

MINUTES OF MEETING
BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES
HELD
DECEMBER 6, 2010

BOARD MEMBERS PRESENT:

Donald E. Cole
W. Gregory Haynes
Terry Langley
Sandra A. Morris
Justin Neal
Frank E. Shelp, Commissioner

BOARD MEMBERS ABSENT:

Mary D. Burns, Chair
Deirdre O'Brien
William McDonald, M.D., ex officio, Governor's Office

Donald Cole, Vice Chair, called the meeting to order at 1:00 p.m. in the absence of Mary Burns, Chair.

MINUTES OF MEETING

A Motion was made by Sandra Morris and seconded by Justin Neal to approve the Minutes of September 20, 2010. The Minutes were unanimously approved.

PROPOSED RULES AND REGULATIONS FOR DBHDD

Proposed Rules and Regulations for DBHDD were presented by Ed Brashier, Legal Counsel for the Department. The Department of Behavioral Health and Developmental Disabilities proposes changes to the rules and regulations governing its own administration and organization. The Department currently operates under the rules and regulations of the Department of Human Services. The Department of Behavioral Health and Developmental Disabilities is in the process of promulgating its own rules and regulations and seeks permission from the Board of Behavioral Health to open the proposed changes for public comment and public hearings as required by the Georgia Administrative Procedure Act for thirty (30) days, compile a report and report back to the Board. Mr. Brashier stated that by the end of the calendar year his office expects to have a set of comprehensive rules and regulations in place to govern the Department. A Motion was made by Justin Neal to open the proposed changes for public comments and a hearing and seconded by W. Gregory Haynes. Motion carried unanimously.

DD WAIVERS AND SERVICES ADVISORY GROUP

Donald Cole reported that the DD Waivers and Services Advisory Group met and a detailed summary of the last meeting was given. Commissioner Frank Shelp attended and certificates of appreciation were presented to member of the Advisory Group.

PHYSICIAN CREDENTIALS COMMITTEE

Frank E. Shelp, Commissioner, reported that the Physician Credentials Committee has not met and no credentials have been approved. Those Physician Credentials pending will be approved by the next scheduled meeting.

2011 PROPOSED LEGISLATION

The Department is proposing three bills for this 151st Legislative Session.

- **Temporary and Immediate Care for Persons with developmental Disabilities.** This Bill would codify DBHDD's plan to serve persons with developmental disabilities in the least restrictive environment and rescind the current statutory provisions which designate state hospitals to admit persons with developmental disabilities in crisis;
- **Crisis Stabilization Services.** This Bill would codify the requirements of operation and licensure of community-based Crisis Stabilization Units (CSU) and broaden and expand the array of community services. This legislation would also expand the spectrum of services of existing community providers and facilitate the entry of new providers into the CSU market. This includes CSU's for adults, children and adolescents.
- **Forensic Services.** This Bill limits inappropriate hospitalization of defendants who are incompetent to stand trial and who do not require hospital level of care in a state hospital bed.

Ms. Campbell noted that her office would be meeting with stakeholders, e.g., Georgia Sheriff's Association, Georgia Hospital Association and others seeking legislative sponsorship for bills.

COMMISSIONER'S REPORT

Commissioner Frank Shelp reported that since the last meeting of the Board, there has been a DOJ Settlement Agreement. He thinks that most people have had time to review the agreement and know the content. The Settlement Agreement follows the Department's plan and budget request. Nothing in the Agreement is beyond the budget and plan of the Department. The plan includes increased community services and transition of persons with disabilities from institutional care to community-based settings in a 4-5 year timetable. The Settlement Agreement was reviewed by both the Governor and the Office of Planning and Budget and signed by the Governor. The Department is presently sharing the Settlement Agreement with the leaders in the Senate and House. Dr. Shelp also noted that there has been meetings with the Sheriff's Association, There have also been meetings with the Sheriffs in Fulton County, Baldwin County and with a CEO of a CSB soliciting input and informing the public of the legislative agenda. Commissioner Shelp also noted that he has met with the incoming Governor's transitional team and he feels confident that the new administration is well appraised of the Department's progress over the last year and a half. He also feels the new administration will support the Department's agenda.

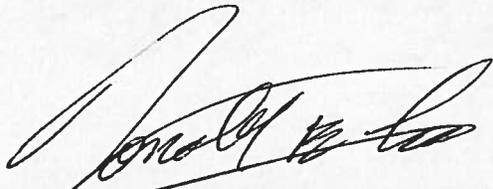
PUBLIC COMMENTS

One board certified physician presented to the Board on a HR issue.

Motion to adjourn was made by Sandra Morris and seconded by Terry Langley.
Meeting adjourned at 2:15 p.m.

THE NEXT MEETING

The next meeting of the Board of Behavioral Health and Developmental Disabilities will be determined at a later date.



Donald Cole, Vice Chair



Deirdre O'Brien, Secretary