



Legislative Fiscal Bureau

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January 25, 2006

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Department of Corrections: s. 16.505(2) Request for the Creation of 9.00 PR Permanent Positions for the Dual Diagnosis AODA Programs -- Agenda Item I

On November 10, 2005, the Department of Administration (DOA) submitted a request that the Joint Committee on Finance approve, under the provisions of s. 16.505(2), the Department of Corrections' request for 9.0 PR permanent positions for dual diagnosis mental health and substance abuse programs at the Oshkosh Correctional Institution and Taycheedah Correctional Institution. Funding for the positions would be provided through Corrections' interagency and intra-agency programs appropriation [s. 20.410(1)(kx)] with monies from the federal Residential Substance Abuse Treatment grant, allocated through the Office of Justice Assistance. Since the appropriation is a continuing appropriation, increased funding authorization from the Committee is not necessary. On November 30, 2005, the Co-Chairs of the Joint Committee on Finance sent a letter to the Secretary of DOA indicating that the request was not approved and a meeting would be scheduled to review the request. As a result, this request is currently before the Committee under provisions of s. 13.10.

BACKGROUND

The federal Residential Substance Abuse Treatment (RSAT) for State Prisoners Formula Grant Program was created by the Violent Crime Control and Law Enforcement Act of 1994 and assists states and units of local governments in developing and implementing residential substance abuse treatment programs in state and local correctional and detention facilities. RSAT programs provide individual and group treatment activities for offenders and must: (a) provide for treatment that lasts between six to twelve months; (b) be provided in residential treatment facilities set apart from the general correctional population; (c) focus on the substance abuse problems of the inmate;

and (d) develop the inmate's cognitive, behavioral, social, vocational, and other skills to solve the substance abuse and related problems.

In 1997, the Department of Corrections was awarded a RSAT grant to establish the Mental Illness/Chemical Abuse (MICA) treatment program at the Oshkosh Correctional Institution. In 1999, Corrections established the Women in Need of Substance Abuse Treatment (WINSAT) program at the Robert E. Ellsworth Correctional Center using RSAT funds, and in 2003, the STRENGTH (Support, Trust, Respect, Encouragement, Natural Growth, Together and Honesty) program was established at Taycheedah Correctional Institution.

The MICA treatment program at the Oshkosh Correctional Institution provides comprehensive residential treatment and transitional services to male offenders with co-existing substance abuse problems and chronic mental illness. The duration of the program is nine to twelve months, with 25 beds in a modified therapeutic community separate from the general population. Positions for the program include: 1.0 nurse clinician, 1.0 psychologist, 1.0 correctional sergeant, 0.5 operations program associate, 1.0 social worker, and 2.0 treatment specialist.

In August, 2005, the University of Wisconsin Population Health Institute published an evaluation of the MICA program at Oshkosh, based on program data from 1998-2004. The evaluation found that most of the offenders admitted to the program were assessed with either cocaine or alcohol dependency, but showed higher than average levels of motivation and readiness for substance abuse treatment. In addition, most offenders had been diagnosed with schizophrenia, schizoaffective disorder, psychotic disorder, or bi-polar disorder, with 77% having been hospitalized for mental health treatment prior to admission to the program, and 93% were on psychotropic medications.

The UW evaluation concluded that, in "addition to effectively providing residential treatment services, evaluation results show that MICA significantly improves mental health, substance use, and recidivism outcomes for dually diagnosed men who participate in the program." Participants in the program were found to be significantly less likely to be arrested or returned to prison after release than individuals who met MICA diagnostic eligibility criteria, but did not have enough time remaining on their sentences to participate in the program.

The STRENGTH program at the Taycheedah Correctional Institution provides treatment for female offenders who have a dual diagnosis of mental illness and alcohol or drug dependency. The 14-bed program lasts for six to 12 months and is located in the special management unit at Taycheedah. Program positions include: 1.0 social worker, 1.0 psychologist, and 0.5 operations program associate.

In 2004, RSAT funding was eliminated from the federal budget. As a result, Corrections' programs would have ended after 2005. Accordingly, the positions associated with the MICA, WINSAT, and STRENGTH programs were deleted (13.0 PR permanent positions) in 2005 Act 25, the 2005-07 biennial budget act. However, the federal budget restored RSAT funding for 2005,

although at a decreased level, and Corrections indicates that the "President proposed an increase in RSAT funding for FFY06 [federal fiscal year 2006], and both the Senate and House provide funding for RSAT in their versions of the FFY06 federal budget, so funding is likely to continue." Current RSAT funding for Corrections is \$485,915, including \$337,185 for the MICA program at Oshkosh and \$148,730 for the STRENGTH program at Taycheedah. In addition, the Department is required to match funding by at least 25%. Current match funding is \$127,500 GPR for the MICA program and \$37,700 GPR for the STRENGTH program. Matching funds are associated with existing positions (contract psychiatrists, a psychologist, and a crisis intervention worker) and supplies and services support for the programs.

ANALYSIS

The Department requests 9.0 permanent PR positions to continue the MICA and STRENGTH programs at the Oshkosh and Taycheedah Correctional Institutions. Due to the reduction in RSAT funding, Corrections indicates it will not be able to support the program at Robert E. Ellsworth. The Department will, however, continue to offer other alcohol and other drug abuse services at the center. The requested positions are identical to the programs' previous positions, which were removed as non-continuing in the 2005-07 budget act when RSAT funding had expected to end. The Department requests that the positions be permanent because "it is expected that federal funding will continue indefinitely."

While the positions were deleted under Act 25 as of November 1, 2005, the Department has administratively continued the 9.0 positions associated with the MICA and STRENGTH programs, pending the outcome of this s. 16.505 request. If the Committee does not approve the Department's request for position authority, Corrections indicates that the Department would be unable to continue operating the programs.

Based on the most recent bi-weekly payroll report, Corrections had 12.00 vacant PR positions for three months or more in various appropriations in the adult corrections program. These positions are currently authorized for the correctional farms (1.65 positions), correctional industries (9.35 positions), and the Bureau of Correctional Enterprises (1.0 position).

If the Committee wishes, Corrections could be directed to reallocate existing vacant positions from other PR appropriations. Under this alternative, the Committee could direct the Department to reallocate 9.0 existing positions from other PR appropriations to appropriation s. 20.410(1)(kx) for the MICA and STRENGTH programs. Further, if the Committee wishes, Corrections could be directed to submit a report to the Committee by March 1, 2006, identifying the positions that were reallocated.

ALTERNATIVES

1. Approve the Department's request for 9.0 PR permanent positions for dual diagnosis mental health and substance abuse programs at the Oshkosh Correctional Institution and Taycheedah Correctional Institution.

2. Deny the request. Instead, direct Corrections to reallocate 9.0 existing PR permanent positions to the Department's interagency and intra-agency programs appropriation [s. 20.410(1)(kx)] for the dual diagnosis mental health and substance abuse programs at Oshkosh and Taycheedah. Direct Corrections to submit a report by March 1, 2006, identifying the positions that were reallocated.

3. Deny the request.

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