



STATE OF MARYLAND
DHMH

Maryland Department of Health and Mental Hygiene
201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – John M. Colmers, Secretary

The Honorable Ulysses Currie
Chair, Senate Budget and Taxation Committee
3 West, Miller Senate Building
11 Bladen Street
Annapolis, Maryland 21401

The Honorable Norman Conway
Chair, House Appropriations Committee
Room 121 House Office Building
6 Bladen Street
Annapolis, Maryland 21401

**Re: 2008 Joint Chairmen's Report – Developmental Disabilities Administration
Budget Plan for the Closure of the Rosewood Center, Page 116**

Dear Chairmen Currie and Conway:

According to the requirements set forth in the 2008 Joint Chairmen's Report, the Department of Health and Mental Hygiene must provide a plan to orderly transfer and care for all the consumers that will be transitioned because of the Rosewood Center closure.

In accordance with the Joint Chairmen's Report, the Department is submitting the enclosed report which outlines the plan for an orderly transfer of residents from the Rosewood Center. With the submission of this report, the Department requests the release of the withheld allotment. If you have questions or need more information, please contact Michael Chapman, Director of the Developmental Disabilities Administration at (410) 767-5600.

Sincerely,

John M. Colmers
Secretary

Enclosure

Cc: Ms. Arlene Stephenson
Mr. Michael Chapman
Ms. Anne Hubbard

Plan for the Closure of the Rosewood Center

Introduction

On January 16, 2008 Governor Martin O'Malley issued an Executive Order to close the Rosewood Center. The order called for the development of a plan that included the following components:

- Implementation plan to close Rosewood Center by June 30, 2009;
- Transition plan for all individuals of the Rosewood Center to services and settings appropriate to meet their needs; and
- Strategies for identifying the needs of the forensic population and creating a safe, long term residential setting with appropriate services and supports as outlined in "The Rosewood Center: Plan for Services Report".

The Department of Health and Mental Hygiene (DHMH) Developmental Disabilities Administration (DDA) has been engaged in an extensive planning process to provide for the care and orderly transfer of all residents residing at the Rosewood Center. The planning process has included participation from various stakeholders including the residents, family members, the Maryland Disability Law Center, advocacy groups and independent consultants. The plan specific to the non-court and court-ordered residents at the Rosewood Center is outlined in this report.

Residents (Non-Court Involved)

As of November 1, 2007 there were 136 non-court involved residents at the Rosewood Center. As of July 1, 2008, 23 non-court involved residents have moved into community services that meet their health and habilitation needs, leaving 113 residents remaining to be transitioned. For the remaining 113 individuals, 56 have completed Essential Life Planning (ELP) process which is being utilized to determine the individuals' needs to assist the individual in choosing a community service provider. There are 37 ELP meetings scheduled and the remaining 20 meetings are being scheduled.

In the report entitled "HB970 – Rosewood Center – Plan for Services to Residents" submitted to Governor Martin O'Malley, Chairman Thomas Middleton and Chairman Peter Hammen, it was recommended that the 136 residents would transition to community settings to meet their safety, health and habilitation needs. The Department will consider admission to an existing State residential center if the individual and their family or caregivers have participated in the planning process and in the end; there is not a viable community option that will meet their health and habilitation needs. An application for admission to a State residential center must be submitted to the appropriate Regional Director within the Developmental Disabilities Administration for consideration by the Secretary of the Department or the Secretary's designee. An individual must meet the requirements for admission to a State residential center as outlined in Health General Article §7-502.

Plan

The Developmental Disabilities Administration Rosewood Center utilizes an individualized approach in developing services and support to meet the individual's needs. Planning for the services includes the consumer, his or her proponents [family members, advocate, caregiver or significant others], a resource coordinator and the interdisciplinary team. The facility director and his staff work collaboratively with the Developmental Disabilities Administration Central Maryland Regional office staff in planning and developing appropriate service plans and in the provision of those services to each individual transitioning into community services. The components of the plan are outlined as follows:

Goals

1. To involve each individual in all aspects of decision making, planning and evaluating the transition process
 - a. Clinical, functional, and personal outcomes assessments
 - b. Essential lifestyle planning process
2. To review a variety of living options taking into consideration the safety and supervision needs of the individual.
3. To choose where to live, who to live with and what constitutes a meaningful day.

Strategies

The Rosewood Center Facility Director is responsible for:

- Meeting with all individuals to review the closure process;
- Ensuring assessment data is updated;
- Providing needed documentation to support the development of an essential lifestyle plan for each person;
- Offering training on exploring community living and meaningful day options; and
- Identifying individuals who wish to reside together.

The Rosewood Transition Team is responsible for:

- Identifying community providers eligible to support individuals;
- Supporting each individual's assessment of provider options through: site visits, selection process, trial visits, and choosing a provider;
- Negotiating contracts that are processed expediently; and holding providers accountable to the Essential Lifestyle Plan deliverables and timelines.
- Monitoring service provision: 30, 60, 90, and 180 days following transition to community to assure services are being provided as defined in the plan; and
- Providing opportunities to address changes in the plan.

Court Committed Residents

As of November 1, 2007, there were 30 court committed individuals residing at the Rosewood Center. Of the 30 individuals, 20 were committed to the Department of Health and Mental Hygiene after a finding of incompetent to stand trial and 10 were committed after a finding of not criminally responsible because of mental retardation.

Of the 30 individuals, the community is recommended as the most integrated setting for 17 individuals and a secure residential facility is recommended as the most integrated for 13 individuals. Of the 17 individuals recommended for community placement, all are eligible for services from the Developmental Disabilities Administration, which may include one or more of the following: residential services, resource coordination, behavior support services, psychiatric services, psychotherapy/counseling services, social skills training, staff support and assistance, medical services (other than routine), nursing services, speech/language services, substance abuse treatment services, assistive technology or durable medical equipment, 1:1 supervision and/or awake overnight supervision, or creative monitoring in a small (up to 3 individuals) residential setting with day or vocational or supported employment services. Two of the 17 individuals are eligible for support services only from the Developmental Disabilities Administration, therefore other housing options are utilized (i.e. assisted living, public housing) with support and supervision. Monitoring may include oversight by the Community Forensic Aftercare Program or by another agency (i.e. regular reporting to a probation officer through the Department of Corrections) and/or monitoring devices (i.e. alarmed windows and doors).

Since November 2007, several residents have been discharged into appropriate community services that meet the resident's safety, health and habilitation needs.

As of September 1, 2008, there are currently 20 court-involved residents residing at the Rosewood Center. Rosewood Center has completed updated assessments on the court involved residents and 9 will now transition to the new Sykesville unit in October 2008. For the remaining 11 court-involved residents, DDA will find community services and is planning for these services based on the individual's needs and court approval.

The Developmental Disabilities Administration continues to work with the courts to facilitate an appropriate disposition for each court-committed individual. Court-committed individuals remain at the Rosewood Center until the court finds that the individual is no longer incompetent to stand trial, no longer a danger, or there is not a substantial likelihood that the defendant will become competent in the foreseeable future. A court-committed individual may be released with or without conditions imposed by the court.

Plan

Planning has included surveying or visiting other states to ascertain best or evidence-based practices in service delivery to court-involved individuals. The Developmental Disabilities Administration's plan includes the development of Secure Evaluation and Therapeutic Treatment in a forensic residential center and expansion of services in the community for residents, as appropriate. The Developmental Disabilities Administration's mission is to serve individuals with developmental disabilities in the least restrictive most integrated setting. The Developmental Disabilities Administration has, with stakeholder input, developed emergency and proposed regulations to establish the forensic residential center. The emergency regulations were submitted to the Joint Committee on Administrative, Executive and Legislative Review (AELR) and approved

in June 2008. The proposed regulations are still under consideration by the AELR Committee. These units are designed to determine each individual's needs while receiving services to learn appropriate behavior for community settings. To assist in this process, DHMH receives technical assistance from a national expert with nearly 30 years experience and who operates secure facilities for court involved consumers in the State of New York.

The Therapeutic Evaluation component will:

- Be a secure unit;
- Be located on the grounds of the Clifton T. Perkins Hospital;
- Be operational in July 2008;
- House a maximum of 12 individuals with mental retardation unit for 21 to 90 days;
- Complete competency to stand trial and/or criminal responsibility and dangerousness evaluations;
- Complete competency attainment services;
- Complete risk assessments and other appropriate assessments; and
- Develop comprehensive community reintegration plans to facilitate the discharge of individuals to the community or to a new long-term secure unit at Springfield Hospital Center, as appropriate.

The Therapeutic Long-Term component will:

- Be a secure unit;
- Be located on the grounds of the Springfield Hospital;
- Be operational on October 1, 2008;
- House a maximum of 20 individuals with mental retardation;
- Complete update reports regarding competency to stand trial and/or criminal responsibility and dangerousness evaluations;
- Complete competency attainment services;
- Implement therapeutic interventions; and
- Complete updated risk assessments and other appropriate assessments.

The Department is cognizant that Rosewood court-involved residents will utilize 9 of the 20 beds at the therapeutic long-term unit. One of the concerns is the capacity of this unit. The Department will monitor the utilization pattern of the unit closely and may need to develop additional capacity elsewhere to meet future needs.

Community Services Component

The Developmental Disabilities Administration envisions a service delivery system that provides residential settings which include assessment services, implement therapeutic interventions, behavioral programming, staff support and supervision in the community. To that end, the Developmental Disabilities Administration has developed an Invitation for Proposals from community providers to expand services to safely manage individuals with court involvement in community settings. Individuals with lower level charges who do not have a history of exhibiting aggressive or dangerous behaviors would have immediate access to the aforementioned services. Proposals submitted by community

providers will be reviewed by the Developmental Disabilities Administration in July – August 2008. It is anticipated that expanded services will be available in the community in December 2008.