The December 2, 2010, meeting of the South Carolina Mental Health Commission was called to order at 10:15 a.m., by Alison Y. Evans, PsyD, Chair, at the Aiken-Barnwell Mental Health Center, 1135 Gregg Highway, Aiken, South Carolina. Ms. Cynthia Motycka, Program Manager at Aiken-Barnwell, delivered the invocation.

Dr. Evans expressed her appreciation to the center for its hospitality during the Commission’s visit to Aiken. She very much appreciated hearing the recovery stories from the clients that were presented this morning, and feels these are a reminder of why we are all working at the Department of Mental Health.

Dr. Evans acknowledged the following guests: Michael Bedenbaugh of the Palmetto Trust for Historic Preservation; and Shanna Amersen of Capitol Information Affiliates.

On a motion by Buck Terry, seconded by Joan Moore, the Commission approved the minutes of the November 4, 2010, business meeting. All voted in favor; motion carried.

Mr. Magill asked Mark Binkley to present any comments on either the Public Safety reports or the Client Advocacy Report.

Patient Protection Reports – Mr. Binkley said that Public Safety has a new investigator, Sergeant Kuhns who appears to be quite efficient and is working to clear up the open cases in a timely manner. On the State Law Enforcement Division (SLED) Report, Mr. Binkley said that of the 40 open cases, only five have been assigned to SLED to investigate. Mr. Binkley said that 16 of the cases have been assigned to the Long Term Care Ombudsman and the remainder was assigned to local law enforcement.

Client Advocacy Report - Mr. Binkley mentioned that the Client Advocacy
numbers are in keeping with the trend for these numbers. There is nothing of particular note in this report.

**DEPARTMENTAL OVERVIEW & UPDATE**

Mr. Magill presented those items listed under the Departmental Overview and Update.

**Financial Status Update – Brenda Hart**

Ms. Hart said that Finance is running slower than usual in getting a final 2010 report. She hopes to have the final report for the Commission next month. She said that currently the Department is one third of the way through the fiscal year. Overall, operating funds are on target. Ms. Hart said that the Department did not receive the one-time funding in the budget until September, and is now starting to spend this money. The ARRA funding, or the stimulus funds, was for a half year this year.

Ms. Hart said the second page of the financial report is the breakdown by department for the year. She reminded the Commission that contracts in Administration and Support Services, for example for Information Technology services, are spent early in the year, which makes Administration and Support Services look like it’s over budget. She said further that personnel costs account for approximately 70 percent of the budget.

Ms. Hart said that page 3 and 4 are graphic explanations of the Department’s personnel costs. She said that there has been a decrease in permanent positions in the agency over the last three years.

**Medicaid Update – Brenda Hart**

Concerning Medicaid, Ms. Hart mentioned that the Department of Health and Human Services (DHHS) is going forward to request to run a deficit in their budget. If the Budget and Control Board approves this, agencies will not have to do reductions this year. DHHS was asked to prepare a plan as to how they would address this deficit. One question posed to DHHS is can the Medicaid program be
eliminated for South Carolina. Ms. Hart said that yes, the Medicaid program could be eliminated. However, this is not a good situation for the state. The demographics of our state do not lend itself to doing this. There are many populations in the state that rely on this money. South Carolina receives $3.00 for every $1.00 of Medicaid money that is spent.

DHHS was asked if Medicaid could not totally be eliminated, what else could be done. Ms. Hart said that there are other optional services that could be eliminated. Behavioral health services, as a whole, are viewed as optional and would be eliminated. This covers a lot of services that are also provided by mental health centers, such as adult outpatient services, pharmacy services, and services provided to clients in the child and adolescent facility of Inpatient Services. Ms. Hart said that personnel cuts as a result of this lost revenue would be approximately 400 clinical employees. Another very serious thing that would happen is that Hall Institute may have to be closed.

Ms. Hart said that the Department is currently scheduled to lose $20 million in state appropriations this year and $20 million Medicaid funds. This has nothing to do with this new Medicaid issue. If the optional services are eliminated, the Department would lose an additional $40 million. Mr. Magill said the agency has to aggressively put a plan in place by no later than the third quarter as to how to address this.

Ms. Hart said there were many changes made in the House Ways and Means Health Sub-Committee for this year. Rep. Tracy Edge has been removed as chair and replaced by Rep. Brian White. Rep. White has requested a meeting with Mr. Magill on December 15. Mr. Magill has spoken with Sen. Alexander and Rep. James Smith and Sen. Wes Hayes to inform them of the impact of Medicaid on DMH.

Dr. Evans asked what happens to the children who need hospitalization if Hall
Institute has to close. Mr. Magill said the Department will do all it can to serve those children in the community. Mr. Acton said that in Aiken-Barnwell and in Lexington, Family Preservation and Multi-Systemic Therapy (MST) services will be “beefed” up. Through these two services the two centers will attempt to see as many children as possible and do the best job possible. Dr. Bank said that at Columbia Area emergency services would be heavily utilized. Dr. Evans said that this is a crisis that has never been seen before.

Mr. Magill said the Joint Legislative Committee on children decided to introduce some new bills, one of which is to codify the Joint Council on Adolescents on the elimination of a wrong door. They are working toward a true seamless system of care across the other agencies for children’s services. If this bill is passed, it would be enacted into law.

Mr. Magill said he is trying to explain to the legislators the mandated services the Department provides. As stated by Ms. Hart, some of the optional medical services provided at our hospitals and nursing homes may also be cut.

Mr. Binkley said that the Department has made additional headway with Hughes Development regarding the Bull Street property. He is recommending an executive session to brief the Commission more fully.

Ms. Hart said that the Department has been able to identify some funding so that the electrical-cooling system of Tucker Center can be separated from the State Hospital campus. This will enable all the Department’s operations to be separate from Bull Street prior to any sale of the property.

- Morris Village’s Commission on Accreditation of Rehabilitation Facilities (CARF) re-accreditation survey was conducted on July 19 and 20, and the facility received notification that a three year accreditation was granted.
- Tucker Center has received notification from the Department of Justice that the next survey will occur the week of December 13, 2010.
- The Tucker Center Certified Nursing Assistant (CNA) Training Program is scheduled to begin January 10, 2011 and will have 20 participants.
- There is currently a critical need for a psychiatrist for Hall and Forensics. The Division of Inpatient Services is experiencing significant nursing staff shortages at all facilities. There is largely due to the fact that our salaries are non-competitive.
- Dr. Phyllis Bryant-Mobley has been appointed Medical Director for Hall Institute effective October 17, 2010. She has served as Interim Director since July 2, 2010.
- Harris Hospital decreased seclusion utilization by 24 percent and restraint utilization by 47 percent from the previous year.
- Tucker Center continues to have a low occurrence of restraint usage.
- Tucker Center reported that the hydration program continues to be a very active program with documented decrease in the number of urinary tract infections. Tucker Center’s overall UTI’s were 3.3 percent for the period June through August 2010.
- During FY’10, 110 on the job injuries were reported to Employee Health, 87 of which, or 79 percent, were attributed to patient to staff altercations. Sixty five percent of all injuries were attributed to BPH adult psychiatric; 26 percent are attributed to Hall; and nine percent attributed to the other hospitals/facilities.
Lost work days due to On the Job Injury for March through September 2010: Bryan Adult Psychiatric – 1,755 work days lost; Hall Institute – 499 work days lost; and the other hospitals/facilities reported few or no work days lost.

Morris Village has been selected to participate in a STRIDE grant to determine if recovery from cocaine addiction is enhanced by exercise. This grant was provided to USC and Morris Village is subcontracting as a site and selected Morris Village patients will be research subjects.

Current census at the Sexual Predator Program is 118. The program will soon be adding another patient making the total 119.

MOTION: On a motion by Buck Terry, seconded by Jane Jones, the Commission approved the minutes of the October 12, 2010, Inpatient Facilities Governing Body Meeting. All voted in favor; motion carried.

Dr. Ratliff said that since the first patients were seen via telepsychiatry in March 2009, 4,354 consults have been conducted. This number is as of November 29, 2010. There are 17 hospitals that currently have the telepsychiatry system and the Department expects seven additional hospitals coming on line in the near future. Six additional hospitals are currently reviewing contracts on the system in order to make a decision.

Dr. Ratliff said that telepsychiatry has been an ongoing success in getting the clients out of the emergency room. The hospitals that are involved in telepsychiatry are very pleased with the results of the programs. Dr. Ratliff said the program has had a shortage of doctors to do the consultations. With the additional hospitals coming on line, this will require more physician coverage. There are many forms that also have to be completed by the doctors which may add to the problem of hiring additional physicians. Dr. Ratliff said that a grant that the SC Hospital Association has received through The Duke Endowment, will
allow the implementation of a single assessment form to use, thereby saving the doctors time in completing the many forms.

Dr. Ratliff said the telepsychiatry program was fully funded for two years and received partial funding for two additional years. However, the program needs to become self-sustaining. Springs Memorial, Baptist Hospital Easley, and Oconee Medical Center are the three largest users of the telepsychiatry system.

The number of patients waiting in the emergency room on a Monday morning has decreased in the hospitals that have this system. Dr. Bank said the system has been accepted by a large majority of the patients. He can only remember one instance in the 4,000+ consultations who absolutely did not want to use the system.

Dr. Evans had some questions regarding Carolina Pines Hospital. Dr. Ratliff explained how the hospital is evaluating the benefits of the system before purchasing the equipment. Dr. Ratliff invited the Commission to view the equipment and see how the system operates.

Mr. Magill reported that ten community forums have been held to date. There are 15 forums remaining. Each and every forum has provided valuable information for the Department to use. The forum at Hall Institute was done differently from the forums conducted in the community as this was an inpatient facility. There were approximately 40 in attendance at Hall.

The two forums that will be held in December are Veterans Victory House on December 9 and Coastal Empire on December 16.

A notice and agenda of the meeting were sent out to all individuals and news media who requested information, in accordance with state law.
Whereas

At 11:20 a.m., on a motion by Buck Terry, seconded by Joan Moore, the Commission entered into executive session to receive legal advice concerning a contractual matter. Upon reconvening in open session at 11:50 a.m., the following motion was made:

MOTION: Buck Terry made a motion to accept the Resolution as presented by legal counsel on behalf of the Commission. The motion was seconded by Joan Moore. All voted in favor; motion carried.

It was noted there was an error in the date on the second page of the Resolution which will be corrected for the Commission’s signature at the January 2011 meeting.

Following is the wording of the resolution as presented by the General Counsel:

South Carolina Mental Health Commission

RESOLUTION

Whereas the campus of the former South Carolina State Hospital is held in a charitable trust by the Department of Mental Health for the care and treatment of persons being cared for by the Department; and

Whereas the Department has determined that with the exception of the William S. Hall Psychiatric Institute, it will no longer need the balance of the campus property to accomplish its mission and duties; and

Whereas the Department has been seeking offers for the campus, now referred to as “the Bull Street property” since 2008; and

...
Whereas the agency has retained a commercial real estate broker, NAI Avant, which has marketed the property both nationally and internationally; and

Whereas the Department has received an offer from Hughes Development Corporation (“Hughes”) of Greenville, SC to purchase the property in “as is” condition, less Hall Institute, for an amount that is within the range of the appraised value of the property; and

Whereas following extensive negotiations with Hughes and with the advice and assistance of its real estate broker and outside counsel, the Department has prepared a Sale and Purchase Agreement by way of a counter-offer, which the Commission has found to be fair and reasonable;

Now Therefore, the Mental Health Commission hereby Authorizes and directs John H. Magill, as Executive Secretary and State Director, to execute on behalf of the Commission and the Department of Mental Health the Sale and Purchase Agreement with Hughes Development Corporation with the deadline for acceptance being no later than December 16, 2010.

December 3, 2010 (should be December 2, 2010 – will be corrected)

Alison Y. Evans, PsyD, Chair Jane B. Jones
Joan Moore, Vice Chair J. Buxton Terry
Everard Rutledge, PhD

This Resolution will become part of the Commission’s permanent records.

On a motion by Joan Moore, seconded by Buck Terry, the business meeting was formally adjourned at 11:55 a.m.
| ATTENDANCE | Alison Y. Evans, PsyD, Chair | J. Buxton Terry |
| Commission Members | Joan Moore, Vice Chair | Jane B. Jones |
| | Everard Rutledge, PhD (excused) |
| Staff/Guests | John H. Magill | Brenda Hart |
| | Robert Bank, MD | Geoff Mason |
| | Rick Acton | Versie Bellamy |
| | Brenda Ratliff, MD | Michael Bedenbaugh |
| APPROVALS | Alison Y. Evans, PsyD, Chair | Connie Mancari, Recording Secretary |