalization, and problems in resource distribution for community treatment of the mentally disabled.

Approximately 160 people, representing Community Centers, advocacy groups, state agencies, private organizations and the Legislature, attended the dinner honoring Dr. Kavanagh. The Texas Council wishes to thank all those who made this event possible and those attending for their continued support and participation in the MHMR effort in Texas.

TEXAS COUNCIL BOARD MEETS IN AUSTIN

On 12 July 1980, following the conference on Continuity of Care, the Board of Directors of the Texas Council met at the Joe C. Thompson Center in Austin. Mr. Frank Adams presided. The following items were discussed:

1. Mr. James Ingram, President of Advocates for Improved MHMR Services, reported on that organization's current activities and their priorities for the upcoming legislative session.

2. The Board discussed the Council's legislative program and the organization of a communications network among centers to keep abreast of legislative actions and coordinate information efforts during the session.

3. A report was given on planning efforts and scheduling for the conferences to be conducted within the next year under a technical assistance contract awarded to the Council by the Department of Health and Human Services.

4. Dr. Martha Tevis and Dr. Henry Pope gave a progress report on the regional workshops for Center Trustees on financial planning to be held this fall.

5. Mr. Dave Shannon, Vice-President of the Council, reported on the activities of the Executive Committee since the last Board meeting. These included efforts to improve the performance of Community Centers and to build a constituency of support for the Community Center concept.

6. The Board discussed problems regarding compliance with board composition and governance requirements of P.L. 95-622 and discussed alternatives and possible actions to be taken.

7. The budget of the Council for the coming fiscal year and dues structure for member Centers were discussed and approved by the Board.

8. The annual meeting of the Board will be held in October. The date and place will be confirmed and communicated to all Centers. Officers will be elected at that time.

Details on the issues discussed at the 12 July Board meeting are available from the Office of the Texas Council.

WORKSHOPS FOR TRUSTEES ON FINANCIAL PLANNING

The Texas Council, with the cooperation of the Division of Continuing Education at Texas A & M University, will present three regional workshops this fall on financial planning for Community Center Trustees. The dates and locations of the workshops, the faculty conducting them, and the Centers included in each regional division are as follows:

Conference I - Houston; 17-18 October 1980

Presenter: Dr. Steven Schnee, Executive Director, Central Counties Center

Resource

Persons: Mr. Ward Burke, member and former Chairman, Deep East Texas Center Board

Mr. Joe Bart, member, Harris County Center Board

Centers

Included: Sabine Valley, Northeast Texas, East Texas, Tropical Texas, Nueces County, Gulf Bend, Bexar County, Southeast Texas, Deep East Texas, Gulf Coast, Harris County

Conference II - Dallas; 24-25 October 1980

Presenter: Mr. John Billings, Executive Director, Gulf Coast Center

Resource

Persons: Mr. Doug Barnes, former Chairman, Dallas County Center Board

Dr. Robin Smith, Secretary, Central Counties Center Board

Centers

Included: Navarro County, Dallas County, Tarrant County, North Central Texas, Texoma, Pecan Valley, Austin-Travis County, Brazos Valley, Central Counties, Heart of Texas

Conference III - Lubbock; 7-8 November 1980

Presenter: Dr. Wayne Lawrence, Executive Director, Deep East Texas Center

Resource

Persons: Ms. Linda Gregory, Chairperson, El Paso County Center Board

Mr. Dave Shannon, Chairman, Permian Basin Center Board

Trustees not able to attend the workshop designated for their Center are encouraged to attend one of the other two being offered. Additional training, exploring the role of board members and effective board interaction, will be offered in the spring of 1981. A 1981 summer informational session on Health Systems Agencies and their relationship to Community Centers is being discussed. Ideas for future topics are welcome. Please contact the Office of the Texas Council for further information.

FACS UPDATE PROVIDES DATA ON TEXAS COUNTIES

The Children and Youth Services Division of the Texas Department of Community Affairs has completed the latest update of its Family and Child Statistics (FACS) information system. The data provides current information on 150 items concerning children and their families in each Texas county and the state as a whole--information on health, education, income, services, and other topics.

This data could be particularly useful to local and regional planners, service providers, professional and volunteer groups. To request a free copy of any county's 19-page profile or the state profile, or to learn more about the Children and Youth Services Division's other free informational services, contact Terry Foster at 1-800-252-9642 (toll-free) or 475-5833 in Austin. Address written inquiries to FACS, Texas Department of Community Affairs, Children and Youth Services Division, P. O. Box 13166, Austin, Texas 78711.

STATE BOARD OF INSURANCE CONDUCTS SURVEY

The State Board of Insurance, in preparation for their hearings with the insurance industry in September, is conducting a survey and preparing a report documenting the need for improved insurance coverage for mentally impaired persons in Texas. All Community MHMR Centers have been sent surveys to complete regarding their clientele and the information gathered from this sample will receive special report status in the final report.

The report was mandated by the Texas Senate and findings will be distributed to the Senate, the Texas House of Representatives, the insurance industry and many other groups. The findings could be instrumental in achieving legislative changes to improve the insurance coverage of the mentally disabled in Texas.

BIOGRAPHICAL SKETCHES

This issue's biographical sketches continue with information on the Executive Committee members of the Texas Council.

Mr. Joe Bart is a member of the Board of the MHMR Authority of Harris County and has served on that Board since 1977. Mr. Bart received his LL.B. from St. Mary's School of Law in San Antonio. With the exception of a leave of absence in 1952-53 to serve as Assistant Criminal District Attorney in San Antonio, Mr. Bart has been employed by Southern Pacific since 1952. He is currently their Public Relations Manager and also continues to practice law on a private basis. Mr. Bart is a member of the American, Texas and Houston Bar Associations. In the area of social and civic service, he has served as President of the Texas Social Welfare Association, a Governor's delegate on the White House Conference on Children and Youth, State Chairman of the National Council on Crime and Delinquency, Board member of the Houston Mental Health Association and numerous other committees and boards, particularly those dealing with youth, alcoholism, and drug abuse. His current service includes offices and board membership in such organizations as Neighborhood Day Care Centers of Houston, Concerned Teens of Houston, Juvenile Justice, Inc., the Harris County Committee on Drug Abuse, and numerous projects for emotionally disturbed youth. In addition, Mr. Bart is a member of the Houston, East Texas and West Texas Chambers of Commerce.

Rev. G. Taft Lyon, Jr. is Vice-Chairman of the Board of the El Paso MHMR Center and Secretary of the Texas Council Board. Rev. Lyon received his B.A. in Economics from Rice University, his Bachelor of Divinity degree from Austin Presbyterian Theological Seminary and has done post-graduate work in the areas of management, community development, and the aging process. He has had pastorates in both rural and urban areas of Texas and has been Chaplain for both the Texas Department of Public Safety and the National Guard of Texas. While living in Houston, Rev. Lyon was Founder, Planner and Developer of the Houston International Seaman's Center which ministers to 200,000 seafarers annually and trains chaplains from all over the world. He was cited by the Norwegian government for service to seafarers of the world. Rev. Lyon's extensive involvement in world mission has taken him to Central Africa, Ghana, Portugal, Mexico and Central America. He has served on numerous national committees in this area and has been involved in cross border and cross cultural missions in El Paso for the past several years. Rev. Lyon is Chairman of the Mayor's Advisory Committee on Aging, a member of the Area Agency on Agency Executive Committee, President of the Religious Community of El Paso, Developer of the National Council of Churches Crisis Corridor program in El Paso and the El Paso Street Chaplain Program and a member of the Mayor's Religion Advisory Committee among other positions of community service and leadership.

TWENTY-SECOND ANNUAL VOLUNTEER SERVICES STATE COUNCIL MEETING

The June issue of The Curriculor contained information on the Twenty-Second Annual Volunteer Services State Council Meeting to be held in Lufkin on 25-27 September 1980. This year's meeting is co-sponsored by Deep East Texas MHMR Services Board of Trustees and the Lufkin State School Volunteer Services Council.

Workshops will be held on Public Responsibility Committees, Volunteer Programs in Community Centers, Working with the News Media, and Duplicating the Success of a Community Center Volunteer Program with over 500 volunteers. Tours will be given of the Deep East Texas Center's Lufkin and Nacogdoches programs and the Lufkin State School. In addition, information will be provided on a pilot project--the Coordinating Board on Volunteerism serving Deep East Texas Regional MHMR Services and Lufkin State School. An awards banquet will also be held.

Further information is available from Gwen Cunningham, Director, Volunteer Services, Deep East Texas Regional MHMR Services, 4101 Medford Drive, Lufkin, Texas 75901. Phone: (713) 639-1141.

EXPRESSION OF CONCERN

The Texas Council extends its deep concern and sincere wishes for a fast recovery to Mr. Bill Schnapp, member of the State Board of MHMR, who suffered a heart attack this past month. Mr. Schnapp is now recuperating at home following his hospitalization.

The Texas Council of Community MHMR Centers, Inc.

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The Curriculor is a monthly publication of the Texas Council of Community MHMR Centers, Inc. Dr. Martha Tevis, Ed.; Carolyn Beckelhymer, Asst. Ed.

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