



Legislation Details (With Text)

File #: 2015-0049 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/26/2015 **In control:** Law, Justice, Health and Human Services Committee

On agenda: **Final action:** 3/9/2015

Enactment date: 3/12/2015 **Enactment #:** 17998

Title: AN ORDINANCE relating to the mental health and drug dependency action and implementation plans.

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Indexes:

Code sections:

Attachments: 1. Ordinance 17998.pdf, 2. Item 7 Staff Report 2015-0049 MIDD Legislation 2-24-2015.docx

Date	Ver.	Action By	Action	Result
3/9/2015	1	Metropolitan King County Council	Hearing Held	
3/9/2015	1	Metropolitan King County Council	Passed	Pass
2/24/2015	1	Law, Justice, Health and Human Services Committee	Recommended Do Pass	Pass
1/26/2015	1	Metropolitan King County Council	Introduced and Referred	

Clerk 01/21/2015

AN ORDINANCE relating to the mental health and drug dependency action and implementation plans.

STATEMENT OF FACTS:

A. In 2005, the Washington state Legislature authorized counties to implement a one-tenth of one percent sales and use tax to support new or expanded chemical dependency or mental health treatment programs and services and for the operation of new or expanded therapeutic court programs and services.

B. The one-tenth-of-one-percent sales and use tax supporting new or expanded chemical dependency or mental health treatment programs and services and for the operation of new or expanded therapeutic court programs and services, known as the mental illness and drug dependency ("MIDD") sales tax, generates between forty and sixty million dollars annually for

King County.

C. King County's one-tenth-of-one-percent MIDD sales tax was approved by the council November 13, 2007, in Ordinance 15949 and is scheduled to expire January 1, 2017.

D. Ordinance 16261, approved by the council October 6, 2008, adopted the MIDD Implementation Plan that was called for by Ordinance 15949. The MIDD Implementation Plan was developed through an extensive collaborative outreach process led by the department of community and human services, with input and guidance from the MIDD oversight committee and community stakeholders. The MIDD Implementation Plan described the MIDD funded strategies, services and programs and initial budget levels for the MIDD strategies. The MIDD Implementation Plan has been used to guide the investment of MIDD sales tax revenue from its adoption to the present.

E. In preparation for the council's potential consideration of a renewal of the MIDD sales tax, a comprehensive review and assessment of the MIDD funded strategies, services, and programs is necessary. The MIDD review and assessment is to include an evaluation of the effectiveness of the MIDD-funded strategies, services and programs in meeting the five policy goals outlined in Ordinance 15949, Section 3.A.

The executive, with input and assistance from the MIDD oversight committee, shall conduct this review.

F. The council recognizes that the mental health and chemical dependency landscapes have changed significantly since development and adoption of the 2008 MIDD Implementation Plan. Major factors that have resulted in national, statewide and local changes to the behavioral health system include:

1. Changes to behavioral health system funding and services initiated by the federal Affordable Care Act;

2. Enactment of amendments to the state's Community Mental Health Services Act found in Chapter 225, Laws of Washington 2014, that calls for the integration of mental health and chemical dependency services into one behavioral health contract by 2016 and primary care by 2020;

3. The county's growing use of involuntary treatment court and the August 2014 Washington state Supreme Court, in re Detention of D.W., Wa. Sup. Court, Docket No. 9011-4 (2014), ruling that hospital boarding of individuals in mental health crisis, absent medical need, is unlawful;

4. The adoption of Ordinance 17553 that establishes a behavioral health recovery framework in King County;

5. Changes to the health and human services system as initiated by the county's Health and Human Services Transformation Plan; and

6. Continued state funding reductions for behavioral health services.

G. Because these and other factors have or will affect the strategies, services and programs supported by King County's MIDD sales tax, it is necessary that the executive, with input from the MIDD oversight committee and community stakeholders, review, update and revise the strategies outlined in the MIDD Implementation Plan adopted in Ordinance 16261 and submit a new MIDD service plan to the council for review and approval. The new plan, known as the MIDD Service Improvement Plan, will be used to guide MIDD investments beginning in the 2017-2019 biennium should the MIDD sales tax be renewed by the council before the tax expires on January 1, 2017.

H. The strategies detailed in the MIDD Implementation Plan, along with updates and modifications to those strategies that have occurred over time, must be reviewed and revised to reflect the current and evolving behavioral health needs of King County's citizens, taking into account the changes to the behavioral health systems so that the investment of MIDD sales tax

resources is efficient and effective and yields measurable results for the citizens of King County.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. A. No later than June 30, 2016, the executive shall submit for council review and approval by motion, a comprehensive, historical review and assessment report of the mental illness and drug dependency ("MIDD")-funded strategies, services and programs. The review and assessment report submitted to the council shall include the following:

1. An assessment of the effectiveness of the current MIDD funded strategies, programs, and services in meeting the five policy goals outlined in Ordinance 15949 and an explanation of the methodology used to make the determination of effectiveness;
2. An enumeration of all performance measurements and performance measurement targets used over the over the life of all MIDD funded strategies, programs, and services and a summary of performance outcome findings by type by year;
3. Identification of all MIDD funded strategies, programs and services that did not provide performance measurements on an annual basis or did not meet established performance measurement targets, including for all an explanation of the basis for not providing performance measurements or not meeting the targets, including strategies, programs and services that received moneys that were supplanted by MIDD revenue or that experienced cuts in funding due to MIDD Oversight Committee prioritization review, steps taken to address underperforming MIDD funded strategies, programs and services and the outcome of the steps taken;
4. Identification of all MIDD funded strategies, programs and services that amended or adjusted performance measurement targets during the 2008-2015 MIDD funding period and an explanation of why changes were made and the results of the changed performance targets;
5. Identification of how performance measurement data was used in MIDD strategy, program and service revisions and a description of all revisions made to strategies, programs or services over the life of the

MIDD;

6. Proposed recommendations on improvements to MIDD performance measures, evaluation data gathering, including a review of the evaluation processes, timeframes, and data gathering; and

7. Proposed modifications to the MIDD policy goals outlined in Ordinance 15949 and the basis of the proposed modifications.

B. The executive shall ensure that recommendations in the comprehensive, historical review and assessment report of the MIDD-funded strategies, services and programs are developed with input from the MIDD oversight committee.

SECTION 2. A. No later than December 1, 2016, the executive shall submit for council review and approval by ordinance, a MIDD service improvement plan to guide the investment of a renewed MIDD sales tax revenue beginning in 2017.

B. The executive shall ensure that the proposed MIDD service improvement plan is developed with input from the MIDD oversight committee and community stakeholders.

C. The proposed MIDD service improvement plan shall include the following:

1. A detailed description of each proposed strategy, service and program to be funded from the MIDD sales tax beginning in 2017, including strategy goals, outcomes, expected number of individuals to be served and whether the services are provided by county or by a contracted provider;

2. Explanation of how each recommended MIDD strategy, service and program supports the adopted and/or recommended MIDD policy goals;

3. A schedule for the implementation of the strategies, programs, and services outlined in the MIDD service improvement plan;

4. A spending plan for each strategy, program and service outlined in the MIDD service improvement plan, including recommended 2017-2018 biennial budget levels for each proposed strategy, service and program and a detailed explanation for the basis for the funding levels;

5. An initial list of performance measures, outcomes, and/or evaluation data for each proposed strategy, service and program each that will inform annual reporting to the executive, the council, the MIDD oversight committee, and the public regarding the investment of MIDD sales tax funds; and
6. A proposed schedule for reporting to the council, at least annually, on progress and performance of the MIDD funded strategies, services and programs. The annual reports shall include at a minimum:
 - a. performance measurement statistics and updated performance measurement targets;
 - b. service and program utilization statistics;
 - c. request for proposal, revenue and expenditure status updates;
 - d. an updated financial plan showing current year revenue and expenditure projections, along with adopted and actual expenditure, revenue and reserves identified; and
 - e. recommendations on program and/or process changes to the funded strategies and the rationale for the recommendations.

SECTION 3. The proposed MIDD service improvement plan strategies, services, and programs shall:

- A. Demonstrate that they are based on evidence related to successful outcomes for chemical dependency or mental health treatment programs and services;
- B. Demonstrate that they are based on best or promising practices for chemical dependency or mental health treatment programs and services and that they incorporate the goals and principles of recovery and resilience within a trauma informed framework, as specified by K.C.C. chapter 2.43 and King County's adopted behavioral health system principles set out in Ordinance 17553;
- C. Describe how they will integrate and expand the application of the federal substance abuse and mental health services administration sequential intercept model that addresses the criminalization of mentally ill individuals;
- D. Demonstrate that they will reflect the county's existing adopted policy goals included in the Equity and Social Justice Initiative and Strategic Plan;

E. Demonstrate how they will expand, enhance, and integrate with the county's planning and policy endeavors such as, but not limited to, the Health and Human Services Transformation Plan, the Youth Action Plan, the Veterans and Human Services Levy, the Ten Year Plan to End Homelessness, and recommendations of the Task Force on Prevention, Early Intervention, and Least Restrictive Alternatives for Individuals in Mental Health and Substance Abuse Crisis; and

F. Demonstrate how they will leverage opportunities provided by the federal Affordable Care Act and the state's requirements for a single behavioral health contract with regional support networks as specified by Chapter 225, Laws of Washington 225.

SECTION 4. The proposed MIDD service improvement plan shall:

- A. Identify processes and procedures to add, delete or modify MIDD strategies, services and programs, including specifying how and when the MIDD oversight committee is to be engaged in the recommendations;
- B. Recommend MIDD fund balance reserve policies for the fund, taking into consideration the county's existing fund balance and reserve policies; and
- C. Review and confirm or recommend modifications to the purpose, role, and composition of the MIDD Oversight Committee.

SECTION 5. The executive shall submit a progress report on the work called for by this ordinance no later than November 5, 2015, in the form of a paper copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers.