

Department of Social and Health Services
Division of Behavioral Health & Recovery

T.R. vs. Dreyfus Interim Agreement Overview

May 2012

T.R. vs. Dreyfus Lawsuit

- Federal class action lawsuit filed November 2009
 - Against DSHS, later added HCA
 - A Medicaid / Early Periodic Screening, Diagnosis, and Treatment (EPSDT) Lawsuit
 - Filed by a state and several national advocacy organizations
 - Similar to other state EPSDT Lawsuits where Plaintiffs prevailed
- Suit alleges:
 - For Medicaid-eligible children and youth (0-20) with serious emotional impairments
 - inadequate availability of intensive home and community based services
 - Leads to avoidable problems

T.R. vs. Dreyfus Lawsuit

- Mediation from January 2011 – February 2012
- Interim Agreement reached
 - Suspends litigation
 - Activities within available resources
 - Innovative approach for the state and advocacy organizations to address litigation
- Framework for commitments
 - State retains control
 - Objective and measurable
 - In concert with existing system improvement efforts

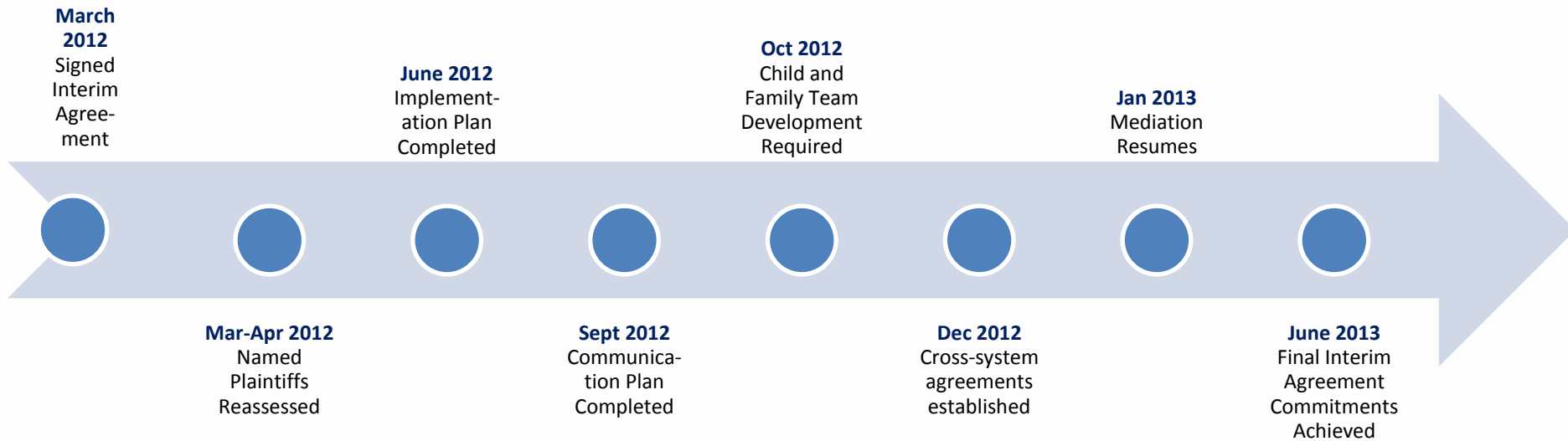
Key Areas of Interim Agreement

- Principles and Core Practice Model
- Cross-system Governance structure
- Uniform screening and assessment
- Child & Family Teams
- Fiscal strategies for potential future services
- Workforce development for screening, assessment, Child & Family Teams, and potential future services
- Quality management / data strategy

Basis of Interim Agreement

- Planning and Infrastructure Development
 - To be completed by June 2013 (~15 months)
 - No new services
- Existing resources used to accomplish work
 - Builds on current system improvement work
 - Existing grants
 - Existing staff expertise
- Continues successful collaboration with Plaintiffs
 - Structured points for Plaintiffs to provide input

Interim Agreement Timeline



Interim Agreement Impact

- Sets stage for mediation beginning Jan 2013
- Creates platform for implementation after June 2013, if further agreement negotiated
- Requires child-serving agencies in state government to collaborate and adopt Principles, Core Practice Model, and screening strategies

Intersection with other Initiatives

- SAMHSA System of Care Planning Grant
 - Governance
 - Family and youth partnership
- 2012 Children's Services Bill (Evidence Based Practices)
- Increasing availability of Wraparound (CFTs)
- Health Care Reform