

Office of the Secretary
555 S. Kansas Ave., 6th Floor
Topeka, KS 66603



Phone: (785) 296-3271
Fax: (785) 296-4985
www.dcf.ks.gov

Laura Howard, Secretary

Laura Kelly, Governor

Feb. 1, 2024

Senator Warren, Chair, Senate Committee on Judiciary
Representative Owens, Chair, House Committee on Corrections and Juvenile Justice

Dear Chairpersons,

The Kansas Department for Children and Families is providing this update regarding 2018 House Substitute for SB 179 which created law describing a Juvenile Crisis Intervention Center (JCIC) as a facility that provides short term observation, assessment, treatment, and case planning, and referral for any juvenile who is experiencing a mental health crisis and is likely to cause harm to self or others per the request of the 2023 Joint Committee on Corrections and Juvenile Justice Oversight.

The accompanying document provides an update on the agency's efforts to complete the rules and regulations process. In addition, it outlines new efforts to work with Johnson County on their efforts to open a JCIC for their community. We also provide background and the status of recent supports to families to meet the crisis assessment and treatment needs of youth. The purpose of this information is to convey that while no JCIC facility is in operation resources for families and youth serve as alternatives to a facility based JCIC approach.

Thank you for sharing this letter and accompanying document with the Committee.

Sincerely,

Laura Howard, Secretary

A handwritten signature in black ink that reads "Laura Howard". The signature is written in a cursive, flowing style.

Kansas Department for Children and Families and
Kansas Department for Aging and Disability Services

Cc:
Andrew Brown, Commissioner, KDADS
Secretary Zmuda, Deputy Secretary, KDOC
Tanya Keys, Deputy Secretary DCF

Background and status

House Substitute for SB 179 created law describing a Juvenile Crisis Intervention Center (JCIC) as a facility that provides short term observation, assessment, treatment, and case planning, and referral for any juvenile who is experiencing a mental health crisis and is likely to cause harm to self or others.

K.S.A 65-563 (effective July 1, 2018) required DCF to begin a JCIC Jan. 1, 2019, to provide access to a broad range of services to meet the needs of a juvenile. To date, no JCIC physical facility is in operation. However, community-based alternatives to meet a continuum of crisis care needs for children have been established and approaches are emerging that do not require a child to leave their home in order to receive supports during an emotional crisis. Additional resources are also emerging for situations, similar to those that might necessitate JCIC usage, that allow for a youth to receive temporary services outside their home.

- In January 2021, DCF awarded a contract to Beacon Health Options (now known as Carelon) for the DCF Family Mobile Crisis Line including crisis intervention triage, mobile response and stabilization and referral services for all children and adults through age 20. This contract has since been renewed and is effective through December 31st, 2024 with the option for one additional 12 month period. Since the beginning of the Family Mobile Crisis Line text and chat access have been added to the Family Mobile Crisis Helpline which assists in making access easier and more equitable.
- Over the past two years, bed capacity has increased for short term acute or psychiatric residential resources and efforts have shifted to preventing the need for youth to leave home in order to receive supports. We know there are operating capacity challenges with some workforce gaps; however, bed capacity has been increased.
- KDADS and DCF have developed a Mobile Response and Stabilization Services (MRSS) Just Go pilot project to be launched in mid-February 2024. The pilot will be comprised of two CCBHC's; Wyandot Center for Community Behavioral Health for an urban approach in Kansas City, KS, and Compass Behavioral Health in Garden City, KS, for a rural/frontier approach. The goal of the project is for the CMHC to dispatch, with youth or parent permission, a mental health team to the caller's requested location when one of the three helplines is contacted. The helplines are 988, Carelon, or the CMHC crisis line. This service is available to any child between 0-20 years of age. The mental health team will provide on-site, in-person, triage, de-escalation, assessment, and referrals as needed. The mental health center team will provide six weeks of post call coordination of services and aftercare.
- Crisis Respite Centers also build capacity of non-hospital or non-PRTF services for youth ages 5-17. Any Kansas youth, including those in foster care, who require an immediate episode of care (from hours to a maximum of 28 days) for the amelioration of psychological and substance use symptoms and impairment and/or until the family rupture involving the youth, can be re-stabilized and can access children's crisis respite programming. These centers provide services within a defined geographical area of the state through specialized consultation, technical assistance, crisis intervention, crisis stabilization and care management to ensure children and youth can remain in their home community and connected to local providers, who may already be providing them services.
 - Family Service and Guidance Center (FSGC) currently operates a Children's Crisis Respite Program in Topeka and Compass CMHC operates a facility in Garden City. Additionally, KDADS has executed three contracts for the development of new crisis respite centers in Kansas. KDADS continues to work on further development to increase the coverage across of the state.
- ***Children's Behavioral Interventionist (CBI)*** In October 2023, CBI became a new Medicaid covered service in Kansas. The intent of this Medicaid billable services is for intense support provision in the home and community where the child resides. Services include neuro-developmental activities for children and families who struggle with behavioral and emotional management through a person-centered treatment plan. This service requires family involvement and is for the direct benefit of the child. The goal is to increase behavioral functioning in daily living activities, stabilize the child in their home and community settings and eliminate the need for high levels of treatment. CBI services are cost-effective trauma-informed alternatives to avoid placement disruption.

Attached to this report you'll see a timeline of all JCIC activities since the bill was passed.

2023 HB 2021 – JCIC Update

Renewed interest in opening a JCIC in Johnson County has prompted the agency to take important steps to restart the process as DCF and KDADS worked through their questions and concerns.

Last year, focus pertained to certain definitions in statute and regulations that County officials saw as restrictive and cost prohibitive. For example, both parties agree that statute needs to be changed to say, “behavioral health” rather than “mental health.” Johnson County worked with legislators and other stakeholders on statutory language that addresses their concerns which was passed into law via House Bill 2021.

The bill also added language to the child welfare and juvenile offender code regarding collaboration for services between DCF, KDOC, and the Judicial Branch.

DCF believes the language changes and additions provide an opportunity for a comprehensive service array to families whose children are experiencing behavioral health crisis, to include mental health, substance use, and other behavioral needs.

JCIC Update

In 2023, the agency submitted and saw the remaining set of draft regulations through the Department of Administration legal review and Attorney General for final review and promulgation which was completed in August 2023.

KDOC and DCF have fully executed a Memorandum of Agreement and are ready to transfer the \$2M in funds for JCIC. The agency will then enter into provider agreements with willing providers to operate a JCIC and is in the process of establishing a daily rate within the rate chart when the JCIC’s are utilized by youth in DCF custody. The funds will be accessible to providers for their business plans, start-up, or other related operating expenses which are not covered by public or private health insurance or payment of the DCF daily rate.

Both Johnson and Sedgwick counties have expressed interested in regard to operating a Juvenile Crisis Intervention Center.

Moving Forward

DCF will present the JCIC regulations to the Joint Committee on Administrative Rules & Regulations on Feb. 2, 2024 and is holding a meeting for public comment on March 8. After the public hearing, the regulations will be published and go into effect allowing for JCICs to begin providing services as soon as they are prepared to do so.

As always, discussions between KDADS, KDOC, and DCF have been meaningful and will continue as we work together to find the best possible path forward for youth and families.

JCIC Timeline

2018	<ul style="list-style-type: none">• July, K.S.A 65-536 effective.• October, Dept. of Admin Released JCIC RFP for DCF with reponses due Nov. (1st RFP)• November, one (1) bidder: Johnson County for NE KS counties.• December, JCIC draft regulations from Dept of Admin and Budget to Attorney General.• December Award notice from DCF to JO CO
2019	<ul style="list-style-type: none">• January required JCIC start date.• April, JO CO rescinds bid, no award made.• Apr-May, DCF, KDADS, KDHE, KDOC-JS meet monthly to identify next steps given withdraw of only bidder.• April, DCF and AG representatives meet to review proposed Regulations.• August, Dept. of Admin Released JCIC RFP for KDADS with reponses due Oct. (2nd RFP)• September, DCF returned revised regulations to DofA and Budget.• October, one (1) bidder: Family Service & Guidance Center to serve 120 youth in 11 NEK counties. Technical and financial proposal review begin.
2020	<ul style="list-style-type: none">• Jan -Feb, JCIC RFP review teams meet and negotiations begin.• March, negotiations yield requirements for JCIC not feasible for bidder to implement. KDADS contact Dept of Admin to close the RFP with no award.• June, Dept. of Admin Released Crisis and Mobile Response RFP for DCF with responses due July.• September, DCF, KDADS and KDOC-JS meet to identify next steps to meet crisis care continuum needs, discuss emerging alternatives to present to Secretaries Howard and Zmuda.• DCF received 3-4 Regulation not approved by AG office.
2021	<ul style="list-style-type: none">• January, Kansas Family Crisis Response and Support contract award for 10/1/21 launch of crisis triage, mobile reponse and stabilization services (est. 10,000 crisis calls & 4,000 mobile response annually)• Contract lays groundwork for '988' National Suicide Hotline implementation in 2022.• 2 DCF placement stability grants for in home Behavior Interventionist awarded in KC and Topeka .• Family Service and Guidance Center Crisis Recovery Program for the stabilization of youth started with contract for short term stabilization 24 hours to 28 days. Exploring similar program in SW KS.• Alternatives such as respite, cooling beds or in home interventions explored for implementation and purchase of service.• Fall, DCF initiated calls to Missouri to learn about implementation of Treatment Foster Homes and Professional Child Specific foster homes programs by MO DSS and DMH state agencies.
2023	<ul style="list-style-type: none">• House Bill 2021 was passed into law:• Changed the term mental health crisis to behavioral health crisis and added a definition.• Established langauge for collaboration across DCF, KDOC, and the Judciial Branch to increase accessibility of services.• Set a deadline of October 1st for DCF to identify an evidence-based risk and needs assessment to administer to children who have been identified as exhibiting behavior that could lead to juvenile offender charges related to physical violence, aggression, damage to property or use of life threatening drugs during the course of a child in need of care proceeding.• DCF identified the Child and Adolescent Functional Assessment Scale (CAFAS) to be in identifying appropriate youth for referral.• MOU between DCF & KDOC finalized and executed for access to \$2M in Evidence-Based Programs Account for grants and contracts on future JCIC's.• August 2023 DCF received finalized and approved Rules & Regulations from the Attorney General's Office.
2024	<ul style="list-style-type: none">• Notice of Public Hearing and Economic Impact Statement on Rules & Regulations posted.• February 2nd - Joint Committee on Administrative Rules & Regulations JCIC Regulations Hearing• March 8th - Public JCIC Rules & Regulation Hearing