1. **Welcome and Review of Agenda**

   Secretary Dorian Dodson called the meeting to order at approximately 1:15 pm. She noted this was an open session and that a quorum was present.

   **Attendees**

<table>
<thead>
<tr>
<th>Attendee</th>
<th>Position</th>
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<tr>
<td>Sec. Pam Hyde, HSD</td>
<td>Linda Roebuck, CEO BH Collaborative</td>
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<td>Sec. Dorian Dodson, CYFD</td>
<td>Edward Calabaza, IAD</td>
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<td>Dep. Secretary Jessica Sutin, DOH</td>
<td>Patricio Larragoite, HPC</td>
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<td>Sec. Deborah Armstrong, ALTSD</td>
<td>Peter Bochert, AOC</td>
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<td>Director Pat Putnam, DDPC</td>
<td>Ricardo Campos, DOT</td>
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<td>Deputy Sec. Rick Martinez, DFA</td>
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<td>Deputy Sec. Erma Sedillo, NMCD</td>
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2. **Review and Approval of Minutes**

   Director Pat Putnam moved to approve the minutes from the March 29, 2007 meeting. Dep. Secretary Rick Martinez seconded, and the motion was approved.

3. **Presentation of Draft FY08 VONM Contract – Linda Roebuck, Matt Onstott**

   The FY08 Contract (start date July 1, 2007) is an amendment to the current (FY07) contract between the Collaborative and Value Options New Mexico. The majority of the language and the requirements in the current contract are not going to change for next year.

   Based on suggestions from both VONM and the Collaborative Team, some language has been added, changed, or deleted. The outstanding issues are Medicaid Managed Care rates; Non-Medicaid funding amounts, mostly from special appropriations; language surrounding payment process; feedback from the public; feedback from the Centers for Medicare and Medicaid Services (CMS) and VO may still have some suggestions for language revisions, including discussion regarding any changes that occur as a result of public and Collaborative comment. Next steps, after considering all public comments and those comments received from Collaborative members, the Negotiation Team will revise the draft of the FY08 Contract; the Team will work with VONM on any changes that may arise from public comment and Collaborative input, as well as any other outstanding issues. Assuming we can reach agreement on rates and language, a final contract will be submitted to the Collaborative for its approval at the April 25, 2007 meeting.
4. **Public Input**

**Sharon Holland – Consumer**
Raton Mental Health needs more transportation to get patients to and from doctor’s appointments. She has had several issues with her Medicaid and Medicare coverage particularly her prescription coverage; sometimes it changes without her knowing.

**Georgia Archuleta – Consumer**
Raton Mental Health needs more money to expand their building and to expand educational services. She also feels that transportation is an issue.

**Jim Jackson – Protection and Advocacy**
When the decision was made to consolidate all the behavioral health systems, there was an assumption that there would be some coordination between services, enhanced services, now they are being pulled by VO. Some enhanced services are being made Medicaid eligible. Why are they now Medicaid eligible, and why were they not like that originally? Are there other services that can be Medicaid eligible? The contract does call for some enhanced services. Collaborative getting to the point to where they can talk about who’s being served, clear enough language in the contract to provide that sort of information to the Collaborative and to the public, what types of behavioral services are available throughout the state how much money is being spent on certain services. Concerned that VONM through the Collaborative is taking responsibility for DOH facilities service dollars, and other publicly funded facilities’ service dollars. Concerned about incentives or penalties and assuring that people with the most intense needs are getting the services they need, especially children with intense needs.

**Jenny Wilson – NAMI**
Appreciate that early in the contract, VOJNM is ensuring consultation with consumer, family members and others who are vital to the consumers well being. How does VONM expect to carry that out in next year’s contract, and how will the Collaborative support that?

**Peter Cubra – Co-chair of Bernalillo County LC**
Bernalillo County LC held a steering meeting last week regarding the VONM Contract and recommends amendment before the Collaborative finalizes it. A written document was submitted summarizing these recommendations. What VONM has called enhanced services are actually services that are required. The federal government states certain services are an entitlement of Medicaid recipients, and they should be required in the VONM contract.

Residential treatment is still being denied when it is medically necessary. VONM should be obligated to provide a different level of service when a residential service is denied, and should be required to provide written notice of the denial, using a form similar to when a Medicaid service is denied, or when a service is denied that is funded by the state and federal government, the form should be given quickly. Currently, CYFD kids are being given preferential treatment, two business days notice, this should be uniform for all kids, not just CYFD kids. Early childhood mental health services should be treated as a Medicaid funded service.
**Marilyn Rohn – Consumer**

She appreciates the time to be able make public comment. She was fortunate enough to look at the RFP when she was part of the BHPC. Reinvestment money was an area in which the local collaboratives had opportunity to bring services to their community that otherwise cannot be funded. The reinvestment money is now going to be absorbed by enhanced services. This system cannot be consumer and family driven when services cannot be provided by local collaboratives. She remembers Chris Carson making a stark comment that only ten percent of the population in need is being served. Not a lot of adults have advocates that will go to court, not like children do. We have a managed care system, rather than a system that is consumer and family driven. Asking the Collaborative to rethink the reinvestment money, give it back to LCs instead of allowing it to be used for enhanced services.

**Richard Malcolm**

Thanks for the opportunity to provide comments on this matter of vital public interest. He is a Licensed Independent Social Worker, Director of Community-Based Services for a major provider agency, a board member for a treatment foster care agency, a board member of a charter school specializing in students with behavioral problems, a board member of the NM Youth Provider Alliance, and a member of the Bernalillo County Local Collaborative. His comments do not necessarily reflect the views of any of those entities, but come from the perspective of being involved in delivery of behavioral health services in NM for the past twelve years—pre-Salud, during the Salud era, and now in the era of the BH Collaborative and the Statewide Entity. His experience includes six years as a state regulator, and someone who has been actively involved in the process of systemic change for the past four years.

1. Given the size and complexity of the proposed contract, the amount of public funds involved, and the importance to public health, safety, and welfare to the citizens of New Mexico, insufficient time has been given for public review and comment on this document. **Request/recommendation:** The BH Collaborative should revise the draft based on comments received to date, and provide an additional period for public review and comment.

2. Since July 1, 2005, there have been many complaints about VONM regarding its business practices and decision-making processes. These complaints have not been formally logged or tracked because the formal grievance process focuses on consumer complaints. At a 2006 meeting at which both VONM and HSD were present, the parties could not agree on what process, if any, was available for resolution of grievances by contracted service providers. Many providers who have attempted to file complaints with VONM have been told that their complaints are inappropriate, and therefore the grievances have not been accepted. **Request/recommendation:** The contract should include a detailed grievance process for the resolution of issues with providers. It should include oversight by the BH Collaborative, and should provide protections from retaliation as the current draft protects consumers who complain.

3. For many years, statewide discussion of systemic change has focused on increased use of community-based services and decreased use of out-of-home care. This movement has been supported in principle by most providers, with significant questions remaining regarding the
details of the transition, most importantly regarding what specific services will be available that will provide viable alternatives to high-intensity services such as RTC. VONM, for the most part, has appeared to support that movement. VONM has also indicated its intent to phase out non-accredited RTCs in favor of accredited RTCs, in accordance with trends at the federal Medicaid level. Therefore, many stakeholders have been surprised by this year’s announcements that funding for community-based (enhanced) services is being reduced, and that an announced pilot program for CYFD Juvenile Justice clients will include non-accredited RTC providers and exclude accredited RTC providers. These developments seem to represent a radical departure from the statewide consensus that has developed over years of committed dialogue among a broad range of stakeholders, and have created a crisis of confidence in VONM on the part of many stakeholders. This crisis does not serve VONM any more than it serves our most important stakeholders: the families of New Mexico. The suddenness of these changes also highlights the lack of a comprehensive plan for orderly and effective change in our system of care. **Request/recommendation:** The contract should include provisions for a master planning process, overseen by the Collaborative, with measurable milestones and timeframes, subject to public review.

Again, he thanked the Collaborative for the opportunity to comment.

**Regina Roanhorse – Co Chair, Navajo LC 15**
She submitted written comments from the Navajo Local Collaborative #15 (NLC 15) about the Value Options ’08 Contract, especially regarding cultural issues in providing services for Native Americans, about funding for Native American programs, and about the issue of NA LCs and how they operate and are considered. There is a detailed chart attached to the written comments that provides more input.

5. **Executive Session on Legal Issues**
The Collaborative decided it was not necessary to go into Executive Session.

6. **Completing VONM Contract FY08 – Secretary Hyde**
Secretary Hyde asked that there not be a decision made on the Contract, but rather take in all the public comments have a week to review them and come back to the Collaborative on April 25, 2007 for finalization.

There being no further business, the meeting adjourned at 2:15 p.m.