

Alberta Darling

Wisconsin State Senator

Co-Chair, Joint Committee on Finance

Testimony before the Senate Committee on Government Operations, Technology, and
Consumer Protection
Senate Bill 791
Wednesday, February 21, 2018

Thank you Chair Stroebel and committee members for hearing Senate Bill 791. This bill makes technical changes to the administration of the Milwaukee County Mental Health Board.

Under current law, county hospitals are required to have a board of trustees. In 2013, the legislature passed Wisconsin Act 203 to create the Milwaukee Mental Health Board to oversee the mental health programs and services in Milwaukee County. Since its inception, the Mental Health Board has been acting as the board of trustees; however, current law dictates that they must also appoint an additional board of trustees.

Senate Bill 791 clarifies that Milwaukee County does not need a board of trustees so long as the Mental Health Board is acting. The Milwaukee County Mental Health Board has already assumed all of the responsibilities of a board of trustees. Senate Bill 791 removes red tape and ensures that the Mental Health Board does not have duplicitous statutory burdens.

In addition to codifying current practice into law, the bill modifies the procedure for filling vacancies on the board. Under current law, the board of supervisors can submit suggestions to fill vacancies for the Mental Health Board. Senate Bill 791 requires the board of supervisors to give their recommendations within 60 days of a vacancy. If no suggestion is given, the county executive may fill the vacancy, so long as the individual meets the criteria for that board member position. This provision is very important to ensuring that the Milwaukee Mental Health Board is fully staffed as soon as practicable.

Finally, Senate Bill 791 allows the county executive, the director of the Milwaukee County Department of Health and Human Services, or eight members of the Mental Health Board to remove the administrator of the behavioral health division of the Milwaukee County Department of Health and Human Services. This provision parallels other statutory language for appointees of the county executive.

I would like to thank Representative Sanfelippo for his work on this bill. I hope to count on your support on Senate Bill 791.



OFFICE OF THE COUNTY EXECUTIVE
Milwaukee County
CHRIS ABELE • COUNTY EXECUTIVE

SB 791 - MILWAUKEE COUNTY MENTAL HEALTH BOARD STATUTORY CHANGES

Testimony of Eric Peterson, on behalf of Chris Abele, Milwaukee County Executive
Senate Committee on Government Operations, Technology, & Consumer Protection
Wednesday, February 21, 2018

Honorable Chairman Stroebel & members –

Thank you for holding this hearing today on SB 791, providing for statutory changes to the Milwaukee County Mental Health Board (MCMHB). County Executive Chris Abele support this bill in its entirety. This bill contains three different policy changes which can clarify or make more efficient the operations of certain parts of the behavioral health work in Milwaukee County.

In 2013, Act 203 created the Milwaukee County Mental Health Board which manages and oversees the Behavioral Health Division (BHD) in Milwaukee County. This board of 13 members, 2 of which are non-voting, is the policy-making body for behavioral health services in the County. The MCMHB replaced the County Board as the policy-making board for behavioral health services. 2013 Act 203 was passed by a total vote of 123-2 in both houses.

WHAT THE BILL DOES & WHY

- 1) Current law, created long before the MCMHB, requires any county with a county hospital to have a Board of Trustees appointed to bear the fiduciary and management responsibility for the hospital. ***The bill removes that mandate only for Milwaukee as the Mental Health Board fulfills that role in the county.*** This requirement was pointed out by the statutory LAB audit of the MCMHB in 2017 and it is redundant to appoint a trustee board when the MCMHB fulfills that role.
- 2) 2013 Act 203, current law, allows the MCMHB to dismiss the administrator with 8 votes of the board (a 2/3 vote) OR the County Executive can dismiss the administrator with the concurrence of a majority of the MCMHB. ***This bill will maintain the power of the MCMHB to fire the administrator and allow the County Executive to fire the administrator without need for board action.*** The bill aligns the dismissal power of the County Executive over the Behavioral Health Division administrator with all other cabinet department heads in the County.
- 3) There are 3 seats for voting members on the MCMHB which are appointed by the County Executive from a list of nominees submitted by the County Board. ***This bill places a 60-day deadline on the County Board to submit a list of nominees to the County Executive if any of those 3 seats are vacant.*** Should a list of nominees not be submitted in that timeline, the County Executive must appoint a new MCMHB member meeting the qualifications of the seat but that nominee need not be nominated by the County Board. This will ensure that the County Executive can act to appoint members of the MCMHB and not leave the board in an extended period with a lack of full membership as there is currently no timeline for nominations to be submitted.

Thank you again for holding this hearing and I encourage and ask for your support and approval of SB 791.