

# MANDATE FOR ACTION

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*Recommendations  
of the Governor's  
Mental Health Commission  
February 3, 1986*



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### **REFERENCES—23**

*The photographs shown on the cover and repeated throughout the text are meant to represent the people of Minnesota.*



Preparation by:  
Bruce Kappel  
Colleen Wieck

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# THE CONTEXT

"We can't expect those most affected to be the sole champions of this cause. It is the responsibility of all of us to address this situation. I am announcing today a means for beginning this discussion . . ."

— Governor  
Rudy Perpich

## The Governor's Commission on Mental Health

On June 14, 1985, Governor Rudy Perpich announced formation of the Governor's Commission on Mental Health and a list of specific issues to be addressed by the Commission including:

- the needs of the people;
- state planning functions;
- prevention efforts;
- appropriate ways to deliver mental health services;
- the structure of the existing delivery system;
- the level of funding and how funding is directed;
- the provision of community support programs across the state;
- a consolidated funding approach; and
- minimum statewide service standards for all counties and all providers of service.

In announcing the Commission, the Governor identified a number of facts which must be faced which affect the delivery of mental health services in Minnesota:

- mental illness is an increasing public problem which is aggravated by unemployment, layoffs, and economic uncertainty;
- it is also a reality that there are many other problems demanding the state's attention; and
- obtaining funds for mental health services has never been easy.

Governor Perpich appointed the members of the Commission on August 16, 1985, bringing together representatives of state hospitals, mental health centers, county social services, county government, advocates and members of the legal profession. Under the direction of Norma Schleppegrell, chair, the Commission first met on September 5, 1985.

Between September and November, the Commission structured its effort around working groups assigned to deal with specific issue areas:

- policies and strategies;
- needs of people and services;
- planning and delivery of services;
- quality assurance and standards;
- funding; and
- next steps.

By the end of November 1985, the recommendations of the working groups had been reviewed by the Commission and priorities established for the future.

## Definitions and the Needs of People with Mental Health Problems

The Governor's Commission was formed to look at every aspect of mental illness, but especially issues related to mental health services and policy. Two preliminary questions must be addressed in order to set the context for the Commission's work and recommendations—What is mental illness? What are the needs of people with mental illness?

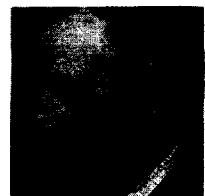
These questions are not easily answered. First, a precise definition of mental illness is illusive. Second, most investigations of "the needs of people with mental illness" focus on the services required or being offered to meet needs, not the fundamental needs of the individuals.

### Definitions

The American Psychiatric Association's (APA) *Diagnostic and Statistical Manual of Mental Disorders* (third edition) is clear on the definitional problem—"there is no satisfactory definition that specifies the precise boundaries for the concept of 'mental disorder'" (p. 5). The APA was able, however, to develop a definition that influenced its decisions to include certain conditions in the manual and exclude others.

... a mental disorder is conceptualized as a clinically significant behavioral or psychological syndrome or pattern that occurs in an individual, and that typically is associated with either a painful symptom (distress) or impairment in one or more important areas of functioning (disability). In addition, there is an inference that there is a behavioral, psychological or biologic dysfunction, and that the disturbance is not only the relationship between the individual and society. When the disturbance is limited to a conflict between an individual and society this may represent social deviance . . . but is not by itself a mental disorder.  
(p. 363)

Clinically significant mental disorders affect an individual's ability to function in important areas of daily living. Because of disruptions or distortions of emotional or cognitive mental processes, the person may have an increased difficulty dealing with personal relationships, living arrangements, work, recreation, mobility within the environment, and achieving a reasonable level of productivity.





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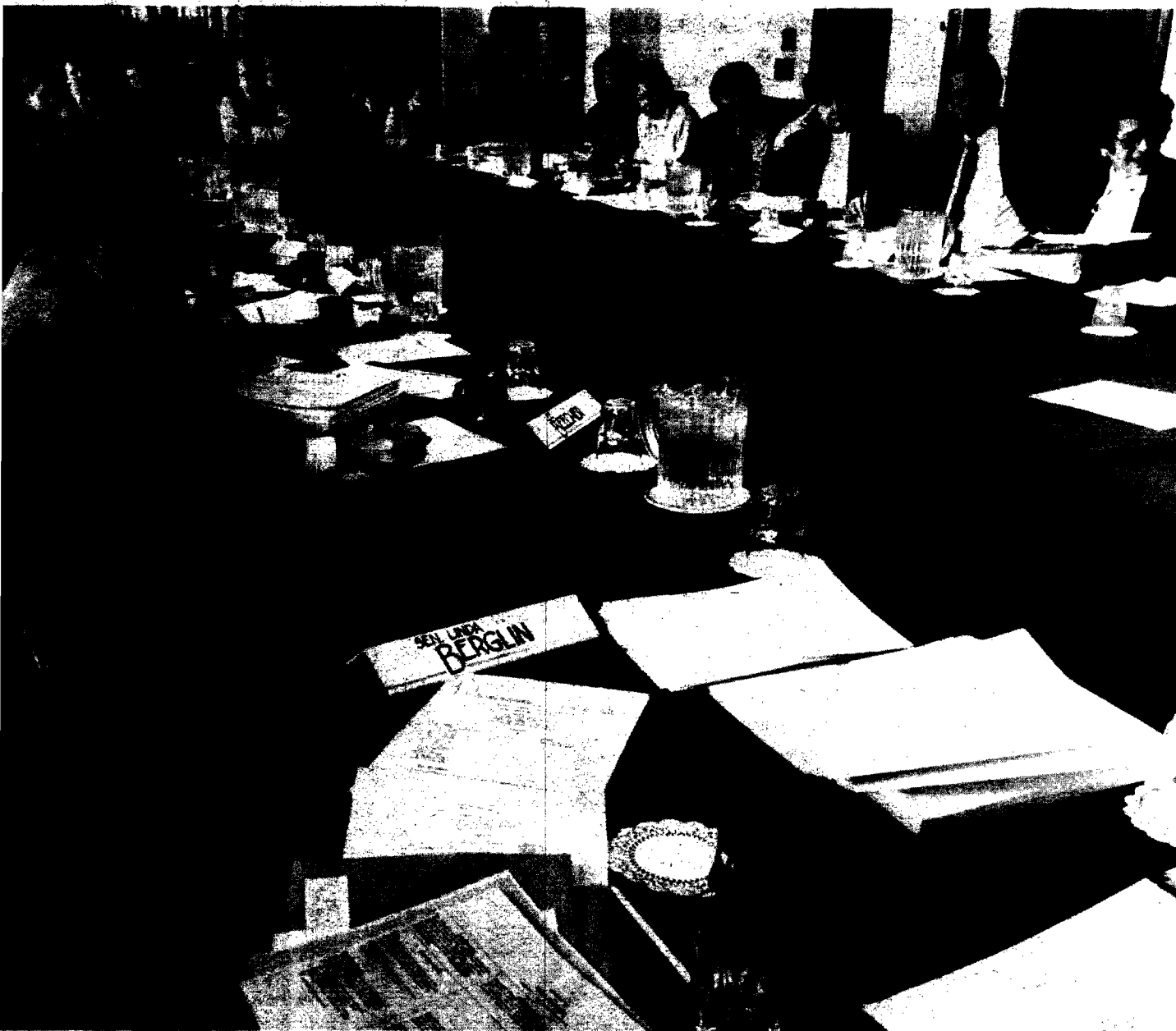
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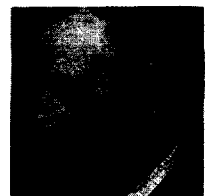
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order to identify people who are in need of special mental health services in the population, a definition of "person with mental illness" is necessary. Current definitions of mental illness require, in addition to descriptions of individual's behavior, specifying co-existent physical illnesses, the degree and severity of psychosocial stressors, and recognition of the highest level of functioning attained by the individual in the past. A mental illness may be a brief experience (acute) or of long duration (chronic), but "the real difference between acute and chronic is not the length of the illness, but whether deterioration occurs in family, work and social relationships" (Janecek, 1976, p. 2).

Surveys conducted in Minnesota to date have not focused on the needs of individuals who have not described services. There are several special needs including:

Like all Minnesotans, people with mental illness need food, clothing, shelter, medical or health services, transportation, education, recreation, and a secure income. The lack of one or more of these supports, in fact, may aggravate or stimulate the mental health problems experienced by the individual. Also, like every other person, chronically disabled adults need a personal support system consisting of other people who care about them as unique individuals" (NIMH, 1976, pp. 3-4).

People who are chronically mentally ill are usually able to learn and develop skills, friendships, and interests which are compatible with independent living in a community. These individuals tend to be shy, avoid social contact with others, and do not show aggressiveness or dangerousness. The cruel paradox is that they respond to consistent and supportive relationships which are often denied them due to their lack of assertiveness and the social stigma attributed to mental illness.

The use of such phrases as "mentally ill" should not obscure the basic fact that these are individuals with a whole array of positive attributes and abilities. Although mental health problems are clearly important, it is also important to recognize the strengths of the individual and his/her right to be respected and appreciated. "Indeed, one of the most serious obstacles to more rewarding lives for these people is the stigmatization and devaluation which occurs, both in organized service settings and in society at large" (NIMH 1976, pp. 1-2).

As Governor Perpich said, "We can't expect those most affected to be the sole champions of this cause." In fact, people with mental illness are often at a significant disadvantage in terms of the political processes which so affect their lives—decisions about services and budgets. They often lack the skills to represent their interests effectively. The stigma attached to "mental illness" deters many individuals and families from engaging in public advocacy. People with significant mental health problems are commonly blamed for their plight, and the diagnosis itself often throws into doubt their capacity to function reliably or make sound judgments in areas unrelated to their condition (Mechanic, 1985, pp. 78-79).

**The Governor's Commission on Mental Health is concerned with the following list of special needs which may apply in whole or part and in varying degrees to individuals with mental illness. There are several special needs including:**

A comprehensive evaluation of strengths and weaknesses, and an opportunity to participate in setting goals and developing a plan for appropriate services;

Appropriate and continuing medical, psychiatric, or psychological treatment as necessary, including periodic review and regulation of medication;

A place to go or a person to call for help in dealing with acute behavioral, emotional, or physical distress;

Training in "coping skills" to assist in tasks of daily living, and when appropriate, assistance in performing these tasks;

Dependable, available resources to provide assistance as needed or when crises arise, who will protect the person from exploitation, represent the person as necessary, and espouse the person's cause in dealing with the system;

Opportunities for validation of personal worth, for being appreciated and valued as a human being;

A residential setting [a place to live] which provides emotional support, practical assistance in daily living, and which resembles other community living arrangements as much as possible [in a family or a household composed of people of one's own choosing];

Assistance to family and significant others in relation to any difficulties they may experience as a result of the person's mental illness;

*The people who are of concern to the Governor's Commission on Mental Health are Minnesotans who have a mental/psychiatric disorder which is clinically definable and who experience disruption in their abilities to function in daily life.*

Assistance to neighbors or employers in coping appropriately with any unusual, annoying, or disturbing aspects of the person's behavior;

Vocational guidance, training, and assistance in securing and holding an appropriate job;

Provisions of work or other useful daily activities for those individuals who are currently incapable of holding a regular job;

Assistance in taking advantage of entitlements as citizens or residents of their respective communities; and

A clearly defined, accessible, and workable grievance procedure (NIMH, 1976, p. 4).

We must never forget, however, that the basic needs of people with mental health problems are the same as for all people. In meeting their special needs, we must also pay close attention to their ordinary needs.

### **A History of Studies and Conclusions**

The history of mental health services in Minnesota has not only involved a series of policy and service initiatives, it is also marked by numerous reports and recommendations. Since 1951, 21 separate efforts have focused on issues facing mental health services and people with mental health problems. Each has taken a different perspective on a different set of issues, but together they constitute an impressive body of recommendations, most of which have not been implemented.

Some of the major themes linking these reports together are as follows:

#### **Advocacy and Rights:**

The rights of people with mental health problems should be expanded and enforced. Special efforts should be made to reach out to individuals who are members of minority groups. The capacity to oversee the system should be created. (1971, 1978, 1979, 1985)

#### **Coordination and Leadership:**

To address the needs of people with mental illness, it is necessary to exercise leadership and coordinate the efforts of several state agencies. (1971, 1978, 1979, 1985)

#### **Services:**

All residents of Minnesota should have access to a comprehensive array of appropriate quality services. (1956, 1963, 1965, 1971, 1977, 1978, 1979, 1985)

Services should be available to those groups of people who are least well-served at the current time—people with chronic mental illness, members of minority groups, and people with sensory impairments. (1978, 1979)

#### **State Hospitals:**

There is an ongoing need for specialized programs, outpatient services, and more comprehensive treatment approaches. (1951, 1952, 1965, 1971, 1979, 1983, 1985)

#### **Personnel and Training:**

Efforts should be directed at: a) providing a training program for personnel in the field of mental illness, b) stimulating training by providing incentives, c) developing volunteer capabilities, d) providing technical assistance and consultation support to service providers, and e) the development and implementation of a public education program. (1951, 1963, 1965, 1971, 1978, 1979, 1983)

#### **An Information Base:**

A data base and information system needs to be developed to assist in the identification of people in need, to gain access to technical and financial assistance, to provide an information clearinghouse, and to document needs and the availability of services. (1971, 1977, 1978, 1979, 1980, 1985)

#### **Funding:**

Funding levels should be increased. Disincentives which stand in the way of receiving appropriate care should be removed. (1956, 1963, 1965, 1978, 1979, 1985a, 1985b)

#### **Research:**

Funds for research should be provided with an emphasis on effective management and treatment approaches. (1951, 1961, 1977, 1978, 1983)

This summary is, however, far from a complete picture of the more than 100 recommendations put forward in the last three decades related to a range of issues.

The Governor's Commission on Mental Health, in 1985, draws one conclusion after examining these recommendations and the current state of affairs—these issues are still current.

# THE FINDINGS

## Introduction

The Governor's Commission on Mental Health focused its attention on five major issue areas:

1. policy direction and mission;
2. the needs of people with mental health problems;
3. planning and delivery of mental health services;
4. quality assurance and standards; and
5. funding.

Within each area, the Commission reviewed the current state of affairs in mental health services in Minnesota and extensive information on alternatives to pursue in order to address current issues.

In addition to its own expertise and published reports in Minnesota, the Commission relied greatly on information and analyses presented to it by individuals invited to present their views at Commission and working group meetings.

*There is in fact no goal, direction, or mission that draws together the array of mental health services, policies, and funding mechanisms in the state.*

## Issue 1: Policy Direction, Mission, and Rights

Two themes were of primary interest to the Commission in this area—the direction of mental health services, and the rights of people with mental health problems.

### Policy

As with numerous other investigations and reports, the Governor's Commission concluded that the system of mental health services in Minnesota can only be described as a nonsystem. One of the defining characteristics of a system is that a series of parts (in this case, services, policies, and funding) work together as a whole to perform a vital function or achieve a goal.

The idea that a sense of mission is required to build a system is certainly not new in Minnesota. There are, for instance, clear statements of direction in terms of mental retardation and chemical dependency programs:

It is the policy of the state of Minnesota to provide a coordinated approach to the supervision, protection, and habilitation of its mentally retarded citizens. In furtherance of this policy, sections 252A.01 to 252A.21 are enacted to authorize the Commissioner of Human Services . . . to protect such mentally retarded persons from violation of their human and civil rights by assuring that such individuals receive the full range of needed social, financial, residential, and habilitative services to which they are lawfully entitled.

It is hereby declared to be the public policy of this state that the interests of society are best served by providing persons who are dependent upon alcohol or other drugs with a comprehensive range of rehabilitative and social services . . . treatment shall include a continuum of services available for a person leaving a program of treatment.

**SUCH STATEMENTS DO NOT EXIST IN STATE STATUTE WITH REFERENCE TO SERVICES FOR PEOPLE WITH MENTAL ILLNESS.**

The Commission is aware, however, that Mission Statements do exist within the Department of Human Services and its mental health division. The statements provided to the Commission by the Department are as follows:

The Department of Human Services . . . is a state agency directed by law to assist those citizens whose personal or family resources are not adequate to meet their basic human needs. It is committed to help them attain the maximum degree of self-sufficiency consistent with their individual capabilities. To these ends, the department will promote the dignity, safety, and rights of the individual, and will assure public accountability and trust through responsible use of available resources.

. . . the purpose [of the mental health division] is to encourage, ensure, or provide opportunities for every person in Minnesota to grow in his/her abilities to get along with others, in ways that are satisfying to him/her, and acceptable to those around him/her.

In addition to the Mission Statements provided to the Commission, the Department of Human Services has also included a mission statement in its January 1985 *Report to the Legislature Regarding Rules 36, 12, and 14*.

The mission of the Department of Human Services through all the programs, authority, and resources under its aegis is to prevent, ameliorate, and minimize dependency of persons on others due to chemical abuse, or emotional, developmental and/or physical disabilities.

As an overall statement of commitment, the Department reaffirms its belief that the mental health "system" in Minnesota must ensure that an adequate array of mental health services are available to all those in need, based on the following criteria:

- be reasonably accessible to all;
- meet at least minimum health, fire safety and program standards;
- be appropriate to an individual's diagnosis and condition;
- be delivered in the least intrusive manner, in the least restrictive environment possible, and be free of abuse; and
- contribute to the progress of the individual toward self-determination and independent living.

**Rights**

The federal Mental Health Systems Act included a patients' bill of rights which was recommended to states for their adoption in statute. Section 501 recommended the following rights:

- treatment and least restriction of liberty;
- individual treatment plan;
- planning participation;
- explanation of treatment;
- right to refuse treatment;
- nonparticipation in experimentation;
- freedom from restraint or seclusion;
- humane treatment environment;
- confidentiality of records;
- access to records;
- right to converse in private;
- reasonable access to telephone, mail and visitors;
- information regarding rights;
- assert grievances;
- fair grievance procedure;
- access to an advocate;
- referral upon discharge;
- other civil rights;
- confidentiality of records on discharge;
- no reprisals for assertion of rights;
- rights of facilities;
- access by legal representative;
- posted notice of rights; and
- substitute judgment (guardian).

In a recent review of state statutes to determine the extent to which these rights have been accepted in states (Lyon, Levine, & Zusman, 1982), it was determined that Minnesota had substantially complied in nine areas, partially complied in six areas, and had not complied or contradicted the recommendations in nine areas. According to this review, several states such as Alaska, Arkansas, California, Connecticut, Georgia, Hawaii, Illinois, Kansas, Missouri, Montana, New Jersey, New York, Ohio, and Wisconsin exceed Minnesota in statutory protection of rights.

*It is the conclusion of the commission that these mission statements are not sufficient to guide and stimulate the development and operation of a mental health service system which is responsive to the needs of Minnesota's citizens and the communities in which they live.*

*At the current time, there is a considerable discrepancy between the rights of people with mental illness, the recognition of those rights in state statute, and the protection of those rights in practice.*

## ue 2: The Needs of People h Mental Illness

Commission is not aware of any study in Minnesota which documents the individual ✓  
needs of all people with mental illness. There  
have been a number of investigations into some  
of the characteristics of people with needs,  
as Rule 14 and Rule 36 facilities; the serv-  
ices they are receiving; and the services which  
are required in order to respond to their needs.  
Recent studies illustrate the current state  
of knowledge in these areas.

**Study of Services to Mentally Ill People,**  
**Minnesota Department of Human Services**  
A 1984 study collected current information  
on the services provided by counties under the  
Community Social Services Act (CSSA) to peo-  
ple with mental illness, and the views of coun-  
ty officials regarding the accessibility, adequacy and  
cost of those services. Its recommendations  
focus on the range of services which should be  
guaranteed as the "minimum capability" avail-  
able within a county to respond to the needs of  
people with mental illness.

The study indicates that counties are pro-  
viding an array of services to people with  
mental illness, and that many essential  
services are either not available in all  
counties, or not available to the extent  
they are needed.

Major areas of services identified as  
needed are as follows:

**Housing:** More supportive living  
arrangements, adult foster care, halfway  
houses, board and lodging, Rule 36 facili-  
ties, semi-independent living programs,  
apartment living, and food and clothing.

**Employment:** Employment programs,  
training, job placement and sheltered  
workshop alternatives.

**Case Management:** Including more  
county social workers who have smaller  
caseloads.

**Patient Followup and Aftercare.**

**Crisis Care/Emergency Services:**  
Including critical care capabilities and  
crisis homes.

**Transportation:** Especially in rural  
areas.

**Day Treatment Programs.**

**Social and Recreational Activities.**

**Prevention and Education Services.**

**Services for Special Populations:**

Including people with dual diagnoses  
(mental illness and mental retardation,  
chemical dependency, or physical disabili-  
ty), children and adolescents, elderly per-  
sons in nursing homes, people with men-  
tal illness who are homeless, and ethnic  
populations.

The following services were identified by 75  
percent or more of the counties involved in the  
study as "essential for mentally ill persons"  
and were then recommended by the Depart-  
ment to be included in the description of min-  
imal capability:

- adult protection;
- child protection;
- assessment;
- case management;
- emergency services/24-hour emergency  
service;
- prepetition screening;
- assistance in meeting basic human  
needs;
- outpatient services;
- community residential services;
- diagnosis; and
- inpatient psychiatric services.

### **Consumer Survey of Mental Health Serv- ices in Minnesota, Mental Health Advo- cates Coalition of Minnesota, Inc.**

In 1984, the Coalition surveyed consumers of  
mental health services and their families across  
the state. The survey addressed three issues—  
availability, accessibility, and quality of serv-  
ices. It is important to note that the consumers  
involved in the study had already, in some way,  
been connected with the mental health system  
or the Coalition.

The major findings of the study were reported  
under four headings:

#### **Access to Mental Health Services (N = 812):**

- 48 percent reported having adequate access;
- 42 percent reported having no access; and
- 10 percent reported being unaware of services  
accessible to them.

#### **Inpatient Services (N = 788):**

- 78 percent reported having adequate access;
- 14 percent reported having no access to a hospital;  
and
- 8 percent reported being unaware of the availabil-  
ity of a hospital.

#### **Information:**

- 54 percent reported adequate information about  
mental illness (N = 710);
- 47 percent reported adequate information about  
ways to cope (N = 693); and
- 51 percent reported adequate information about  
services available (N = 686).

*The fundamental fact, how-  
ever, is that we have little  
comprehensive information  
about the actual needs of  
Minnesotans with mental  
illness. ✓*

*Among people who are  
involved in services or the  
coalition, less than half think  
they have adequate access  
to services.*

*Approximately one in five  
individuals think they are  
restricted in their access to  
hospitalization.*

*One half of the respondents  
do not have basic information  
about the illness, how to  
cope, nor services available.*



The services which allow people to live close to home and family; reduce hospitalization; and are cost effective are seen as inaccessible to many people who may require such services.

## Outpatient and Community Services:

### Outpatient Services:

60 percent report access (N = 790);

### Housing/Residential:

40 percent report access (N = 734);

### Vocational/Rehabilitation:

37 percent report access (N = 763); and

### Respite Care:

24 percent report access (N = 519).

## Issue 3: Planning and Delivery of Services

### Concerns and Issues

Based on the experiences of members of the Governor's Commission, the material it reviewed, the presentations it heard, and the issues repeatedly identified in other reports, the Commission is concerned about the planning and delivery of mental health services.

### State Hospitals

Currently, six of the eight state hospitals, and the Minnesota Security Hospital serve people with mental illness. Before the deinstitutionalization movement of the 1960s and 1970s, there were over 10,000 beds in the state hospital system for people with mental illness. Today, there are fewer than 1,300 beds. In FY '86, the average daily census was 1,197 persons (with mental illness), and this is expected to rise to 1,251 in FY86 (Nagel, 1985, p. 6).

### Nursing Homes

Many elderly persons with mental illness have been moved into nursing homes, because federal Medicaid funds are available. From 1973, the number of persons (medicaid funded) with mental illness in nursing homes has increased from 6,281 to 9,845 in 1982. The Department of Human Services reports 15,200 people with mental illness now living in nursing homes (Department of Human Services, 1985, p. 12). This number (15,200) represents all types of funding in all nursing homes including state-operated.

There has been a significant decline in the institutionalization of citizens with mental illness in state hospitals.

Conversely, there has been a dramatic increase in the number of elderly persons with mental illness in nursing homes. These individuals do not necessarily receive any mental health care.

There has been a dramatic increase in community residential programs and the state's involvement in funding and setting standards. Their distribution, however, is limited.

## Community Residential Programs

Licensed residential programs for people with mental illness began to grow after the Minnesota Legislative Auditor's report (1981) which examined facilities for people with mental illness. The group homes are now under the licensure requirements of Rule 36. Excluding state hospital beds for people with mental illness which are also licensed under Rule 36, there were 1,918 beds licensed or in the process of being licensed under Rule 36, involving a total of 81 facilities as of January 1986.

Rule 12 is the funding mechanism for grants to counties to help pay for services required by Rule 36. In FY '86, Rule 12 grants funded 75 facilities with a capacity of 1,676 beds. In total, 29 counties received Rule 12 grants.

Current estimates from the Department of Human Services are that the total number of persons with mental illness in Minnesota's 300 to 350 residential facilities is approximately 22,000 at any specific time. The distribution of those people among the different types of facilities is as follows:

### Mental Illness Facilities and

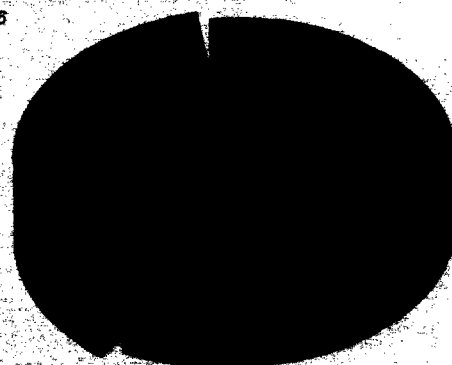
Approximate Residents 22,000

Non-Rule 36 Facilities

Rule 36 Community Facilities

State Hosp. MI Units

Psy. Hosp. Units



Source: Department of Human Services, 1985, p. 12.

\*Included over 1,000 people under age 65 years.

Additionally, according to the Department of Human Services approximately 4,000 to 5,000 Minnesotans have mental health needs appropriate for placement in a Rule 36 facility, a semi-independent living arrangement, or a supportive living residence (Department of Human Services, 1985, p. 12). These alternatives are not available to meet the projected need.

### Community Support Programs

Community support programs offer day programs, case management, outpatient treatment, and other support programs for people with mental illness in Minnesota. Rule 14 establishes standards and serves as the funding mechanism for grants to counties to fund community support projects. During FY '84, 32 projects were funded, serving 2,750 clients. Funding was provided to 36 counties.

Under the umbrella of the Community Social Services Act (CSSA), a variety of services are provided to people with mental health problems.

### Community Mental Health Centers

Usually all community mental health centers in Minnesota were organized under the Community Mental Health Center Act passed by the 77th Minnesota Legislature. The passage of P.L. 64, Title II, in 1963, which authorized establishment of community mental health centers, had a limited impact in Minnesota. Only seven facilities in the state ever qualified for support under this Act. Community mental health centers pioneered noninstitutional care throughout the state of Minnesota. In 1966, there were 39 mental health centers and county grain boards listed in the directory maintained by the mental health division. The funding of such facilities is not consistent throughout the state, and the programs offered by centers differ significantly.

### General Hospital Psychiatric Care

In FY '84, 6064 patients were covered under Medical Assistance and General Assistance Local Care for general hospital psychiatric care. The Minnesota Department of Health reports 1,100 licensed beds in community hospitals for psychiatric care. Funding for this service comes from both private and public sources. In the past, Medical Assistance and General Assistance Medical Care funding for general hospital psychiatric treatment has been based on a per case prospective payment. Since 1986, a four category DRG system exists for community-based psychiatric hospital reimbursement. The Department of Human Services has subcontracted quality assurance activities and utilization review to Blue Cross/Blue Shield of Minnesota for the past two years. In 1985 cited several problems in the mental health area including: (a) poor or nonexistent discharge planning, (b) poor or nonexistent physician involvement, and (c) a lack of intervention and exclusion from within facilities, which would prevent the need to transfer people to inpatient care.

### Other Outpatient Services

Rule 29 governs eligibility for insurance reimbursement for outpatient mental health clinics. The Department of Human Services listed 62 Rule 29 centers in 1983. Most Rule 29 clinics receive a mix of reimbursement from both public and private sources. There has been no attempt to describe the people served by these clinics and the quality of services received.

The Commission reached several conclusions about the organization of the service system and its outcomes:

Mental health services are provided by the private sector through health insurance and health maintenance organizations and a public sector. The public sector includes the Medicare and Medicaid programs, the state hospitals and county administered programs through the Community Social Services Act. Public sector systems also include employment and government assistance programs in order to satisfy basic human needs. The public funding involves three levels of government, federal, state, and county.

- These sectors and levels of government are not a well-integrated system. To the extent that a system exists, it is not well-understood by those within it or those intended to be served by it.
- A change in one part of the system affects the other sectors and/or levels of government. There is little coordination related to these impacts. Examples of such changes include new mandates, changes in funding levels, and changes in insurance coverage.
- There are inconsistencies among the three sectors and levels of government in terms of regulations, uniformity, and flexibility.
- Responsibility is not well-identified or fixed within either the sectors or the levels of government.
- Leadership is often cited as a problem. As with responsibility, it must exist in all sectors and at all levels of government.

*There has been a dramatic increase in the availability of community support programs in the state, but their distribution is limited.*

*Very little is known or required to be known about outpatient services in contrast to inpatient psychiatric services.*

*Most of the state seems to have access to the services of a community mental health center. However, the range and nature of services offered by them vary considerably and their funding is not uniform.*

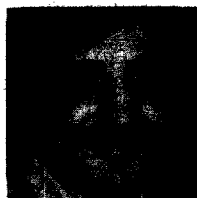
*In answer to the governor's question about why community support programs are not provided statewide, there are two reasons: (1) lack of long-term funding, and (2) fiscal disincentives to counties.*

Mental health is a field in which there are so many goals and so few agreed upon priorities that progress toward any goal requires sustained effort across years.

— Leighton, 1984 —

- There is no unified philosophy, set of goals or policy driving the mental health system. In addition, there appear to be two competing philosophies—a welfare philosophy which implies providing a minimum level of services to all who are eligible, and a health/wellness philosophy which implies providing a level of service that matches the needs of all the people.
- An array of services does exist in the state, but not in all parts or in all types of service. Access to services remains a problem. Access is an issue at a number of levels—the existence of a service, its availability, transportation or distance, physical access, adaptation/accommodation for people with sensory impairments, ability to pay, and fear of stigmatization by professionals.
- There is no ongoing, integrated method of ensuring accountability in all sectors and levels of government. There is a significant lack of information on the services available to and received by individuals, as well as the outcomes achieved by those services. This puts public officials at a critical disadvantage.
- Funding remains a problem in terms of stability and level of funding, and incentives and disincentives for certain programs and services.

In other words, the “system” is, to a significant extent, divided, inconsistent, uncoordinated, undirected, unaccountable, and without a unified direction. While some information exists about the availability and use of services, very little is known about the bottom line—how effective the system is in responding to the needs of the people it is intended to serve and support.



## **Issue 4: Quality Assurance and Standards**

The Commission examined a wide range of issues related to standards and ensuring quality in the system—rights, case management, consumer input, grievance procedures, standards and licensing, and quality assurance. Much of the information gathered has already been reviewed in other sections of this report. This is quite appropriate since issues of quality and quality assurance should and do emerge in all aspects of the mental health service system.

### **Issues and Concerns**

#### **Rights**

According to the Minnesota Mental Health Law Project, major discrepancies between current Minnesota statutes and the patients' bill of rights contained in federal law include four areas:

1. rights of outpatients;
2. rights to appropriate care and related services;
3. fair grievance procedures; and
4. access to advocacy.

In addition to these discrepancies, no clear statements of rights exist for minors or with respect to families. There are no mechanisms for ensuring accountability and evaluating the extent to which rights are, in fact, respected.

#### **Case Management**

A study conducted in Hennepin County demonstrated that case management services are effective—quality of life increases, days in hospital decrease, and hospitals are used more appropriately.

It is also clear that case management is more effective when case loads are manageable. Finally, unless agencies are in some way accountable to case managers for delivering the needed services to individuals, case managers cannot be sufficiently effective.



## salive Trends

While the Commission is concerned about these issues and the fact that they have been standing for a number of years, it is also aware that there are a number of positive trends in the state. Members of the Commission offered the following statements about trends:

"I am very happy with the development of community support projects outside the metropolitan area. Another positive sign is the timing of the development of group homes outside the metro area. A good trend is the increasing emphasis on the rights of patients. Other, we are seeing more emphasis on outpatient care."

— Jerry Lovtzen

"Hennepin County is progressive and willing to fund programs. Others from around the country are amazed that a county is funding professional crisis center."

— Ziglida Steinhachner

"One most positive thing I can cite is the increased availability of Community Support Program services. Contributions funded by the Knight Foundation have brought people together, and as a result, a systems advocacy activity has developed. In Anoka, there is the highly successful Independent Living Program. It is down-to-earth and provides training in practical, day-to-day living skills. As a result, hospital stays have been greatly reduced, and we have seen a strong retention of our patients in their homes."

— Rebecca Flak

"The concern and motivation [for change] are already in place. Community Mental Health Centers are located throughout the state. As a result of our centers being part of a Service Unit, people have 'one stop shopping'; referrals are all internal. The structure is in place, well-distributed. It provides good services."

— Duane Shippech

"Minnesota, at this time, does have a great number of people committed to quality. There are some highly qualified staff who, while inexperienced, are anxious to provide quality services."

— Tom Bouda

"Overwhelmingly successful are the community support programs treating people with chronic mental illness. The problem is that community support programs do not exist in all counties. The data show a good reduction in calls for emergency medical care and law enforcement. The programs are successful because they provide training in everyday skills and they coordinate recreation, socialization, family outreach, and outpatient care."

"Another positive observation is that some of the counties, such as Hennepin and St. Louis, have taken their role in mental health care very seriously."

— Miller Friesen

"The Range and Northland mental health centers are very good examples of programs that work. They have developed programs that are meaningful to Indians and their outreach to those communities is commendable."

— Norby Blake

"One of the best things happening in the state is the movement of families to organize on behalf of their relatives."

"The increase in community support funding is a good thing and can help renew the emphasis on mental health centers on the care of people who are chronically mentally ill. People are recognizing that more needs to be done for people who are chronically mentally ill."

— Gail Jackson

# THE FUTURE

## Introduction

Based on its understanding of the current situation in Minnesota's mental health system, in terms of policy, services and needs, the Governor's Commission on Mental Health is convinced that three types of steps must be taken:

1. The state of Minnesota must make a commitment to mental health services that are responsive, efficient and effective in meeting the needs and rights of our citizens with mental illness.
2. Services, authority and funding must be organized in ways that are consistent with meeting this commitment.
3. Standards and quality assurance mechanisms must be in place to ensure that the commitment is met.

The recommendations of the Commission are organized and presented according to these three themes—commitment, organizing to meet the commitment, and ensuring that the commitment is met.

The recommendations also relate to two time-lines—the immediate future and the near future. The immediate future means during 1986. The near future refers to 1987 and after.

Finally, the Commission has identified four top priority recommendations:

1. The adoption of a Mission Statement in state statute.
2. The extension of the Bill of Rights to outpatient mental health services in state statute.
3. The creation in state government of a visible, responsible, and committed focal point of administrative and professional leadership.
4. The continuation of a Governor's Commission on Mental Health to monitor and advocate the implementation of the recommendations contained in this report.

## The Commitment

### Goals

To ensure the planned development of a comprehensive community mental health service system that:

- respects the rights of people with mental illness;
- responds to their needs and the needs of their families;
- ensures services are provided in the least restrictive environment most appropriate to the person's needs; and
- ensures that people with mental illness problems are able or enabled to belong to our communities, and participate in and contribute to them.

To increase the appropriateness, availability, and accessibility of programs, services, and supports to people with actual or potential mental health problems, their families, and others who are significantly involved in their lives (such as students and workers, employers and educators, friends, and others).

### Recommendations for the Immediate and Near Future

#### A Commitment to Excellence

In the immediate future, the Governor should make a commitment to excellence in the treatment of mental illness and the prevention of mental health problems in Minnesota.

Consistent with the position statement from the National Council of Community Mental Health Centers, "excellence" should be defined as the achievement of the following goals for individuals and by the mental health services system:

- **Restoration:** restore people with mental illness to a previously held higher level of functioning;
- **Stabilization:** stabilize individuals with mental illness;
- **Prevention:** prevent the development and deepening of mental illness;
- **Support and Assistance:** support and assist individuals in resolving emotional problems which impede their functioning;
- **Promotion of Functioning:** promote higher and more satisfying levels of emotional functioning; and
- **Promotion of Mental Health:** promote sound mental health.

consistent with the needs of people with mental illness, "excellence" should also be defined as the achievement of specific outcomes for individuals and by the extent, not merely compliance with minimally adequate standards.

#### Regulated Practice

In the immediate future, the Commission's action Statement for Minnesota's mental health system should be adopted as follows:

The State of Minnesota is committed to the creation, operation, and maintenance of a comprehensive mental health care system that is unified and accountable. This system:

- empower consumers to control their lives as fully as possible and recognize their rights to do so;

- provide services which respond to the needs of people with mental illness in the least restrictive environment and should not:

- relieving acute distress experienced by individuals;
- curtailing individual expression; and
- maintaining the strengths and abilities of the individual.

It must be continuously vigilant about the achievement of standards and quality of life measures to ensure that the services provided are effective, efficient, and appropriate and

be measured against the goals of:

- increased independence;
- reduced criminality;
- increased safety; and
- reduced charges.

In the near future, the Governor should ask the Legislature to place an appropriately worded Mission Statement in state statute.

#### A Commitment to Rights

In the immediate future, the following steps should be taken with respect to the rights of people with mental illness and their families:

- the extension of relevant sections of the Bill of Rights to outpatient mental health services; and
- the development and implementation of methods to ensure accountability in the protection of rights;
- the development and adoption of a Bill of Rights for families of people with mental health problems;
- the clarification of the applicability of the Bill of Rights to minors;

#### A Commitment to Transforming the System

In the near future, the Governor should direct the executive branch to take whatever steps are necessary to transform the current "patchwork" of mental health services in Minnesota to an effective, efficient and appropriate system of services.

the label of mental illness is most universally regarded as a negative attribute.

— Rabkin, 1979 —

## **Organizing to Meet the Commitment**

### **Goals**

To develop, maintain and enforce statewide planning and evaluation efforts that promote the efficient, effective, and appropriate delivery of mental health services in Minnesota.

To allocate, manage, and monitor the use of state financial resources in ways that are directed at the development and maintenance of appropriate care, treatment, support, and habilitation programs for persons with mental illness, and in ways that are consistent with standards of service quality.

### **Recommendations for the Immediate and Near Future**

#### **A Point of Responsibility**

In the immediate future, the Governor should create a focal point in state government of visible, responsible, and committed leadership for a system of mental health services.

This focal point can be accomplished in several ways:

- create a mental health authority in the Department of Human Services under its own deputy commissioner; or
- create a mental health authority in the Department of Health under its own deputy commissioner; or
- the creation by the Legislature of a separate Department of Mental Health in state government.

The Commission endorses the creation of a Department of Mental Health under the leadership of a mental health professional.

#### **Responsibility for Overseeing Implementation**

In the immediate future, the Governor's Commission on Mental Health should be continued to oversee, monitor, and advocate the implementation of these recommendations.

#### **Funding for Planning**

In the immediate future, the state agencies responsible for mental health care and services, in collaboration with the State Planning Agency, should seek federal funding to engage in planning efforts consistent with the realization of the Mission Statement.

## **A Range of Services**

In the near future, the services position statement of the National Council of Community Mental Health Centers should be adopted by the Legislature as the basis for defining, planning, developing, and supporting a system of services for community mental health care. Such a system would include the following components:

- Nonresidential:
  - Outpatient,
  - Twenty-four hour emergency services,
  - Partial hospitalization and day treatment,
  - Consultation,
  - Prevention/Education,
  - Screening and Assessment, and
  - Community Support Services;
- Twenty-four hour community-based, non-hospital residential care:
- Short-term intensive treatment, and
- Structured residential support;
- Community-based hospital care:
- Short-term inpatient treatment, and
- Long-term inpatient treatment.

The definition of services should be converted to appropriate legislative language and include a clear definition of case management.

#### **Equitable, Adequate, and Accessible Services**

In the immediate future, a mental health services equity approach similar to Massachusetts should be adopted in order to achieve a more even distribution of services within areas of the state and an adequate level of services.

#### **Appropriate Funding and Benefits**

In the immediate future, the objectives of funding allocations should include:

- localized authority and responsibility for placement decisions;
- promotion of quality services; and
- accessibility of a minimum level and range of services statewide without regard for county of responsibility.

**In the immediate future,** funding should be provided in such a way as to promote access to a full array of mental health services which are capable of achieving quality outcomes, not merely minimally adequate standards."

**In the immediate future,** legislation should be developed which would expand outpatient mental health group policies and subscriber contracts benefits beyond \$600 per year based on an individual assessment and treatment plan. To remove the current discrimination against individuals who require outpatient services beyond \$600 per year, a needs assessment should be conducted on: (1) the severity of stress on the individual, (2) the level of function impairment experienced by the individual, and (3) the likelihood of attaining treatment goals shall be provided.

**In the immediate future,** legislation should be introduced to allow payment for hospital inpatient psychiatric services on a per diem basis, rather than on the basis of Diagnosis Related Groupings.

**In the near future,** reimbursement for hospital-based outpatient services should be expanded. Standards should be developed for patient treatment to promote continuity of care and individualized treatment.

**In the near future,** community support programs (Rule 14) should be funded in all counties.

**In the near future,** funding for mental health services should be based on the person's needs and be directed to the actual provision of needed services. Existing funding arrangements should be maintained for a transitional period to assure continuity; but thereafter, funding should be tied to the individual and a plan of care.

**In the near future,** counties should ensure payment to service providers for services rendered, and utilize all available revenue resources.

**In the near future,** SSI/SSDI applications by persons on behalf of Minnesota residents who may qualify because of mental disabilities should be made a priority and supported by all levels of state and local government and by private providers.

**In the near future,** services currently funded by the McKnight Foundation should be reviewed in order to allow inclusion of projects eligible for public funding.

**In the near future,** community services should be fully funded, and the state share of mental health service funding be increased to 75 percent (actual), and fiscal disincentives be identified and removed.

#### **Checks and Balances**

**In the near future,** the functions of providing, regulating, and evaluating mental health programs should be separated to better assure a checks and balances approach.

#### **Innovation and Excellence**

**In the immediate future,** the development of innovations and application of models of excellence should be encouraged and supported through technical assistance and increased awareness.

#### **An Indian Mental Health Program Office**

**In the near future,** an Indian Mental Health Program Office should be created and employ Indian staff, utilizing existing staff complement positions and available funding.

#### **Prevention and Outreach**

**In the immediate future,** prevention services and outreach programs related to mental health should be available to Minnesotans of all ages.

#### **Research**

**In the immediate future,** basic research in the causes of mental illness and effective treatment should be supported at both the federal and state levels.

#### **Information Systems**

**In the near future,** a statewide information system for publicly funded mental health services should be implemented. The system should be client-based, ongoing, protective of confidentiality and privacy, using simple data collection techniques, capable of tracking or following clients within the public mental health system, and integrated with current data systems.



*✓ Basis of client input feedback*

"Access" has several meanings including availability of services, transportation of the client, physical accessibility, accommodations for sensory impairments.



## **Ensuring the Commitment Is Met Goals**

To implement accepted principles for the provision of mental health services and maintain statewide standards (at both minimum and excellence levels) for the care, treatment, rehabilitation, and support of people with mental illness.

## **Recommendations for the Immediate Future and Near Future**

### **Review and Consolidate Standards**

In the immediate future, the Governor should request the State Planning Agency to reconvene the Department of Human Services and Minnesota Department of Health work group to continue the process of unifying licensing, seeking consistency in licensing and regulating, and seeking consolidation in the number of rules, and to then begin implementing changes.

### **Standards with Quality Content**

In the near future, the content of standards should be consistent with the following characteristics of the system:

- services will be based, when feasible, on research findings;
- services will be based on clinical needs and delivered in a manner consistent with and sensitive to the cultural and ethnic backgrounds of the population to be served;
- services will be accessible to all age groups and treatment plans should reflect the special needs of the age group being served;
- services will be in the best, most appropriate, least restrictive setting available [or capable of being made available];
- services will be delivered in a manner which provides for accountability;
- services will be provided by individuals who are qualified by training and/or experience as determined by appropriate credentialing authorities;
- services will interact and coordinate with other organizations that impact on the delivery of community mental health care;
- an identified continuum of service will be provided within a designated geographic area;
- counties will identify individual needs and the state will identify special population and/or low incidence needs.

In the near future, greater emphasis should be placed on developing standards related to quality outcomes for individuals.

### **Monitor Compliance with Standards**

In the near future, consumers should be sampled in all sectors of the service system on a regular basis to assess their opinions and satisfaction.

In the near future, state law governing appeals procedures should be amended to include client suspensions, discharges, and quality issues in violation of established standards of quality care.

"The biggest need is for the public to accept and understand mental illness. Would that those with a mental illness would enjoy the same public acceptance that the alcoholic does."

— Concerned and  
Interested Citizen —

عبدالرشید

The Community Living Project was established in 1978 to help African-American men and women overcome drug and alcohol abuse. It provides counseling, personal advocacy and agency advocacy and other forms of outreach to people going through the transition from day treatment to independent living.

Our program is one that recognizes drug dependence, family problems, mental illness, chemical dependency problems, a significant number of people. It doesn't serve them well to keep them in mental illness, not treat their chemical dependency, so we provide chemical dependency treatment as well.

In an effort to provide a continuum of care, the Dallas Community Support Program has three main components: independent living, a day-treatment center, Community Living Project, an outreach project for people in their homes, and Community Care, a 24-hour program that monitors support groups for people that have returned to the community, are being incarcerated, and who need the ongoing support of a group with problems similar to their own.

\_\_\_\_\_

- Because most patients are on some form of public assistance and because parents concerning their housing and child health needs, citizen social workers and families are considered an integral part of the support system. Staff as well as facilities and home and care homes are requested to meet with clients, nurse case manager and supervising psychiatrists at the clinic.

— Brother, 1900 —

## Did You Know?

"In the community support program we suggest that first of all the funds follow the client so that he or she does not become a political pawn in the hands of the county or state.

Adequate housing should be available throughout the state, both group and individual, supervised and unsupervised living situations. In group living situations adequate funds must be available to the clients to provide some sense of dignity. Forty dollars a month for all personal needs, giving of gifts, etc., hardly provides much freedom of choice or feeling of value. In order to have a sense of dignity, a person needs to feel needed; therefore, every effort must be made to find jobs, both paid and volunteer. Job Service, vocational rehabilitation and all other work-related organizations must be made aware of and responsive to the special needs of the mentally ill."

— Parents —

The national-award-winning Range Mental Health Center CSP was started in the early 1970s as a multi-agency team approach. The program establishes a network of care for people who are chronically mentally ill, incorporating social services, vocational rehabilitation, sheltered workshops, hospital and day treatment. Representatives from the agencies meet regularly to discuss patient treatments and to appoint case managers. Since 1978, some 800 patients have passed through the program, out of a total service area population of 95,000. The program has been especially successful at training workers at public agencies in identifying people who are mentally ill. The CSP provides numerous in-service training sessions with the agencies, at the nearby nursing schools, with Rule 36 facilities, and with Indian workers. Thus, referrals come from Welfare, HUD, DVR, and others. Also, because the CSP is well-known in the community, there are more self- and family referrals.

— Schleppegrell, 1986 —

The Wilderness Therapy Project began in 1984 and has enabled about 25 people, many of whom are on major psychotropic treatment, to go on weekend campouts or day-long canoe trips into the BWCA. Many of the clients responded well to the independence and the sense of accomplishment that the trip provided; their personal hygiene and grooming improved and self-esteem was noticeably heightened. The project is privately funded by the Fitzgerald Brothers Foundation, Boca Raton, Florida.

— Schleppegrell, 1986 —

"The clubhouse concept in Vail Place is the missing link needed to stop the revolving door phenomena. During the first ten years of illness, my son experienced 25 hospitalizations. Since becoming a member of Vail Place ten years ago, my son maintains himself in the community because expectations are more realistic, he is treated as an equal, and there is freedom from the pressure of the next step or next move."

— A parent —

In 1980, mental illness was the third most expensive class of disorders accounting for more than 20 billion dollars of health care expenditures. Only circulatory disorders including heart disease, stroke, and hypertension, and all disorders of the digestive system were more costly in the aggregate.

— Janacek, 1985 —

Between January, 1983 and June, 1985, the Minneapolis Star and Tribune published 84 articles covering mental illness.

40% legal issues

20% licensing controversies, disability payments, outpatient services

15% criminal conduct

10% victimization of patients by therapists

10% indepth explanation of depression and schizophrenia

5% profile of people with mental illness.

— Moore, 1985 —

Senior Peer Counseling began at the University of Minnesota in 1978 with a demonstration grant from NIMH. As of January 1985, approximately 550 peer counselors have been trained. Senior Peer Counselors are older volunteers trained to serve as paraprofessional counselors to their peers. In addition, they often serve as a link to help older people use professional mental health services in their communities.

— Board on Aging, 1985 —

Over the last 35 years there have been over 150 studies examining attitudes toward mental illness. The public consistently demonstrates rejecting attitudes toward people with mental illness.

— Rabkin, 1980 —



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