

# REQUEST FOR INFORMATION SECURED RESTORATION

STATE OF ARKANSAS

DEPARTMENT OF HUMAN SERVICES

DIVISION OF AGING, ADULT AND ADULT BEHAVIORAL HEALTH SERVICES

ISSUE DATE: April 28, 2023

RESPONSES DUE: May 26, 2023

## 1. Request for Information

The state of Arkansas, Department of Human Services (DHS), Division of Aging, Adult and Behavioral Services (DAABHS), requests information from vendors regarding restoration to competency for individuals who have been found not fit to proceed to trial and remain at a County Detention Center.

## 2. Background/Overview

When an individual is found incompetent to stand trial (IST), the individual may be court-ordered to participate in restoration services at a secure facility pursuant to ACA 5-2-301 et seq. These services are designed for people with a mental health disorder or co-occurring psychiatric and substance use disorders. In Arkansas when an individual is identified as not fit to proceed due to mental disease or defect, a judge will issue a 310 Order (ACA 5-2-310). This order will suspend the court proceedings to allow for the treatment and care until the individual's restoration of fitness to proceed. Some individuals may not require acute hospitalization for restoration of fitness to proceed but would benefit from a structured environment with clinical services and psychoeducational for successful restoration.

One method of jail-based service delivery comprises individual restoration efforts conducted in the general population, wherein IST defendants are provided legal education and psychiatric treatment. Another method has focused on service delivery for IST defendants while they are housed on a segregated unit. Removing these individuals from general population has afforded greater exposure to a number of coordinated services, to include a higher level of monitoring and supervision, psychoeducational groups, legal education, and psychiatric treatment.

Program goals include:

- Reduce the number of defendants awaiting adjudication that were found not fit for trial due to mental disease or defect;
- Provide prompt access to clinically appropriate treatment services
- Providing services which may include treatment of the underlying mental illness, the provision of competency restoration education, and skills training. Competency restoration education and skills training shall enable program participants to obtain a factual and rational understanding of legal proceeding and restore their ability to consult with legal counsel. Treatment will encompass the principles of effective psychiatric rehabilitation;
- Provide a cost-effective alternative to forensic outpatient restoration
- Minimize or ameliorate the stress of incarceration, to the extent possible, for participants in the Program;
- Maintain good communication and collaboration, and develop and maintain continuity of care coordination with DAABHS, detention centers, and partners to assure proper program operations and participant care;
- Collect data to support the effectiveness and cost savings of the Program; and
- Achieve a combined total rate of fifty five percent (55%) of all Program participants either restored to competency and/or sufficiently improved to have charges dropped.

The goal of this program is to focus on restoration of competency to proceed with the incorporation of mental health and community re-entry services. It will function through the collaborative relationships between the Division of Aging, Adult, and Behavioral Health Services (DAABHS), contracted vendor, and law enforcement personnel.

In the 2023 Legislative Session, a new bill was passed that allows DAABHS to establish a secured restoration program. The secure setting must provide a twenty-four-hour (24) program of care by qualified clinicians and professional staff; admit each defendant for a term not to exceed one hundred twenty (120) days, unless the division extends the term for good cause. The goal is to provide an

additional setting for the provision of restorative treatment services in the least restrictive environment.

### 3. Anticipated Services to be Provided

#### 3.1 Competency restoration

Provide information on methods/processes, program schedule examples, as well as estimated personnel and resources necessary to perform competency restoration services including, but not limited to:

- Study Materials
- Competency education to individuals with low IQ or poor literacy skills
- Discussing individuals' specific charges
- Rational decision-making skills
- Group Sessions
- Individual Sessions

#### 3.2 Assessment and evaluations

Provide information on methods/processes, as well as estimated personnel and resources necessary to perform assessments and evaluations including, but not limited to:

- Preferred psychological assessment tool
- Psychiatric assessment
- Nursing assessment
- Competency evaluations
- Psychological assessment
- Risk assessment

#### 3.3 Individualized treatment planning

Provide information on methods/processes, as well as estimated personnel and resources necessary to provide individualized treatment planning including, but not limited to:

- Care plans
- Comprehensive treatment plans
- Establishing goals
- Treatment team members
- Reassessment

#### 3.4 Individual and group treatment

Provide information on methods/processes, as well as estimated personnel and resources necessary to provide individualized treatment planning including, but not limited to:

- Cognitive Behavior Therapy
- Anger Management
- Wellness
- Social skills

#### 3.5 Psychiatric services

Provide information on methods/processes, as well as estimated personnel and resources necessary to provide Psychiatric services including, but not limited to:

- Medication assessments
- On-call responsibilities

### 3.6 Psychological services

Provide information on methods/processes, as well as estimated personnel and resources necessary to provide psychological services.

### 3.7 Medication and medication monitoring

Provide information on methods/processes, as well as estimated personnel and resources necessary to provide medication and medication monitoring including, but not limited to:

- Missed dosages/medication noncompliance
- Medication history
- Monitoring side effects

### 3.8 Discharge and reentry planning

- Provide information on methods/processes, as well as estimated personnel and resources necessary to provide discharge and reentry including, but not limited to:
  - Maintaining competency
  - Continued medication
  - Coordination with jail staff
  - Discharge plans
- Describe the eligibility, intake and assessment, and treatment planning processes and address coordination and continuity of care planning.
- Address how a participant's competency is maintained after restoration and before adjudication, transfer, or discharge.
- Explain the process for monitoring and tracking participant's restoration to competency status and readiness for return to court.
- Describe what services are provided during discharge planning.
- Describe the environment in which services are provided including safety and security.
- Describe the process for persons that do not complete the program or who are determined non-restorable.

## 4. Location of Services

- Provide information on the structure of the secured facility in which services are provided. Specifically, whether services provided at a detention center or other secure location.
- What facility management support services are utilized if the secured restoration program is housed in a detention center? If the secured facility is not within a detention center, what resources are utilized to ensure those services are provided? Include, at minimum, the following:
  - Janitorial Services
  - Security
  - Property and Building
  - Engineering Services
  - Space planning and accounting
  - Mail and messenger services
  - Records management
  - Computing
  - Telecommunications
  - Information systems

- Safety
- Other support duties

#### 5. Intent of the RFI

- DAABHS is issuing this RFI for planning purposes with the intent to gather information on potential future strategic opportunities related to the Secured Restoration Program. This RFI shall not be construed as a commitment by DAABHS to solicit contractual offers or award contracts. This RFI does not constitute a solicitation for proposals, a commitment to conduct a procurement, or an offer of a contract or prospective contract; DAABHS will not award a contract because of this RFI.
- Review of the responses to this RFI by DAABHS will be undertaken primarily to gauge the aggregate level of qualified interest from potential contractors, assess the overall magnitude of the opportunity identified by potential contractors, and inform the design of any potential solicitation(s) and/or eventual program(s). Responses will not be reviewed on a competitive basis.
- Responding or not responding to this RFI shall not determine any future partnerships.

#### 6. No Award of Contract

This is a Request for Information (“RFI”) only and as such will NOT result in a direct contract award. DAABHS is in the information-gathering stage and no decisions have been made concerning the agency’s intent to issue a formal solicitation. Responding to this RFI is appreciated and will NOT prohibit the respondents from responding to any future procurement.

**A Request for Information (RFI) is not a method of procurement. Responses to an RFI are not offers and shall not be accepted by DHS to form a binding contract. This RFI shall not directly result in the execution of a contract with DHS.** DHS reserves the right to utilize the information gathered through the RFI process to develop a scope of services that may be incorporated into a contract using a statutorily approved method of procurement.

#### 7. RFI Requirements

DAABHS is requesting information from interested parties regarding secured restoration services to inform its decision for a potential procurement. DAABHS anticipates that the program will need to meet minimum requirements. Based on the information received in response to this RFI, DAABHS may further refine and detail its requirements for the program.

#### 8. Experience

Provide a description of the business, program, and contract experience necessary to implement restoration services outlined in the respondent’s proposal.

#### 9. Ability to Perform

Provide a description of the certifications, accreditations, and abilities necessary or helpful to implement the services outlined in the respondent’s proposal.

#### 10. Staffing Levels

Provide a description of the staffing levels the respondent anticipates will be needed to carry out its proposed approach. The description should include, at minimum, the estimated number/type/expertise level of staff that the respondent would require to implement a secured restoration program.

#### 11. Financial/Total Cost of Ownership

Provide an estimated general pricing model that encompasses all expenditures associated with competency restoration.

#### 12. Response to RFI

##### Contents of Response

If you are interested in responding to this RFI, DAABHS is requesting the following:

1. Detailed Written Response: to any or all the areas listed above. The response should be clearly legible and sequentially page-numbered and include the respondent's name and RFI number at the top of each page.
2. Respondent's Complete Information: Include all contact information (i.e., name, title, mailing address, email address, authorized signature, and phone number) of the contact person for questions relating to the RFI.

#### 13. Detailed Written Response

Answers to the following should be included in the detailed response:

1. A description of the respondent's recommended solution(s) and its available methods/processes for similar restoration type programs.
2. A description of the available processes/methods for determining cost of a secured restoration program, both with providing facility management support services and not providing facility management support services. A description of any possible issues related to the secured restoration facility location not being attached to or included in a detention center.
3. A description of any considerations DAABHS should consider while planning for the secured restoration program, as described in the RFI.
4. A description of any anticipated barriers DAABHS might encounter with starting a secured restoration program.
5. Examples of similar programs that have been implemented in other states. Include descriptions of the experience and challenges in those states. Provide any relevant information regarding implementation, outcomes, and success and/or challenges with continuity of care.
6. A description of how Arkansas statutes impacts the secured restoration specifically anticipated issues or concerns.

#### 14. Disposition of Responses

Submission documents pertaining to this RFI become the property of the State and will be subject to the provisions of the Arkansas Freedom of Information Act, Ark. Code Ann. § 25-19-101 et seq. and in accordance with A.C.A. §19-11-279(e).

#### 15. Instructions to Respondents

- A. The respondent to this RFI shall submit two (2) hard copies and two (2) electronic copies of their response. The electronic format shall be submitted on CD-ROM or flash drive. The software used to produce the electronic files must be Microsoft Word 97 and/or Excel 97 or newer. These electronic files must be logically named and easily mapped to the hard copy submittal. The electronic media must be clearly labeled in the same manner as the hard copy.
- B. The respondent shall also submit an electronic redacted copy of the response suitable for release to the public. Any confidential or trade secret information covered under the Arkansas Freedom of Information Act (FOIA) statutes should be either redacted or completely removed. The redacted response shall be marked as "redacted" copy and contain a transmittal letter authorizing release of the redacted version of the response in the event DHS receives a public records request. The vendor should keep in mind the following:

- One (1) complete copy of the submission documents from which any proprietary information has been redacted should be submitted on a flash drive. A CD is also acceptable. Do not submit documents via email or fax.
  - Except for the redacted information, the redacted copy must be identical to the original hard copy, reflecting the same pagination as the original and showing the space from which information was redacted.
  - The vendor is responsible for identifying all proprietary information and for ensuring the electronic copy is protected against restoration of redacted data.
  - If the State deems redacted information to be subject to FOIA, the vendor will be contacted prior to release of the documents.
  - The State has no liability to a vendor with respect to the disclosure of the vendor's confidential information ordered by a court of competent jurisdiction pursuant to FOIA or other applicable law.
- C. Responses to this RFI shall be provided no later than **4:00 PM, Central Standard Time, May 26, 2023**.  
Responses shall be submitted to:
- Hand Delivery  
**Department of Human Services**  
Procurement Office  
Attn: Nawania Williams  
700 Main Street, Slot W345  
Little Rock, AR 72201
- Commercial Carrier (UPS, FedEx, or USPS Exp)  
**Department of Human Services**  
Procurement Office  
Attn: Nawania Williams  
112 West 8th Street, Slot W345  
Little Rock, AR 72201
- D. Administrative and/or procurement related questions concerning this RFI should be submitted in writing via email to [dhs.op.solicitations@dhs.arkansas.gov](mailto:dhs.op.solicitations@dhs.arkansas.gov)

#### 16. Respondents Costs

Respondents are responsible for all costs associated with preparing a response to this RFI. The state of Arkansas, Department of Human Services, will not be responsible for any costs associated with preparing a response to this RFI.

Respondent's Contact Information

**Company Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**Federal Employer ID Number** \_\_\_\_\_

**For Clarification of this Response Contact:**

**Name** \_\_\_\_\_

**Title** \_\_\_\_\_

**Phone** \_\_\_\_\_

**Email** \_\_\_\_\_

**Signature of Authorized Person**

\_\_\_\_\_

**Name**

\_\_\_\_\_

**Title**

\_\_\_\_\_

**Date**