



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 15, 2016

Ordinance 18407

Proposed No. 2016-0428.1

Sponsors Kohl-Welles

1 AN ORDINANCE revising the King County mental illness
2 and drug dependency policy goals; amending Ordinance
3 15949, Section 3, as amended, and adding a new section to
4 K.C.C. chapter 4A.500.

5 PREAMBLE:

6 In 2005, recognizing the need for additional mental health and chemical
7 dependency programs, the state Legislature authorized counties to
8 implement a one-tenth of one percent sales and use tax to support new
9 programs.

10 The one-tenth of one percent sales and use tax supporting new or
11 expanded chemical dependency or mental health treatment programs and
12 services and for the operation of new or expanded therapeutic court
13 programs and services, known as the mental illness and drug dependency
14 ("MIDD") sales and use tax, generates between fifty and sixty-five million
15 dollars annually for King County.

16 King County council levied the one-tenth of one percent MIDD sales and
17 use tax in Ordinance 15949, which was enacted November 26, 2007.

18 The intent of the sales tax is to support new or expanded mental health and
19 substance abuse programs, now referred to as behavioral health programs,

20 reflective of the integration of mental health and substance use disorder
21 programs and services; and the operation of the county's therapeutic court
22 programs.

23 In March 2014, the Washington state Legislature passed Senate Bill 6312,
24 which became Chapter 225, Laws of Washington 2014, calling for the
25 integrated purchasing of mental health and substance abuse treatment
26 services. Implementation of this law has brought about changes to how
27 mental health and substance abuse treatment services are described and
28 administered and delivered in King County. An integrated behavioral
29 health system allows more flexibility to deliver holistic care especially for
30 individuals with co-occurring mental health and substance use disorders.

31 One change initiated by behavioral health integration is the evolution of
32 terminology used to define and describe the mental health and substance
33 use disorder systems. King County uses "behavioral health" when
34 referencing mental health and substance use disorder systems, reflecting
35 the joining of systems through behavioral health integration.

36 The MIDD sales tax-funded initiatives, programs and services supported
37 by taxes levied under K.C.C 4A.500.300 continue the county's work to
38 transform the approach to health and human services by improving health
39 and well-being and creating conditions that allow residents of King
40 County to achieve their full potential.

41 Much has changed locally, at the state level and nationally in the realm of
42 behavioral health the eleven years since the state Legislature authorized

43 counties to implement a one-tenth of one percent sales and use tax to
44 support new program and enhance the state's chemical dependency and
45 mental health treatment services, and in the nine years since King County
46 subsequently authorized the MIDD one-tenth of one percent sales and use
47 tax levied under K.C.C. 4A.500.300: the formerly separate mental health
48 and chemical dependency services are integrated into one behavioral
49 health system; the nation and region experienced a severe economic
50 downturn and recovery; the federal Affordable Care Act was enacted; and
51 there have been several changes in state laws impacting behavioral health
52 services. Throughout all of these change events, King County's MIDD
53 work became a platform for cross system engagement and improvement,
54 collaboration and policy dialogue between the criminal justice, and health
55 and human services sectors.

56 King County, its behavioral health and community stakeholders and the
57 MIDD oversight committee embraced the opportunity to review and learn
58 from the MIDD work accomplished between 2008 and 2016, and plan for
59 a robust, forward-looking MIDD for the next service period. The
60 collaborative efforts over a nearly two-year period from a wide range of
61 stakeholders including representatives from communities, provider
62 agencies, courts, law enforcement, public health, the prosecuting attorney,
63 public defense, juvenile and adult justice systems, staff and elected
64 officials from jurisdictions in King County, council staff and many others

65 thoughtfully informed the recommendations to modify the policy goals for
66 MIDD for 2017 through 2025.

67 The 2007 through 2016 MIDD policy goals were the foundational
68 expression of what policymakers expected MIDD-funded programs to
69 achieve, or work towards achieving. The policy goals provided the
70 essential framing for all elements of the MIDD, including the 2008
71 through 2016 MIDD implementation and evaluation plans. The primary
72 focus of the MIDD evaluation was to determine progress of MIDD-
73 supported programs toward meeting the five policy goals.

74 Calling for proposed modifications to the MIDD policy goals through
75 Ordinance 17998, the council recognized that the behavioral health and
76 criminal justice environments have changed since 2007 when the MIDD
77 policy goals were established via Ordinance 15949 and that revised policy
78 goals may be necessary. As required by Ordinance 17998, modifications
79 to the adopted MIDD policy goals were submitted to the council in the
80 Comprehensive Historical Assessment Report on June 30, 2016.

81 The recommended revised MIDD policy goals use a person-centered
82 language that strives to avoid using dehumanizing terms for individuals
83 and groups that demean or create barriers to inclusion. This approach also
84 aligns with RCW 44.04.280, a statute that directed the state code reviser to
85 avoid disrespectful language used in reference to individuals with
86 disabilities. Recommended changes to the MIDD policy goals including
87 preserving the outcome driven focus of the goals, while focusing on

88 meeting the needs of people rather than on meeting system needs and
89 improving and supporting culturally-appropriate services. Proposed
90 changes to the policy goals reflect recent advancements in recovery-
91 oriented approaches to care, and actively support King County's equity
92 and social justice aims.

93 At the same time as MIDD policy goals are proposed for amendment, the
94 executive recognizes that MIDD-funded initiatives, programs and services
95 alone cannot achieve policy goals. Due to the interrelatedness of the
96 criminal justice, behavioral health, and housing systems, changes in any
97 one of those systems or funding to those systems will impact MIDD-
98 funded initiatives, programs and services.

99 Additional implementation planning is needed for proposed new and
100 revised MIDD-funded initiatives, programs and services, of which many
101 include community engagement components that need to be carried out in
102 collaboration with providers and communities.

103 The initial MIDD evaluation plan adopted by the council in 2008 served as
104 the blueprint for conducting the evaluation and assessment of MIDD
105 through 2016. It was developed in conjunction with the initial MIDD
106 implementation plan, after the individual MIDD strategies, programs and
107 services were established in the council accepted MIDD Action Plan via
108 Motion 12598.

109 Once the council makes MIDD funding and programmatic decisions with
110 adoption of the county's 2017/2018 Biennial Budget Ordinance, a detailed

111 MIDD evaluation plan for 2017 through 2025 will be prepared and
112 transmitted to the council in 2017. Further, it is necessary to develop a
113 MIDD evaluation plan for 2017-2025 that is built on the recommendations
114 contained in the MIDD comprehensive historical assessment report
115 (Proposed Motion 2016-0354), which calls for stakeholder involvement in
116 the development of an updated MIDD evaluation plan.

117 Much has changed in the eight years since the initial MIDD
118 implementation and evaluation plans were completed, including
119 behavioral health integration and technological advances. Yet the purpose
120 for evaluating MIDD remains the same, which is providing the public and
121 policy makers with the tools to evaluate the effectiveness of the MIDD
122 strategies in meeting the established MIDD policy goals, as well as to
123 ensure transparency and accountability

124 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

125 SECTION 1. Ordinance 15949, Section 3, as amended, is hereby added to K.C.C.
126 chapter 4A.500.

127 SECTION 2. Ordinance 15949, Section 3, as amended, is hereby amended to
128 read as follows:

129 A. It is the policy of the county that citizens and policy makers be able to
130 measure the effectiveness of the investment of these public funds. The county requires
131 appropriate oversight, accountability and reporting on the status and progress of the
132 programs supported with the sales tax funds. The programs supported with these funds
133 shall be designed to achieve the following policy goals:

134 1. ~~((A reduction of the number of mentally ill and chemically dependent using~~
135 ~~costly interventions like)) Divert individuals with behavioral health needs from costly~~
136 ~~interventions such as jail, emergency rooms and hospitals;~~

137 2. ~~((A reduction of the number of people who recycle through the jail, returning~~
138 ~~repeatedly as a result of their mental illness or chemical dependency)) Reduce the~~
139 ~~number, length and frequency of behavioral health crisis events;~~

140 3. ~~((A reduction of the incidence and severity of chemical dependency and~~
141 ~~mental and emotional disorders in youth and adults;)) Increase culturally-appropriate,~~
142 ~~trauma-informed behavioral health services;~~

143 4. ~~((Diversion of mentally ill and chemically dependent youth and adults from~~
144 ~~initial or further justice system involvement)) Improve the health and wellness of~~
145 ~~individuals living with behavioral health conditions; and~~

146 5. Explicit linkage with, and furthering the work of, ~~((other council directed~~
147 ~~efforts including, the adult and juvenile justice operational master plans, the Plan to End~~
148 ~~Homelessness, the Veterans and Human Services Levy Services Improvement Plan and~~
149 ~~the county Recovery Plan)) King County and community initiatives.~~

150 B. To ensure the oversight, implementation and evaluation of the Mental Illness
151 and Drug Dependency ~~((Action))~~ Service Improvement Plan is consistent with the
152 county's policy goals outlined in subsection A. of this section and to ensure fulfillment of
153 the requirements of RCW 82.14.460 which enables the sales tax, the ~~((office of~~
154 ~~performance, strategy and budget, the departments of community and human services,~~
155 ~~public health and adult and juvenile detention, superior court, district court, the~~
156 ~~prosecuting attorney, the public defender and the sheriff are requested, with assistance~~

157 ~~from council staff, to~~) executive, in collaboration with the mental illness and drug
158 dependency advisory committee and community stakeholders, shall develop and submit
159 for council review and approval an ~~((oversight,))~~ implementation and evaluation plan for
160 the Mental Illness and Drug Dependency ~~((Action))~~ Service Improvement Plan accepted
161 by council by ~~((Motion 12598))~~ (Proposed Ordinance 2016-xxxx).

162 C. The ~~((oversight))~~ implementation and evaluation plan shall have ~~((three))~~ the
163 following parts:

164 1. Part One: ~~((Oversight Plan. Part one of the oversight, implementation and~~
165 ~~evaluation plan shall be an oversight plan. Part one, the oversight plan, shall propose an~~
166 ~~oversight group that will be responsible for the ongoing oversight of the mental illness~~
167 ~~and drug dependency action plan. The oversight group shall include representation from~~
168 ~~other county, state and community agencies and entities involved in the mental health,~~
169 ~~substance abuse, domestic violence and sexual assault, homeless, justice, public health~~
170 ~~and hospital systems. The oversight plan shall also identify the proposed role of the~~
171 ~~oversight group and how the oversight group will link and coordinate with other existing~~
172 ~~county groups such as the Criminal Justice Council, the Committee to End Homelessness~~
173 ~~and the veterans and human services levy oversight groups. Part one of the oversight,~~
174 ~~implementation and evaluation plan shall be submitted to the council by April 1, 2008,~~
175 ~~for council review and approval by motion. Twelve copies of the part one oversight plan~~
176 ~~shall be filed with the clerk of the council, for distribution to all councilmembers and to~~
177 ~~the lead staff the law, justice and human services committee or its successor;~~

178 2. ~~Part OneTwo:))~~ Implementation Plan. Part ~~((two))~~ one of the ~~((oversight,))~~
179 implementation and evaluation plan is an implementation plan. ~~((Part two, t))~~ The

180 implementation plan(,) shall describe the implementation of the initiatives, programs
181 and services outlined in the Mental Illness and Drug Dependency ((Action)) Service
182 Improvement Plan. ((This)) The description shall include: a schedule of the
183 implementation of initiatives, programs, and services outlined in the Mental Illness and
184 Drug Dependency ((Action)) Service Improvement Plan as approved by the council
185 under Ordinance xxxx (Proposed Ordinance 2016-xxxx); a discussion of needed
186 resources, including staff, information and provider contracts; outcome and performance
187 measures; procurement and contracting information; community engagement efforts; and
188 ~~((milestones for implementation of the programs. The implementation plan shall address~~
189 ~~how adult drug diversion court, one of the county's therapeutic courts, may also utilize~~
190 ~~sales tax revenue for program expansion. Additionally, because the council recognizes~~
191 ~~that there is a strong correlation between sexual assault and domestic violence~~
192 ~~victimization and subsequent mental health problems, substance abuse, homelessness,~~
193 ~~incarceration and usage of the emergency medical system, the implementation plan shall~~
194 ~~include a proposal on how to integrate programs that support specialized mental health or~~
195 ~~substance abuse counseling, therapy and support groups for victims of sexual assault,~~
196 ~~victims of domestic violence and children exposed to domestic violence, provided by or~~
197 ~~in collaboration with recognized sexual assault and domestic violence services~~
198 ~~providers)) how the initiative, program or service advances the county's mental health
199 and chemical dependency policy goals. An ((revised 2008)) updated 2017-2018 biennial
200 spending plan and financial plan for the mental illness and drug dependency fund shall be
201 included in ((part two)) the implementation plan that is transmitted to the council. Part
202 ~~((two)) one shall be developed in collaboration with the ((oversight group)) mental illness~~~~

203 and drug dependency advisory committee and community stakeholders. Part ~~((two))~~ one
204 of the ~~((oversight,))~~ implementation and evaluation plan shall be submitted to the council
205 by ~~((June 1, 2008))~~ August 3, 2017, for council review and approval by motion. Twelve
206 copies of the part ~~((two))~~ one implementation plan to the council shall be filed with the
207 clerk of the council, for distribution to all councilmembers and to the lead staff of the
208 ~~((law, justice))~~ health, housing and human services committee, or ~~((their))~~ its
209 successor~~((s))~~; and

210 ~~((3.))~~ 2. Part ~~((Three))~~ Two: Evaluation Plan. Part ~~((three))~~ two of the
211 ~~((oversight,))~~ implementation and evaluation plan is an evaluation plan. ~~((Part three,~~
212 ~~))~~The evaluation plan~~((;))~~ shall describe an evaluation and reporting plan for the
213 ~~((programs funded with the sales tax revenue))~~ mental illness and drug dependency sales
214 tax-funded initiatives, programs, and services supported by revenue levied under K.C.C
215 4A.500.300. Part ~~((three))~~ two shall specify: process and outcome evaluation
216 components; a proposed schedule for evaluations; performance measurements and
217 performance measurement targets; and data elements that will be used for reporting and
218 evaluations. Performance measures shall include, but not be limited to: the amount of
219 funding contracted to date, the number and status of request for proposals to date,
220 individual program status and statistics such as individuals served, data on utilization of
221 the justice and emergency medical systems and resources needed to support the
222 evaluation requirements identified in this subsection C.~~((3-))~~2. The evaluation plan shall
223 describe overarching principles, evaluation framing questions and approaches that will
224 guide mental illness and drug dependency evaluation and performance measurement for
225 2017 through 2025. Part ~~((three))~~ two shall be developed in collaboration with the

226 ~~((oversight group))~~ mental illness and drug dependency oversight committee and
227 community stakeholders. Part ~~((three))~~ two of the ~~((oversight,))~~ implementation and
228 evaluation plan shall be submitted to the council by August ~~((1, 2008))~~ 3, 2017, for
229 council review and approval by motion. Twelve copies of the part ~~((three))~~ two
230 evaluation plan to the council shall be filed with the clerk of the council, for distribution
231 to all councilmembers and to the lead staff the ~~((law, justice))~~ health, housing and human
232 services committee or their successors.

233 D.1. In addition to reviewing and approving the parts one~~((,))~~ and two ~~((and~~
234 ~~three))~~ of the ~~((oversight,))~~ implementation and evaluation plan outlined in subsection C.
235 of this section, in coordination with the ~~((oversight group))~~ mental illness and drug
236 dependency advisory committee, the executive shall submit ~~((four quarterly progress~~
237 ~~reports and))~~ an ~~((one))~~ annual ~~((summary))~~ mental illness and drug dependency
238 evaluation summary report each year for the initiatives, programs and services supported
239 with the sales tax revenue ~~((to the council))~~. The annual summary evaluation report shall
240 be submitted to the council by August 1 each year for council review and approval by
241 Motion, starting in August 2018. The ~~((quarterly))~~ annual report~~((s))~~ shall include at a
242 minimum:

- 243 a. performance measurement statistics;
- 244 b. program utilization statistics;
- 245 c. request for proposal and expenditure status updates; ~~((and))~~
- 246 d. progress reports on evaluation implementation;

247 e. geographic distribution of the sales tax expenditures across the county,
248 including collection of residential ZIP code data for individuals served by the programs
249 and strategies; ~~((and))~~

250 f. updated performance measure targets for the following year of the mental
251 illness and drug dependency initiatives, programs and services;

252 g. recommendations on either program changes or process changes, or both, to
253 the funded programs based on the measurement and evaluation data; and

254 h. summary of cumulative calendar year data.

255 ~~2.((a. The quarterly reports to the council are due to the council March 1, June~~
256 ~~1, September 1 and December 1 for council review for years one and two and thereafter,~~
257 ~~every six months.~~

258 ~~b.(1) The annual report to the council shall be submitted to the council by~~
259 ~~April 1, for council review and acceptance by motion. The annual report shall also~~
260 ~~include:~~

261 ~~(a) a summary of quarterly report data;~~

262 ~~(b) updated performance measure targets for the following year of the~~
263 ~~programs;~~

264 ~~(c) recommendations on program and/or process changes to the funded~~
265 ~~programs based on the measurement and evaluation data~~

266 ~~(d) recommended revisions to the evaluation plan and processes; and~~

267 ~~(e) recommended performance measures and performance measurement~~
268 ~~targets for each mental illness and drug dependency strategy, as well as any new~~
269 ~~strategies that are established. New or revised performance measures and performance~~

270 ~~measurement targets for the strategies shall be identified and included in the April 1,~~
271 ~~2009, annual report and in each annual report thereafter.~~

272 3.) Twelve copies of the quarterly reports and the annual report to the council
273 shall be filed with the clerk of the council, for distribution to all councilmembers and to
274 the lead staff of the ~~((law, justice))~~ health, housing and human services committee, or its
275 successor.

276 E. Concurrent with the executive's ~~((2009))~~ 2017/2018 biennial budget proposal
277 ~~((, and))~~ for each ~~((subsequent year))~~ biennia that the mental illness and drug dependency
278 sales and use tax ~~((exists))~~ is levied, the executive shall submit a report on program
279 expenditures and revenue as part of the county's ~~((annual))~~ biennial budget review
280 process. The information submitted with the executive's budget shall include an
281 ~~((annual))~~ updated and financial plan and a detailed spending plan for the tax funding, as
282 well as revenue information. The ~~((elements of an annual))~~ mental illness and drug
283 dependency spending plan ~~((, at a minimum,))~~ shall include(~~(:~~

284 1. ~~A))~~ a detailed list of ~~((funded activities along with))~~ mental illness and drug
285 dependency sales tax-funded initiatives, programs and services supported by revenue
286 levied under K.C.C 4A.500.300 and a budget ~~(and revenue for each activity;~~

287 2. ~~A reasonable estimate of cost per unit of service of activities;~~

288 3. ~~The anticipated number of service units to be provided for each activity or~~
289 ~~item;~~

290 4. ~~How many individuals are estimated to be served in each activity;~~

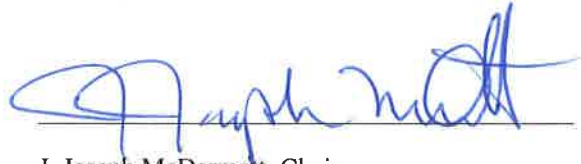
291 5. ~~Whether the activity is to be completed by the county or by a contracted~~
292 ~~provider; and~~

293 6. Full time equivalent or term limited temporary employee impact if service is
294 provided by the county)).
295

Ordinance 18407 was introduced on 8/29/2016 and passed by the Metropolitan King
County Council on 11/14/2016, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn,
Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles
and Ms. Balducci
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair

ATTEST:


Melani Pedroza, Acting Clerk of the Council

APPROVED this 17th day of December, 2016.



Dow Constantine, County Executive

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KING COUNTY COUNCIL
CLERK

Attachments: None