



**ARKANSAS DEPARTMENT OF HUMAN SERVICES**  
**STATE INSTITUTIONAL SYSTEM BOARD MEETING**

**JANUARY 8, 2020 / 12:30 p.m.**

**MANSFIELD TREATMENT CENTER**  
**Mansfield, Arkansas**

Members Present: Micheal Burden, Vice-Chair  
James Luker, via telephone  
Dr. Mike Russell  
John Yarbrough

DHS Staff Present: Kara Benca, Assistant Director, Quality Assurance, Division of Youth Services  
Michael Crump, Director, Division of Youth Services  
Alicia Davis, Division of Youth Services  
Jay Hill, Director, Division of Aging Adult and Behavioral Health Services  
Glenn Holt, Deputy Director, Division of Youth Services  
Mark Hooten, Physical Plant Supervisor, Division of Youth Services  
Scottie Leslie, Division of Aging Adult and Behavioral Health Services  
David Sterling, Office of Chief Counsel

Others in Attendance: Phyllis Bell, Senior Advisor for Child Welfare, Governor's Office  
Denise Garner, State Representative, District 84  
Marilyn LeCompte, Office Manager, Youth Opportunity Investments  
Stephen Parker, Mansfield Program Director, Youth Opportunity Investments  
Stacy Williams, Regional Director, Youth Opportunity Investments  
Patrick Wilson, Deputy Director, Youth Opportunity Investments

Agenda Item 1: **CALL TO ORDER**

In the absence of Nelson Driver, Board Chair, Micheal Burden, Vice-Chair, called the meeting to order at 12:30 p.m.

Several guests were in attendance and were asked to introduce themselves. Guests included State Representative Denise Garner, and Phyllis Bell from the Governor's Office, along with Stacy Williams, Stephen Parker, Patrick Wilson, and Marilyn LeCompte from Youth Opportunity Investments (YOI).

Agenda Item 2: **APPROVAL OF MINUTES FOR OCTOBER 9 BOARD MEETING**

Mr. Burden asked members if they had all received and reviewed copies of the minutes from the October 9<sup>th</sup> meeting. All members had and were asked if there were any questions, additions, or corrections.

Dr. Mike Russell stated that a copy of the certificate of insurance for YOI was not attached to the e-mail he received and asked if copies would be available for discussion today. Copies were made and distributed to board members and others in attendance.

**There being no further questions or discussion, Dr. Mike Russell made a motion to approve the minutes of the October 9, 2019. Mr. John Yarbrough seconded the motion. Motion was approved.**

Agenda Item 3:           **APPROVAL OF MINUTES FOR DECEMBER 12 TELE~CONFERENCE**

Mr. Burden asked members if they had all received and reviewed copies of the minutes from the December 12<sup>th</sup> teleconference meeting, at which time the Lewisville JTC land appraisal was discussed, and asked if there were questions or comments. All members had reviewed the minutes and there were no questions, additions, or corrections.

**There being no further questions or discussion, Dr. Mike Russell made a motion to approve the minutes for the December 12, teleconference. Mr. John Yarbrough seconded the motion. Motion was approved.**

Agenda Item 4:           **DIVISION OF YOUTH SERVICES (DYS)**

Ms. Kara Benca, Assistant Director for Quality Assurance, Service Delivery, and Compliance, presented the report for DYS.

- Ms. Benca thanked the Board Members for participating in the December 12<sup>th</sup> teleconference and reported that after Board approval, the Arkansas Legislative Council had also approved the DYS land purchase at the Lewisville Juvenile Treatment Center.
- Lease agreements for DYS and Youth Opportunity Investments, the current provider for four (4) residential facilities, were sent to board members via e-mail and copies were also available today for review and discussion.

Dr. Mike Russell expressed concerns with the state's lengthy process in finalizing leases and the problems that could result from having a provider on-site and operating without a "signed" lease agreement. He asked if this occurred because staff was in a rush or if it is normal for state operations.

Mr. Michael Crump, DYS Director, stated that in this case it was a little of both, as the initial bid award was contested sending it back through the State Office of Procurement during a time when DYS leadership was transitioning and there was turnover in all but one Assistant Director position.

Mr. Micheal Burden voiced his agreement that in the sixteen (16) years he has been on the board, this has continued to happen ~ that a provider is selected and begins work while the property lease remains in process for months following the contract award. He definitely believes that changes can be made and hopes with the governor's transformation this will be addressed and that once a contract is awarded work on a lease will begin right away.

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- At Alexander (AJATC) the locks project is underway and the first lock was installed. Mark Hooten, Physical Plant Manager, reported that the first lock was installed with staff on-site and that it was determined to be too low. Adjustments are being made before full installation begins.

The fence project underway at AJATC is going well. Mr. Burden asked if the fence was similar to the one at Mansfield, and it is, but it is actually a second fence. The original razor-wire fence was left in place, creating an even more secure perimeter.

- At Mansfield (MJTC), the anti-climb fence project was complete, but upon inspection, it was determined that the “corners” were *not* anti-climb. The vendor is currently working to correct that issue.

The sally-port should be complete by the end of the month. A recent lightning strike affected some of the wiring, which must be repaired/replaced.

The water storage tower project is complete.

The Long Building is also complete and if board members have time, they are encouraged to walk through the building before they leave.

- Generator projects at Lewisville and Dermott are still underway, but the storm water diversion project at Dermott has been completed.

Upon the conclusion of her report, Ms. Benca introduced Glenn Holt, new Deputy Director for DYS.

Mr. Micheal Burden asked for clarification as to whether or not the Lewisville property purchase was closed and the reply was yes. The purchase was complete before the end of 2019, perhaps on the 30<sup>th</sup>.

Dr. Mike Russell wanted to point out that board member comments concerning the lease “process” were not in any way a reflection toward Youth Opportunity Investments and commented that often times there is wisdom in someone else, i.e. this Board, looking over documents pertaining to the facilities it oversees.

As requested at the last Board Meeting, staff from YOI, the provider awarded a contract by the state to operate DYS residential facilities, was introduced and Ms. Stacy Williams, Regional Director, introduced her team and began her presentation. She started by describing the four (4) programs supported in Arkansas by YOI, which are:

- Dermott JCF - A secure facility with capacity for 40 which houses boys 18 - 21,
- Harrisburg JTC - A non-secure facility with capacity for 24 which houses girls,
- Lewisville JTC, A non-secure facility with capacity for 32 housing youth 14 - 18, and
- Mansfield JTC, A secure facility with capacity for 57 housing youth 14 - 18.

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Ms. Williams stated that all facilities have individual rooms with the exception of Harrisburg, which is an open bay site.

Ms. Williams stated that YOI offers a drug and alcohol program, mental health treatment program, education, GED programs, Paxton/Patterson career readiness programs for Microsoft, masonry, carpentry, and other certified vocational programs. The Carpenter's Daughter apprenticeship program has been implemented at Dermott JCF. She reminded board members that many DYS youth are low functioning and, while they might not be able to pass a test to obtain a GED, they are capable of earning certification in a vocational program and YOI believes these are an extremely important resource.

Mr. Burden asked about education and whether it is like high school or not and if students graduate and if there are certified teachers on staff. For the GED program, students test in the local community (or local community organizations come to the facility for testing) and receive diplomas. Mr. Crump explained that students at all DYS facilities, including CSTP, make up Arkansas Consolidated High School (ACHS – an alternative school) and that DYS employs a Superintendent, Principal, Special Education Coordinator, and a Registrar, and as such, DYS does receive Title 1 funds. In addition, there are special education resources and certified teachers in the classroom.

All ACHS classrooms use Virtual Arkansas - a state virtual school that partners with public school districts to provide course opportunities to students that cannot be offered with local resources. Virtual Arkansas was founded after the passage of Act 235 of 2005 making distance learning opportunities more readily available. Virtual Arkansas also provides DYS youth the opportunity to participate in appropriate grade-level course work, which is particularly important for re-integration back into the public school system.

Mr. Stephen Parker, YOI Director at MJTC, said twelve (12) students had received their GED Diplomas since August and that they are working with a local adult education cooperative who will come on-site and test students for readiness and help them prepare for the GED exam.

Ms. Williams stated that YOI's goal is for youth to be challenged and grow. She also stated that in at least one instance at Harrisburg, facility staff helped a client that did not have a family to go home to by keeping her 2 months longer and helping her enroll in a college, to which she was released. Mr. Burden asked what percentage of budget was applied to education as education and rehabilitation are the keys to youth in DYS facilities, but Ms. Williams did not have that figure available.

Dr. Mike Russell asked if, upon discharge, youth were placed or just returned home. Mr. Crump explained that all DYS youth have a discharge plan and return to their communities with "After-Care". These are services offered by Community-Based providers in each judicial district to extend weekly contact and assistance, education services, therapy, etc. Youth usually remain in after-care for a period of six (6) months. In many instances, staff from DYS Community-Based providers will come to a residential facility to meet with the youth and offer input for the discharge plan.

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Mr. Burden asked if both YOI and Rite of Passage (ROP), which operates the Arkansas Juvenile Assessment and Treatment Center (AJATC) offered the same programs. The answer was yes and no. DYS Deputy Director Glenn Holt explained that while DYS requires the same basic programs at all facilities, including education and some form of standardized behavioral management training or anger replacement therapy (ART), and with Virtual Arkansas, students can participate in the same class from any location. Because of geographic locations and on-site staff, some of the programs are different, particularly vocational programs.

Dr. Russell asked for clarification as to Microsoft office training and how important it is in today's world. As mentioned, certification is currently available through vocational offerings. YOI staff are working with Virtual Arkansas to see if there is an option of adding it to their course-work.

Mr. James Luker asked if there were plans for DYS facilities that operate below capacity and are not being adequately utilized. Mr. Crump replied that DYS residential facilities combined have the bed-space capacity for 263 youth with an additional 20 beds for assessment located at AJATC. This morning's dashboard showed 187 youth in DYS facilities and 33 in community-based facilities. These numbers are low, which is a good thing. It means judges are committing fewer youth and better treatment is being offered at community-based locations. As DYS population follows national trends and continues to decrease, DHS and DYS staff will continue to monitor commitments and determine the need to reconfigure or re-purpose a facility, but he reported we're not there yet.

Mr. Luker also asked about DYS staff transitioning to YOI employment. Mr. Crump stated that, for employees, as a private company - YOI had more to offer in pay and benefits than the state. DYS administration encouraged YOI to allow employees to remain and Ms. Williams stated that everyone from DYS had the opportunity to stay on July 1, 2019, and that many did. Both commented about the high turnover rate in this field, but Ms. Williams stated that approximately 60% of staff that transitioned from DYS are currently employed by YOI.

Mr. Luker then asked about the boot camp style programs offered by the National Guard. Mr. Crump replied that there are two (2). The Civilian Student Training Program (CSTP), a boot-camp style program for adjudicated youth operated by the state Military Department, and Youth Challenge, a voluntary boot camp style program operated by the National Guard. As part of the Governor's recent transformation of government plan, effective July 1, 2019, CSTP was placed under DHS/DYS. Since taking on CSTP, DYS has been involved in some building renovations, DYS Education Staff have worked to make Virtual Arkansas available to CSTP students and a special education coordinator has been hired, the boot camp term has been revised from an eight week to a nine week program to better coincide with the school calendars, there have been two graduations, and the numbers are up to nearly forty (40) youth per class. The staff and location did not change in the transformation. Mr. John Yarbrough asked if there were teachers at each facility, including CSTP and the answer is yes. Mr. Crump is pleased that Virtual Arkansas was extended to CSTP making an easier return to school for CSTP graduates.

Mr. Burden asked who was responsible for hiring teachers at facilities. While DYS hires the administrative staff, the provider (ROP/YOI) hires the teachers, whom must complete a full background check as required by the Arkansas Department of Education. All student treatment plans, evaluations, record-keeping, school.

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re-admission, student certifications, student records, etc., are funneled through DYS Education Staff along with teacher certification, CEUs, etc. DYS staff also interacts directly with the Department of Education.

Mr. Burden believes teachers should not be hired by providers until DYS administrative staff has received documentation that the teacher is licensed and accredited in the state and the background report is complete. Dr. Russell asked who carries special liability for teachers. For those employed by DYS it is the state. For Virtual Arkansas teachers and those at DYS residential facilities, it is their employer.

There being no other questions, Mr. Burden thanked YOI representative for addressing the board and answering their questions.

### Agenda Item 5: **DIVISION OF AGING, ADULT, AND BEHAVIORAL HEALTH SERVICES (DAABHS) REPORT**

Mr. Jay Hill, Director, directed Board members to his quarterly report and provided updates on DAABHS facilities.

#### **Arkansas State Hospital (ASH)**

- In September 2018, the Board approved funding for roof repairs at the hospital. The project for the most critical, leaking roofs began in November of 2019 and will include forensic building #5, the forensic dining area, and the forensic hallway at a cost of \$452,536. The project for the remaining six (6) buildings is out for bid through the Division of Building Services.
- The fire control system project took much longer than anticipated but is complete.
- The room-by-room project has moved into the forensics buildings, which is the older portion of hospital (1960s construction). The estimated completion date is March 2020.

#### New Business for ASH

- Mr. Hill is requesting approval to proceed with HVAC system repairs at the Blue Band Room for estimated cost of \$162,000. The HVAC system also needs replacing at buildings 3 and 4, but an initial estimate for two of the building was \$2.1 million each. Staff will closely review the scope of those projects to see if any adjustments might be made.

#### **Arkansas Health Center (AHC)**

- The HVAC system needs at this facility are still under review at the Division of Building Services and staff is hoping the project will be complete by summer. Residents are not housed at these locations, but they do visit these locations throughout the course of their day.
- The roof project at Building 23, which houses Pathfinder and AHC medical supplies was recently completed at a total cost of \$64,000 or \$24,000 less than anticipated.

New Business for AHC

- Mr. Hill is seeking approval for an addition to the large activity room in Building 80 at an estimated cost of \$300,000 provided by a DHS on-call architect, Rex Morris and Associates. The design for Building 80 was constructed in two (2) phases. Phase 1 was completed in 1981. Phase 2 was never funded. AHC would like to explore options on an expansion suitable to the population at the building, where 90% of the center's activities take place.

Upon completion of both reports, **Mr. James Luker made a motion to approve the DYS and DAABHS reports. Dr. Mike Russell seconded the motion. Motion was approved.**

Agenda Item 6:           **NEW BUSINESS**

Mr. Jay Hill proceeded with his agenda items for new business, starting with the \$162,000 HVAC repair at the Blue Band Room at the State Hospital.

**Mr. John Yarbrough made a motion to approve this repair. Dr. Mike Russell seconded the motion. Motion was approved.**

Mr. Burden continued with Mr. Hill's request to pursue options for an addition to the large activity room in Building 80 at the Arkansas Health Center, where the majority of activities for residents take place.

**Dr. Mike Russell made a motion to approve this endeavor. Mr. John Yarbrough seconded the motion. Motion was approved.**

Mr. Burden introduced the next item under new business, which is the calendar year stipend for board members. In accordance with ACA 25-16-901-908, the Board authorizes the \$60 stipend payment per official meeting attended and expenses for meals, travel, lodging and other associated expenses, which are provided to state employees for the members of the DHS State Institutional System Board throughout 2020 while on official business for the State. This is the same stipend as 2019.

**Dr. Mike Russell made a motion to approve the stipend for 2020. Mr. John Yarbrough seconded the motion. Motion was approved.**

Agenda Item 7:           **OLD BUSINESS**

Mr. Burden introduced two (2) items – the leases and the proof of insurance between YOI and DYS.

- First, reviewing the certificate of liability insurance coverage form for YOI, Dr. Mike Russell expressed concerns regarding the "Type of Insurance" indicators. He has a concern under commercial liability the box for "claims made" is checked, but not the "occur" box, which doesn't address something that happens now, but a claim is not made for a number of years.

Dropping down to automobile liability, "scheduled auto" is checked. Ms. Williams stated policy is mandatory that provider vehicles must be used to transport youth. However, Dr. Russell asked about

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business errands in personal vehicles and stated he would prefer to see the “hired autos only” indicator checked as well, as it could fall back on the state. Nothing is checked under “Umbrella Policy” but Dr. Russell doesn’t believe the company would operate without one. This form just does not show what it is. Neither does the form show worker’s SIS BOARD compensation. Ms. Williams stated that YOI has worker’s compensation, but it has been overlooked on this form, it’s unenforced, or it is with another company, and DHS needs a copy of that. Dr. Russell also expressed that DHS/DYS should receive a 20 to 30-day warning regarding the cancellation of any providers policy.

Dr. Russell again expressed to YOI representatives that his discussion was not directed towards them, but that his concern was for the State and its liability in the absence of some items of the items he’s discussed.

- Second was further discussion regarding DHS and provider / contractor leases. Mr. Burden would definitely like to see improvement on the length of time it takes for a lease to be prepared and processed in state government. In the state, a lease for \$1 is typical for someone, a contractor or vendor, who is providing services to our population. Mr. Crump stated he would like to see stronger language added to future leases regarding the upkeep and responsibilities a contractor or vendor have at DYS facilities. Additional discussion ensued.

Upon the conclusion of all discussion, **Dr. Mike Russell made a motion to approve the four (4) YOI leases for a period of one year. Mr. James Luker seconded the motion. Motion was approved.**

- Mr. Hill brought to the board’s attention that the parking lot lease with UAMS will expire 1/30/20. This lease is for \$24,000 annually paid to the Arkansas State Hospital.

**Dr. Mike Russell made a motion to approve the lease. Mr. John Yarbrough seconded the motion. Motion was approved.**

**Mr. James Luker made a *provisional* motion for DHS staff regarding this lease to contact a local board member for signature rather than waiting until the April meeting. Dr. Mike Russel seconded the motion. Motion was approved.**

\* It was noted that Mr. John Yarbrough works in downtown Little Rock and could be available.

Mr. Burden, who was chairing the meeting, discussed attendance at meetings by board members. He acknowledged that, due to the distance, Mr. Luker was unable to attend today’s meeting, but had joined by teleconference and counts as attendance. As the Board only meets four (4) times a year and the dates are distributed months in advance, he believes strongly that it is a member’s obligation to make every effort to attend.

Ms. Phyllis Bell from the Governor’s Office encouraged board members and DHS staff to go onto the Governor’s website and complete an application for recommending new board members if they are aware of anyone who might be interested in *any* board, particularly this one.



Agenda Item 8:        **ADJOURN**

The next meeting was scheduled to be held at the Arkansas Health Center in Benton, Arkansas on Wednesday, April 8, 2020.

There being no further business, **Dr. Mike Russell made a motion to adjourn the meeting; Mr. John Yarbrough seconded the motion. Motion was approved.**

The meeting adjourned at 2:00 p.m.

Respectfully Submitted:

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Micheal Burden, Vice-Chair  
State Institutional Systems Board