



Frederick County, Maryland

Staff Report Concurrence Form

To: Office of the County Executive

Date: 10/21/2022

Division Director: Barbara Brookmyer

Approved: _____

DocuSigned by:

Barbara Brookmyer

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From: Joy Schaefer

Division: Office of the County Executive

Phone #: (301) 600-1621

Please verify you have attached the correct documents

Staff Report Topic:

Staff Memo: Attachments: Yes: No:

Proposed Bill - Mental Health Advisory Committee and Substance Abuse Council Merge

Time Sensitive? Yes (if yes, deadline for approval: 11/01/2022) No

Action Requested by Executive's Office: Signature Requested OR Information Only

Staff Report Review:

This staff report has been thoroughly reviewed first by the appropriate divisions/agencies noted on Page 2 followed by those outlined below:

	Name	Signature	Date
Budget Office	Kelly Weaver	<small>DocuSigned by:</small> <i>Kelly Weaver</i>	10/24/2022
Finance Division	Erin White	<small>15B09697D28946D... DocuSigned by:</small> <i>Erin White</i>	10/24/2022
County Attorney's Office	Bryon Black	<small>21382CA88D8E4DA... DocuSigned by:</small> <i>Bryon Black</i>	10/25/2022

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Refer to County Council? Yes No

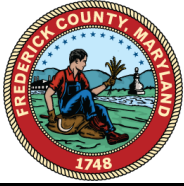
(County Attorney's Office to complete)

Chief Administrative Officer	Rick Harcum	<small>DocuSigned by:</small> <i>Rick Harcum</i>	10/26/2022
County Executive	Jan Gardner	<small>820E502B988947C... DocuSigned by:</small> <i>Jan Gardner</i>	10/27/2022

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Forward to Council? Yes No

(County Executive to complete)



Frederick County, Maryland

Staff Report Concurrence Form

Other Reviewers:

	Title	Name	Signature	Date
3.	Director Behavioral Health	Andrea Walker	 DocuSigned by: 454B06FFCB9A426...	10/21/2022
4.	Deputy Director Behavioral Health	Sarah Drennan	 DocuSigned by: 5B9B100F77F44E1...	10/21/2022
5.				
6.				
7.				
8.				
9.				
10.				

Comments:

From	Date	Comment
Bryon Black	10/25/2022	The description of the Bill in the "Concerning" section of the Face page should include additional information describing the consolidation and creation of this committee. This should be added when the Bill is linked to t



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Barbara A. Brookmyer, M.D., M.P.H. ▪ Health Officer

MEMORANDUM

TO: Jan H. Gardner, County Executive

THROUGH: Joy Schaefer, Director of Government Affairs, Office of the County Executive

DS
JS

FROM: Dr. Barbara Brookmyer, Director of Health Services Division

BB

DATE: October 20, 2022

SUBJECT: Proposed Bill - Mental Health Advisory Committee and Substance Abuse Council Merge

ISSUE:

Should the proposed bill (Attachment 1) to merge the Frederick County Mental Health Advisory Committee and the Substance Abuse Council to form the Frederick County Behavioral Health Advisory Council be sent to the County Council for consideration?

BACKGROUND:

The integration of mental health and substance use disorder services has been modeled at the state level since 2014, when the Maryland Department of Health’s Alcohol and Drug Abuse Administration and the Mental Hygiene Administration merged to form the Behavioral Health Administration (BHA). Each jurisdiction has a local designee of BHA; in some areas this is comprised of a Local Addiction Authority (LAA) and a separate Core Service Agency (CSA), which oversees the public mental health system. Other jurisdictions, such as Frederick, have merged into a Local Behavioral Health Authority, mimicking the state’s integrated management of the public behavioral health system.

BHA’s expectation of local jurisdictions to integrate has been made clear, while also allowing for jurisdictions to move at their own pace according to local needs. Since 2018, local jurisdictions have submitted annual “Integration Self-Assessments” to BHA to report on the progress of local integration efforts. The information is used by BHA “to assess individual and overall progress toward integrating the functions of managing the Public Behavioral Health System (PBHS)” and “to support progress in integrating how the PBHS is managed at the local level.” The rating scale describes “approaching” integration as separate substance use and mental health disorder systems without a formal structure for collaboration. “Capable” integration is separate but parallel systems that have implemented some degree

Andrea L. Walker, MA, MPH, CPRP ▪ Director, Frederick County Behavioral Health Services

Local Behavioral Health Authority (LBHA), Prevention Services, Youth/Adolescent Services, Adult Evaluation & Review Services (AERS), Adult Recovery and Harm Reduction Services

350 Montevue Lane ▪ Frederick, MD 21702

Phone: 301-600-1755 ▪ Fax: 301-600-3298 or 301-600-1781 ▪ MD TTY: 1-800-735-2258

Detention Center Treatment Programs ▪ 7300 Marcie’s Choice Lane ▪ Frederick, MD 21703

Phone: 301-600-3145 ▪ Fax: 301-600-3144 ▪ MD TTY: 1-800-735-2258





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of formal collaboration. In this level of integration, there may still be separate LAA and CSAs. There may also be joint meetings of the local advisory groups without a formal merge. The highest level of integration is “enhanced,” in which “LBHA leaders and senior management are accountable for outcomes of the local BH system, and formally drive the vision and strategic direction of all local systems management functions.” In addition, at this level, the local advisory committees are joined into a single body which “takes a comprehensive view of and offers guidance for the local BH system.”

For several years leading up to the 2020 pandemic response, Frederick County held joint meetings of the Mental Health Advisory Committee and the Substance Abuse Council to facilitate collaboration and integration efforts, thus meeting the “capable” designation for jurisdictional integration. With duties, bylaws and membership that were already similar, the joint meetings allowed for improved dialogue between the groups and an enhanced understanding of the overall system of care for behavioral health services in the county. The members and member agencies also benefited from the joint meetings, allowing for designees from the numerous local agencies to attend one cohesive meeting rather than two.

The Frederick County Mental Health Advisory Committee formed in 1992, in accordance with Title 10, subtitle 3, part II of Health-General Article, Annotated Code of Maryland. The purpose of the Committee, according to the bylaws, is “to serve as advocate for a comprehensive mental health system for persons of all ages.” Powers and duties of the Committee include the creation of subcommittees; inclusion of additional participants as needed; evaluation, review and monitoring of the publicly funded mental health services within Frederick County; determination of the needs of this system including quality of services, gaps in the system, and interagency coordination; participation in the development of the local mental health plan and budget; preparation of an annual report; review and comment on the annual plan and an annual fiscal report. This committee has in effect been defunct for approximately 3 years, unable to convene members to meet a quorum and hold meetings.

The Frederick County Substance Abuse Council formed in 2004 as authorized by the General Assembly (Chapters 237 and 238, Acts of 2004 and Section 8-1001 of the Health-General Article, Annotated Code of Maryland). There are significant similarities to the duties and role of the Mental Health Advisory Committee and this council was likely modeled after it. Among the Council’s duties outlined in the bylaws is to “serve as an advocate for adequate prevention and treatment of substance abuse in Frederick County.” Additional duties outlined in the bylaws relate to identifying gaps in substance use disorder services, reviewing grant applications and funding requests, and advising county government officials on access to services.

Title 10, subtitle 3, Part II of the Health-General Article of the Annotated Code of Maryland allows that “the governing body of a county may establish a joint mental health and addictions advisory committee.” This merge is a final step towards a fully integrated public behavioral health system of care in Frederick County.



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If approved, The Frederick County Behavioral Health Advisory Council will replace both the Frederick County Mental Health Advisory Council and the Frederick County Substance Abuse Council, effectively condensing two groups into one. This action will allow the group to more efficiently and effectively meet the behavioral health needs of the county, ensuring comprehensive communication about and feedback on the entire system of care. Membership roles will be more easily filled so that a quorum can consistently be met. There will also be a reduction in the use of taxpayer dollars since the staff time from governmental membership agencies will be streamlined into a single meeting. Membership of the Behavioral Health Advisory Council will be carefully considered so that it includes all statutorily required members and adequately represents Frederick County’s behavioral health stakeholders. Maryland Code Health-General 8-1001 (b) then allows that “on application from a county, the Governor or the Governor’s designee, may designate ... other agency or organization as the local drug and alcohol abuse council for that county.”

RECOMMENDATION:

The Health Services Division staff recommends the County Executive forward to the County Council the proposed bill to merge the Mental Health Advisory Committee and the Substance Abuse Council to establish the Frederick County Behavioral Health Advisory Council.

Approve? Yes No

DocuSigned by:

Jan Gardner

**Jan H. Gardner, County Executive
Frederick County, Maryland**

10/27/2022

Date

FINANCIAL IMPACT: None

ATTACHMENT(S):

Attachment 1 – Proposed Bill



Bill No. _____

Concerning: Behavioral Health Advisory Council

Introduced: _____

Revised: _____ Draft No. _____

Enacted: _____

Effective: _____

Expires: _____

Frederick County Code, Chapter 1-2

Section(s) 900-905

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President Brad Young on behalf of County Executive Jessica Fitzwater

AN ACT to: establish a Behavioral Health Advisory Council.

Executive: _____ Date Received: _____

Approved: _____ Date: _____

Vetoed: _____ Date: _____

By amending:

Frederick County Code, Chapter, 1-2 Section(s) 900-905

Other: _____

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law.</i>
[Single boldface brackets]	<i>Deleted from existing law.</i>
***	<i>Existing law unaffected by bill.</i>

Bill No. _____

The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend the Frederick County Code to create a Behavioral Health Advisory Council.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby, amended as shown on the attached Exhibit 1.

BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that there is hereby established a Behavioral Health Advisory Council.

Brad W. Young, President
County Council of Frederick County,
Maryland

CHAPTER 1-2: ADMINISTRATION

ARTICLE XIX. FREDERICK COUNTY BEHAVIORAL HEALTH ADVISORY COUNCIL

§1-2-900. Creation, Duties.

(A) In accordance with Title 10, Subtitle 3, Part II of the Health-General Article of the Annotated Code of Maryland for the provision of Joint Mental Health and Addictions Advisory Committees, there shall be a Frederick County Behavioral Health Advisory Council (“Council”).

(B) Powers. The Council may:

(1) Create subcommittees;

(2) Have additional members participate as needed;

(3) Consult with State and County agencies to obtain such technical assistance and advice as it considers necessary to complete its duties; and

(C) Duties. The Council shall:

(1) Monitor, review and evaluate the allocation and adequacy of publicly funded behavioral health services within the county;

(2) Determine the needs of the county behavioral health system, including quality of services, gaps in the system, and interagency coordination;

(3) Participate in the development of the local behavioral health plan and budget;

(4) Prepare and disseminate an annual report in form and to required parties in accordance with § 10-312 of the Health-General Article of the Annotated Code of Maryland;

(5) Review and comment on the annual county behavioral health plan and preliminary budget, before submission of the budget to the state; and

(6) Review and comment on the annual fiscal report.

Underlining indicates matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

*** - indicates existing law unaffected by bill.

1 **§1-2-901. Membership.**
2

3 The Council shall include the following:
4

5 (A) As nonvoting ex officio members, the following individuals or their designees:
6

7 (1) The Health Officer for the County;
8

9 (2) A representative of a state inpatient facility that serves the County,
10 appointed as provided in subparagraph (2) of this section;

11 (3) The Chief of the Bureau of Behavioral Health; and
12

13 (4) The Director of the Local Behavioral Health Authority; and
14

15 (B) As voting members and representatives of the County's major socio-economic
16 and ethnic groups:
17

18 (1) The County Executive shall appoint at least 5, but not more than 7,
19 representatives selected from among the following:
20

21 (a) The Office of the County Executive;
22

23 (b) The Superintendent of Frederick County Public Schools, or the
24 Superintendent's designee;
25

26 (c) The Director of the County's Department of Social Services, or the
27 Director's designee;
28

29 (d) Practicing physicians;
30

31 (e) Behavioral health professionals who are not physicians;
32

33 (f) The Clergy;
34

35 (g) The County legal profession;
36

37 (h) The head of a local law enforcement agency, or their designee;
38

39 (i) A county general hospital that contains an inpatient behavioral
40 health unit;
41

42 (j) The Director of the County Department of Aging, or the Director's
43 designee;

Underlining indicates matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

*** - indicates existing law unaffected by bill.

1 (D) Compensation. Members of the Council shall receive no salaries but shall be
2 reimbursed for all expenses necessarily incurred in the performance of their duties
3 in accordance with the appropriations approved by the County Council.
4

5 **§1-2-903. Chair, Vice-Chair.**
6

7 (A) The Council shall elect annually a Chair and Vice-Chair from among its members
8 to serve a single year term.
9

10 (B) A Member may not serve as Chair for more than two consecutive years.
11

12 (C) The Chair shall preside at all meetings of the Council.
13

14 (D) The Vice Chair shall assume all duties of the Chair in the absence of the Chair
15 and shall perform other duties as assigned by the Chair.
16

17 (E) The Council may elect other officers as needed. The manner of election of
18 additional officers shall be as the Council determines.
19

20 **§1-2-904. Meetings, Quorum.**
21

22 (A) Meetings. The Council shall have not fewer than six meetings per year at the
23 times and places that the Council determines.
24

25 (B) Quorum.
26

27 (1) A majority of the voting members present of the Council shall constitute a
28 quorum for the transaction of business; and
29

30 (2) An affirmative vote by the majority of those present at any meeting shall
31 be sufficient for any official action.
32

33 (C) Staff. The Health Officer or the Department of Health, Bureau of Behavioral
34 Health shall provide staff services for the Council.
35

36 **§1-2-905. Rules.**
37

38 The Coordinating Council shall adopt rules to govern its procedures and activities.

Underlining indicates matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

*** - indicates existing law unaffected by bill.