

SUMMARY OF AGREEMENT BETWEEN DISABILITY ADVOCATES AND STATE OF KANSAS ON BEHALF OF RESIDENTS WITH MENTAL ILLNESS IN NURSING FACILITIES

Topeka Independent Living Resource Center (TILRC) and Disability Rights Center of Kansas (DRC), acting on behalf of their constituents with mental illness, have reached an agreement with the State of Kansas to expand services and provide more community residential options for individuals living in, or at risk of being admitted to, Nursing Facilities for Mental Health (NFMH).

Kansas is the only state in the country to establish nursing facilities exclusively for people with mental health disabilities, and more than 600 people live in the 10 NFMHs. This agreement will provide necessary mental health services to allow these individuals to avoid institutionalization and to live in the most integrated setting. Attorneys from DRC, AARP Foundation, the Center for Public Representation, and Shook, Hardy and Bacon negotiated the agreement with the State.

The agreement will be implemented over an eight-year period, with most services being phased in during the first six years. Significant elements of the agreement include:

Expanded and New Services

- **Specialized Services:** The State will create new services for individuals in NFMHs, known as “specialized services,” including: (1) intensive case management; (2) community integration day services; (3) vocational and supported employment services; (4) other rehabilitative services; (5) behavior support services; and (6) therapy services.
- **Informed Choice:** All NFMH residents will receive comprehensive, accurate, and understandable information sufficient to allow them to make an informed choice about their options for returning to the community. The State will develop educational and training materials for the residents regarding informed choice as part of these efforts.
- **Case Management:** The State will train Community Mental Health Center staff to provide NFMH residents relevant, understandable information addressing barriers to community transition; opportunities to visit community programs; and necessary assistance to allow residents to participate in community activities while in an NFMH. These and other actions will help ensure that NFMH residents can make informed choices regarding the supports and services they need.
- **Supported Housing:** The State will expand supported housing services to 400 individuals in NFMHs and 300 individuals at risk of admission to an NFMH.
- **Supported Employment:** The State will expand supported employment services to 400 individuals in NFMHs and 350 individuals at risk of admission to an NFMH.

- **Person-Centered Planning:** Within 14 days of a new admission, the State will assign a trained case manager to develop a person-centered plan for the NFMH resident, including all necessary specialized services and transition services. The case manager will also develop a Wellness Recovery Action Plan (WRAP) that coordinates specialized services needed for individuals to transition to the community.
- **Peer Support:** The number of individuals providing peer support services, statewide, will increase by 10% in each of the next 5 years.
- **Crisis Services:** The State will develop and implement a plan to provide Assertive Community Treatment (ACT) teams and mobile crisis intervention and stabilization services statewide.

Meaningful Goals and Measurable Reforms

For each of the services, the agreement specifies:

- **Goals** to be achieved, such as providing appropriate and effective planning, support, and services so that NFMH residents (or those at risk of being admitted) can live, work, and engage in leisure activities in the most integrated setting.
- Specific **practice improvements** to be implemented, with yearly benchmarks.
- **Measurable outcomes** to determine whether goals are being met.

Accountability

The agreement also contains procedures to allow TILRC, DRC, and their attorneys to monitor the progress being made on implementation, and to meet and confer with the State to discuss and resolve any issues as they arise.