



Annual Report on the Screening of Offenders with Mental Illness

**As Required By
The 2016-2017 General Appropriations Act, H.B. 1, 84th
Legislature, Regular Session, 2015 (Article II, Department of
State Health Services, Rider 35)**



**Department of State Health Services
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Introduction

The 2016-2017 General Appropriations Act, H.B. 1, 84th Legislature, Regular Session, 2015 (Article II, Department of State Health Services, Rider 35) states that, pursuant to the Health and Safety Code §§614.013 and 614.017, DSHS and community centers, as defined in the Health and Safety Code §534.001(b), will, through a Memorandum of Understanding (MOU), identify offenders with mental impairments in the criminal justice system, collect and report prevalence data, and accept and disclose information relating to a special needs offender if the disclosure serves the purpose of the Health and Safety Code, Chapter 614.

DSHS is required to report to the Legislative Budget Board no later than September of each fiscal year its efforts to facilitate the exchange of information between agencies pursuant to the Health and Safety Code §614.017. The report is required to include: the manner in which information is exchanged between agencies; the frequency with which the information is exchanged; and the agencies most frequently involved in the exchange of information.

Background

The 80th Texas Legislature passed Senate Bill 839, which amended the Health and Safety Code, Chapter 614 to include the DPS Bureau of Identification and Records in the data exchange process. As amended, the Health and Safety Code §614.017 requires DSHS and Texas Department of Safety (DPS) to develop a real-time identification and data-exchange system for special needs offenders, which replaced the 72-hour manual data exchange process. This revision to the data-exchange process was an effort to ensure more expedient data exchange to support continuity of care for individuals with mental illness who are involved with the criminal justice system, and local post-booking jail diversion activities.

DPS is responsible for the operation of Texas Law Enforcement Telecommunications System (TLETS), a real-time identification and data exchange system for special needs offenders¹ that replaced the previous 72-hour manual data exchange process. The system is designed to expedite data collection efforts in order to support continuity of care services for individuals with mental illness who are involved with the criminal justice system, and to supplement local post-booking jail diversion activities. DSHS developed the data exchange process in collaboration with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) and the Texas Commission on Jail Standards (TCJS).

DSHS annually updates the existing MOU between DPS, the Texas Department of Criminal Justice, representatives of Local Mental Health Authorities (LMHAs), and community supervision and corrections departments for the purpose of instituting a continuity of care and services program for individuals with mental illness who in the criminal justice system.

¹ The term “Special Needs Offender” includes an individual for whom criminal charges are pending or who after conviction or adjudication is in custody or under any form of criminal justice supervision.

Data Exchange System

When an individual is booked into a county jail, this tracking system matches their information (last name, first name, date of birth, social security number, sex, and race) against the Clinical Management for Behavioral Health Services (CMBHS) database managed by DSHS. CMBHS is a web-based integrated electronic clinical management system for state-funded mental health and substance use providers. CMBHS serves as the primary system of record for state-funded mental health and substance use services.

Inmates that are identified through the match request process include inmates who, within the last three years have had either:

- State psychiatric hospitalization;
- Admission to a DSHS funded contracted psychiatric hospital bed; or
- Mental health community service encounter, authorization, or assessment provided by either the LMHA or as authorized by the Local Behavioral Health Authority (LBHA), or Behavioral Health Organization (BHO) are identified through the match request process.²

Match Criteria

DSHS uses the following match criteria to identify offenders with a history of mental illness:

- Exact match - the data inquiry matches last name, first name, date of birth, sex, social security number, and race; or
- Probable match - the data inquiry matches one of the following match criteria options listed below:
 - Probable Match Criteria Option 1: last name, first initial, date of birth, and sex;
 - Probable Match Criteria Option 2: last name, first initial, birth year, sex, and social security number;
 - Probable Match Criteria Option 3: the first 3 letters of the last name, first initial, the year and month of birth, sex or social security number; or
 - Probable Match Criteria Option 4: last name matches any other criteria found, first initial matches any other criteria found, age is within 5 years, sex, and social security number matches to any other criteria found.

Continuity of Care Response

If a partial or exact match is identified, the jail receives a report with that individual's name and location of the last LMHA, LBHA, or, BHO in which a service was provided or authorized. The jail staff then contacts the provider to conduct a screening and provide linkage to mental health services provided in the community via the LMHA, LBHA provider, or, BHO provider. Once the

² A Behavioral Health Organization (BHO) is a managed care organization that provides or contracts for behavioral health services. A Local Mental Health Authority is a local component of the mental health system designated to carry out the legislative mandate for planning, policy development, coordination, and resource development/allocation, and to supervise and ensure the provision of services to persons with mental illness or intellectual disability in one or more local service areas. Also referred as community mental health centers. A Local Behavioral Health Authority (LBHA) provides both mental health and chemical dependency services.

LMHA, LBHA provider, or BHO provider receives the report, they screen the individual for eligibility for continued services provided through their agencies.

2016 Prevalence Rates

For the adult population, 235 counties³ initiated 850,820 match requests between September 1, 2015 and June 22, 2016. A total of 67,082 inquiries resulted in exact matches, meaning the data matched on all six criteria (last name, first name, date of birth, sex, social security number, and race). A total of 320,822 inquiries resulted in a probable match. During this same time period, there were 15,616 match requests for the adolescent population, resulting in 594 exact matches and 5,705 probable matches.

Conclusion

The data exchange system has increased collaboration and communication between the local jails and LMHA/LBHA. This data exchange system is useful in redirecting individuals with mental health issues from the jails to ongoing mental health services.

³ Of the 254 counties in the state of Texas, per the Texas Commission on Jail Standards (August, 2015), 18 counties do not operate a county jail facility and 2 counties operate 72-hour facilities that have not participated in the CCQ inquires.