

JUVENILE JUSTICE OVERSIGHT COUNCIL

October 22, 2015
Capitol Annex, Room 169

Members Present: Senator Whitney Westerfield; Secretary J. Michael Brown, Justice & Public Safety Cabinet (JPSC); Commissioner Mary Begley, Department for Behavioral Health, Developmental and Intellectual Disabilities, Cabinet for Health and Family Services (CHFS); Commissioner Teresa James, Department for Community Based Services, CHFS; Commissioner Bob Hayter, Department for Juvenile Justice (DJJ), JPSC; Laurie Dudgeon, Director, Administrative Office of the Courts (AOC); Christina Weeter, Department of Education; Glenda Edwards for Ed Monahan, Department of Public Advocacy (DPA); Honorable Lisa Jones, Chief District Judge; Lieutenant Shara Parks, Louisville Metro Police Department; Steven Gold, Henderson County Attorney; and Dr. John Sivley, Clinical Director, LifeSkills, Inc.

Members Absent: Representative John Tilley

Staff Present: Yvonne Board and Marlene Mundine

I. Welcome/Call to Order and Approval of Minutes

The meeting was called to order by Senator Westerfield who welcomed members and guests. Senator Westerfield called for a motion to approve minutes from the September 16th meeting. Minutes were approved as submitted.

II. Presentations

A. Psychotropic Drug Usage Among Youth with Child Welfare/Juvenile Justice Involvement and Efforts Toward More Effective Use

Dr. Allen Brenzel and Dr. John Langefeld from CHFS gave a presentation on psychotropic drug usage among youth. (Presentation available upon request.) Dr. Brenzel noted the need to properly diagnose and treat mental health issues but there is an overreliance on medications as the primary treatment. He also noted concerns with children being prescribed more combinations of medications as well as the safety and long term effect of usage in the pediatric population. He noted a disproportionate increase in Medicaid youth vs. privately insured youth. Senator Westerfield inquired about the difference. Dr. Brenzel stated that Medicaid youth in general have a higher rate of behavioral health disorder and children in foster care have an even higher rate. He noted there is a legitimate reason for the increase but the issue is the degree of increase.

Dr. Langefeld presented data specific to Kentucky children in the Medicaid system and the use of psychotropic medications. He stated concerns regarding the long term impact

such as possible genetic changes in children. He also noted concerns about the use of multiple prescriptions. Ms. Dudgeon inquired about the use of KASPER in these cases. Dr. Langefeld stated that providers should access the system but KASPER does not indicate usage of medications that are not controlled substances. Ms. Dudgeon inquired if those medications should be included in KASPER. Dr. Langefeld stated that having a complete resource available is helpful and agreed they should be included. He also noted they have partnered with managed care organizations to address issues and are also engaged with faculty at the University of Louisville Department of Pediatrics. Senator Westerfield inquired about the results of a survey of prescribers. He also inquired about other goals and timelines and if there is anything that legislators can do to assist. Dr. Langefeld noted that the performance improvement project began over a year ago and there will be preliminary information from that available in 2016. He also noted that the University of Louisville is analyzing data from over a five year period and will have that information available. Senator Westerfield asked if they would be willing to come before the council. Dr. Langefeld indicated they would be willing to do so and that he would communicate that to them. He commented the survey targeted approximately eighty prescribers and they would be willing to present that information as well.

Ms. Weeter commented on how some behaviors by those who have experienced trauma can mirror ADHD and other behaviors. She inquired if behavioral health screenings are sensitive to the differences in the cause for those behaviors. Dr. Brenzel responded that is critical and that another initiative is improving training and education on trauma informed approach particularly in child welfare. He noted that we live in a society where people want a pill to fix things. He stated that families have to be educated as well. He also commented on direct marketing to consumers by pharmaceutical companies and the need to educate the public. Dr. Langefeld also pointed out that many times screening tools are used as diagnostic tools which is not appropriate as there must be a complete assessment.

B. Area Juvenile Delinquency Challenges

Ms. Paulette Feldman and Mr. John Weedman, Oakdale Neighborhood Association members, presented information regarding issues with juveniles in their neighborhood in Louisville. Ms. Feldman expressed that that system is breaking down for them as law enforcement is limited in what they can do to intervene. Senator Westerfield commented that SB 200 introduces a method to intervene prior to going to court but every child that could end up in court prior to it can still do so today. Ms. Dudgeon noted that the information presented highlights the extra effort needed in educating law enforcement. Lt. Parks noted that the Chief Conrad and his executive staff are working on suggested changes to legislation which they will forward to Representative Butler. Mr. Gold agreed there does seem to be a lack of understanding on what can be done but there is also a lack of grant funding at the local level to build capacity for evidence based interventions for youth.

C. Inclusion of Race Specific Data Collection & SB 200

Pastor Palmer presented information on race specific data collection. He noted he has met with LRC staff on three occasions and Mr. Trebelhorn presented them with a piece of legislation drafted regarding racial disparities and disproportionality. He stated they also discussed SB 200 and noticed there is no consistent language being used by agencies to identify or categorize children based on race and ethnicity. Pastor Palmer made suggestions on how to address the inconsistency and asked the council to consider implementing legislation that would require the agencies involved to collect and submit race specific data on a quarterly basis with annual certification required of all agencies. He stated they would also like to see consistency in how agencies categorize by race through defining race and ethnic categories in the legislation. He suggested using the federal OMB Standards in listing the categories and adding an additional category for multiracial or not otherwise listed.

III. Case Data Collection

Ms. Dudgeon stated AOC is making changes to their systems to address the data collection issues. Commissioner James noted the department must meet federal requirements as well and that the agencies should work together. Kristie Stutler stated that DJJ is in the process of changing the framework of their system to capture the data required as well as making procedural changes. Senator Westerfield asked if agencies had any objections to reporting data to the council on a quarterly basis and all agencies were in agreement. Ms. Dudgeon suggested providing the data in a consolidated report form to Senator Westerfield. Ms. Stutler presented information on the trends in juvenile justice. (Presentation available upon request.) Ms. Dudgeon inquired about repurposing DJJ facilities. Commissioner Hayter stated that it is too early in the process to make that determination.

Ms. Dudgeon asked to have the juvenile runaways workgroup present at the next meeting. Senator Westerfield agreed to put them on the agenda. He also stated he would ask the Boys and Girls Club in Louisville present information to the council on the services they provide. Senator Westerfield asked members to email any agenda topics for the next meeting. Pastor Palmer requested agencies also report data specific to the five counties that make up the majority of the minority population in addition to the overall data.

IV. Adjourn

The next meeting will be held at 10:00 a.m. on Tuesday, November 17, 2015. With no further business to discuss, the meeting was adjourned.