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Chris Wooten*

*Jennifer L. Dobson  
Research Director*

*Cathy A. Greer  
Administration Coordinator*

**Post Office Box 11867  
Columbia, South Carolina 29211  
Telephone: (803) 212-6810 • Fax: (803) 212-6811  
Room 228 Blatt Building**

*Charles L. Appleby, IV  
Legal Counsel*

*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

*Kendra H. Wilkerson  
Fiscal/Research Analyst*

**Healthcare and Regulatory Subcommittee Meeting  
Monday, October 28, 2019, at 10:00 am  
Blatt Building Room 410**

### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV is allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

### **Attendance**

- I. Chair Jay West calls the Healthcare and Regulatory Subcommittee to order on Monday, October 28, 2019, in Room 410 of the Blatt Building. All members of the Subcommittee are present for all or a portion of the meeting.

### **Minutes**

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Taylor moves to approve the meeting minutes from the September 16, 2019, meeting. The motion passes.

Representative Taylor's motion to approve the meeting minutes from the September 16, 2019, meeting.	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Robert Ridgeway	✓			
Rep. Bill Taylor	✓			
Rep. Chris Wooten	✓			
Rep. Jay West	✓			

### Discussion of the Department of Mental Health (DMH)

- I. Chair West explains this is the Subcommittee's fourteenth meeting with DMH and the purpose is to continue to discuss Subcommittee recommendations.
  
- II. Chair West presents a number of potential recommendations:
  1. The Department of Mental Health should develop a complete organizational flow chart which includes position descriptions, scope of responsibility for each position, and scope of responsibility for each area of the organization. The position descriptions should include lines of communication, the chain of command, and responsibilities assigned to each position. The organizational flow chart should depict the specific areas of care which include medical services and psychiatric services.
  2. The Department of Mental Health shall update policy and training manuals to include all necessary training, competencies, and continuing education for each position and disciplinary measures for employees who fail to employ policy and procedural mandates.
  3. The South Carolina Mental Health Commission should develop a procedure to determine policies and promulgate regulations governing the operation of the department and the employment of professional and staff personnel, as required of it in S.C. Code Ann. Section 44-9-30(c).
  4. The South Carolina Mental Health Commission should comply with S.C. Code Ann. Section 1-23-120(J) by conducting a formal review of the agency's regulations at least every five years and submitting a report of that review to the Code Commissioner.
  5. The South Carolina Department of Mental Health should provide public online access to directives applicable to patients and the general public.
  6. The Vulnerable Adult Fatalities Review Committee should submit a detailed annual report to the Governor and General Assembly as statutorily required by SC Code Ann. § 43-35-570 and based on the process described in S.C. Code Ann. § 2-1-230. In addition to statutorily required sections, the report should include a summary of non-confidential portions of minutes, member attendance records, statistical information on cases reported and reviewed, identified systemic deficiencies in care, and trending issues facing vulnerable adults.

7. The Department of Mental Health, more specifically the Clinical Competency Oversight Committee (CCOC) or any departmental committee with similar duties, through the Director of the Department of Mental Health, should provide a quarterly update to the House Legislative Oversight Committee for a period of two years which shall begin on the date of approval of the full committee study. The report shall include the following: current processes and systems to monitor employee training, compliance, and competency; the guidelines, membership and stated meeting times of the CCOC; meeting minutes; and the review of the sufficiency and efficiency of all training programs with appropriate indicators as approved by the subcommittee. In concert, the report of the CCOC should delineate responsibilities for training, competency of employees following training and inclusion of an assessment mechanism to ensure employees understand and rely upon training. An internal random employee training effectiveness audit is advisable. All information submitted to the committee shall be in compliance with state law.
8. The Department of Mental Health should ask each new employee how he or she learned about the position and use that data to determine which recruitment strategies work the best to recruit eventual employees.
9. The Department of Mental Health should randomly test employee knowledge of DMH policies and procedures. Random testing should include both written tests and hands-on strategies to determine whether employees are aware of and employing appropriate care techniques.
10. The Department of Mental Health should implement a method to determine which of the trainings it offers can be linked to better patient outcomes.
11. The Department of Mental Health, in collaboration with relevant state agencies and the state's higher education institutions, should study existing education and training paths for mental health professionals to determine if the capacity exists to meet future estimated needs for mental health professionals at all levels.
12. The Department of Mental Health should seek funding to maintain mean salaries at or above the midpoint for each classification, particularly the GA50 (Human Service Coordinator I) and GA60 (Human Services Coordinator II) classifications.
13. The General Assembly should consider re-establishing the Classification and Compensation Study Committee, originally created in Proviso 93.33 of the 2015-16 General Appropriations Act, for the purpose of examining findings and recommendations of the Department of Administration, Human Resources Division on the state's classification and compensation system.
14. The Department of Mental Health should continue to employ current retention strategies, implement a method to determine which ones are most effective, and research new or evolving retention strategies.
15. The Department of Mental Health should review mental health salaries in Georgia and North Carolina counties bordering South Carolina in order to maintain a competitive market for the recruitment and retention of mental health professionals.

16. The Department of Mental Health should continue efforts to increase local government contributions to community mental health services. A year following approval of the full Committee study, DMH should report to the Legislative Oversight Committee local contributions to community mental health centers, and note if a center has experienced a shortfall in the year between study approval and this follow up report.
17. The Department of Mental Health should annually review services available in each community and determine if they are adequate to serve the needs of the community.
18. The Departments of Mental Health and Education should determine a desired clinician to student ratio, in addition to the goal of two schools per clinician and report this determination to the Committee within one year after the approval of the full Committee study.
19. In requesting additional funding for school-based mental health services, the Department of Mental Health should report on each district's financial contributions and the outcomes of the Magill school-based mental health services certificate program.
20. The Department of Mental Health Commission should allow public input at commission meetings.
21. The Department of Mental Health should ensure that a range of employee levels are represented on agency-wide committees impacting employee onboarding, training, and retention.
22. The Department of Mental Health should continue to review and update its performance measures for the Fiscal Year 2019-20 Accountability Report. In doing so, the agency may wish to avail itself of resources available from the Department of Administration's Executive Budget Office (EBO), including but not limited to consulting with EBO's performance and accountability manager. The agency should also determine whether the current set of performance measures would assist agency management in determining if the agency is accomplishing its mission.
23. The Department of Mental Health and the Department of Corrections should form a committee constituted of professionals of each agency to devise a plan to provide a seamless transition for inmates who are under the care of a mental health professional upon the release of the inmate.

III. Subcommittee members discuss the potential recommendations. Mark Binkley, DMH Interim Director, and Rochelle Caton, DMH Director of the Office of Client Advocacy, respond to questions from members.

IV. Subcommittee members make and vote on the following motions. All motions pass.

Representative Taylor's motion to approve potential recommendation #1 (see above).	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Robert Ridgeway	✓			
Rep. Bill Taylor	✓			
Rep. Chris Wooten	✓			
Rep. Jay West	✓			

Representative Taylor's motion to amend potential recommendation #7 (see above) to remove any references to the Clinical Competency Oversight Committee.	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Robert Ridgeway	✓			
Rep. Bill Taylor	✓			
Rep. Chris Wooten	✓			
Rep. Jay West	✓			

Representative Wooten's motion to approve potential recommendations #2-23, including potential recommendation #7 as amended.	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Robert Ridgeway	✓			
Rep. Bill Taylor	✓			
Rep. Chris Wooten	✓			
Rep. Jay West	✓			

V. Chair West directs staff to draft the Subcommittee report of the study of DMH and provide a copy to all Subcommittee members by Wednesday, November 27, 2019. He states that unless he receives an alternative request by noon on Friday, December 6, 2019, he will provide notice to the full Committee that the report is ready for consideration.

## Discussion of the Department of Alcohol and Other Drug Abuse Services (DAODAS)

- I. Chair West explains this is the Subcommittee's first meeting with DAODAS and the purpose is for agency personnel to present an overview of the agency and its operations.
- II. Chair West reminds DAODAS Director Sara Goldsby that she remains under oath and places the following additional DAODAS representatives under oath:
  - a. Stephen L. Dutton, Chief of Staff
  - b. Angela Outing, Human Resource Director
  - c. Sharon Peterson, Manager of Finance and Operations
- III. Director Goldsby and Ms. Peterson present information on the following topics:
  - a. Agency purpose and history
  - b. Role of state alcohol and drug agencies
  - c. Mission
  - d. Strategic vision
  - e. Governing body and agency head
  - f. Agency counterparts (federal and local)
  - g. Federal grants
  - h. Ensuring effectiveness
  - i. How residents can access services
  - j. Promoting coordination across state government
  - k. Organizational structure
  - l. Employee demographics, turnover, and training
  - m. Agency divisions
  - n. Risk mitigation/internal auditing
  - o. Records, regulations, and reports compliance
  - p. Successes
  - q. Challenges
  - r. Emerging issues

During and after the presentation, Director Goldsby and Ms. Peterson respond to questions from Subcommittee members.

- IV. There being no further business, the meeting is adjourned.