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

- **March 2012**: Signed Interim Agreement
- **June 2012**: Implementation Plan Completed
- **Oct 2012**: Child and Family Team Development Required
- **Mar-Apr 2012**: Named Plaintiffs Reassessed
- **Sept 2012**: Communication Plan Completed
- **Dec 2012**: Cross-system agreements established
- **Jan 2013**: Mediation Resumes
- **June 2013**: Final Interim Agreement Commitments Achieved
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
  o Governance
  o Family and youth partnership
• 2012 Children’s Services Bill (Evidence Based Practices)
• Increasing availability of Wraparound (CFTs)
• Health Care Reform