

Memorandum of Understanding

Department of Human Services and Department of Corrections

May 2006

The Department of Human Services, Behavioral Health Services, Division of Mental Health and the Department of Corrections (CDOC) mutually enter into an interagency agreement (Memorandum of Understanding) for the purpose of a) supporting a unified initiative to assist offenders with mental illness transitioning from prison to Colorado communities and b) improving and implementing community programs which increase these offenders' access to community mental health treatment.

Rationale for Memorandum of Understanding:

State prisons have become the largest housing and treatment facilities for individuals with mental illness, nationally and within Colorado. With the vast majority of incarcerated individuals leaving the CDOC prison system, CDOC and the Colorado communities need to cooperatively develop transitional systems that promote successful community re-entry and increase public safety. Offenders with mental illness, in particular, often have significant employment, housing, mental health treatment, and health insurance (e.g. Medicaid) needs, which require effective in-prison treatment, comprehensive and collaborative pre-release and discharge planning, and communication with and referrals to community agencies. The State endorses the goal of protecting public safety and in doing so, advancing the access to community services will lead to increased employment, stable and healthy lifestyles, and reduced criminal recidivism.

The Parties Mutually Agree To Recognize That Offenders With Mental Illness :

Are a special need population and may need access to appropriate and timely mental health treatment while in prison and in the community.

Who are incarcerated in the CDOC prison facilities are the responsibility of the CDOC and thus, mental health care services will be coordinated and executed by the Department of Corrections.

Who are housed outside of the CDOC prison facilities (i.e., community corrections half-way house, residential treatment facility, or public or private housing) are not incarcerated and may receive community mental health services.

Who are statutorily defined as parolees are eligible for public health insurance (i.e., Medicaid). Offenders who are statutorily defined as community corrections inmates may not be eligible for public health insurance.

Responsibilities:

The Colorado Department of Human Services, Behavioral Health Services, Division of Mental Health (DMH) provides leadership and oversight for the public community mental health system, as defined by State statute. DMH's operating functions include the development of policies, standards, rules and regulations; planning, contracting and allocation of resources; program and contract monitoring; technical assistance; program evaluation and outcome measurement; and the development and maintenance of management information systems. DMH contracts with each regional Community Mental Health Center (CMHC) to provide persons with serious emotional disorders or serious mental illnesses the necessary care and supports to achieve recovery. CMHCs are required to provide all of the core public mental health services including assessment, case management/service coordination, inpatient treatment, public education, home based/family support services, residential support services, interagency consultation, residential, vocational/rehabilitative services, clinical treatment, interagency consultation and 24-hour emergency services, within available resources.

The DMH is responsible for contract oversight of the CMHCs including promoting appropriate access to transitional mental health services for offenders with serious mental illnesses who are leaving prison. Transitional services that support community re-entry for persons with serious mental illnesses are an important responsibility of the correctional and community mental health systems.

The DMH agrees to:

- Designate offenders with serious mental illnesses who are leaving prison as a community corrections inmate, parolee, or institutional discharge as a priority population for access to services, within available services and resources;
- Monitor the provision of services to this population;
- Support the CMHCs and CDOC in addressing access and resource issues;
- Receive and resolve complaints and grievances; and
- Require each Community Mental Health Center (CMHC) to identify a Forensic Liaison.

The Colorado Department of Corrections (CDOC) is responsible for providing mental health services during incarceration and for coordinating transitional services for offenders identified with a serious mental illness who are leaving prison as a community corrections inmate, parolee, or institutional discharge (CDOC prison sentence is complete).

The CDOC agrees to:

- Establish conditions of release with which the offender will comply;
- Make appropriate referrals of offenders to community-based Approved Treatment Providers (ATPs), to include Community Mental Health Centers, Community Center Boards, Behavioral Health Organizations and Managed Service Organizations per CDOC-ATP procedures and authorized by the Community Parole Officer;

- Assist with Medicaid and Social Security Administration applications prior to release;
- Assist with housing and employment;
- Provide offenders a minimum of a 30-day supply of psychiatric medications;
- Provide funding assistance, when available, for community-based mental health, drug and alcohol, and sex offender treatment services per the CDOC, Approved Treatment Provider procedures and authorized by the Community Parole Officer (CPO);
- Cooperate with DMH, CMHCs and other stakeholders to identify purchasing, contracting and funding mechanisms and policies that enhance the ability of the community to provide services to this population; and
- Maintain ongoing communication between the Community Parole Officer (CPO) and the Forensic Liaisons of the community treatment providers (i.e. CMHC).

Marva Livingston Hammons
Executive Director
Department of Human Services

Joe Ortiz
Executive Director
Department of Corrections