



## **Early Access & Stabilization Services (EASS) – Program Overview**

### ***Competency Services – Early Access & Psychiatric Stabilization***

Wellpath recognizes there is a lengthy waitlist of patients in California deemed IST under PC 1370 by the court, thereby causing an extended wait time for admission to a JBCT / DSH program. For that reason, Wellpath proposed to contract directly with Department of State Hospitals (DSH) to provide restoration services either virtually, in-person, or a combination thereof for felony IST patients who are awaiting placement in a JBCT or DSH program. The services are proposed as “Early Access & Stabilization Services” (EASS), and patients who are not restored to competency in the Early Access and Psychiatric Stabilization program will be admitted to a JBCT/ DSH program.

We will use a hybrid model of providing multidisciplinary restoration services to patients not yet admitted into the JBCT or DSH program. Specifically, we will offer a combination of medication management, individual and group-based restoration services before they are admitted into a JBCT or DSH bed. Some services will be offered in a virtual format while may be offered in person. All competency treatment services will comply with state and federal regulatory requirements applicable to the JBCT Program, including any California Department of State Hospital (DSH) policies and procedures related to treatment provided prior to admission to a formal program, Title 15, and NCCCHC correctional community standards for mental health care.

During EASS, patients will receive restoration services commiserate with their individual needs which may include the following:

- Medication management services as well as consideration for Involuntary Medication Orders (IMOs) when clinically indicated
- Individual restoration services with a Competency Trainer or Clinician
- Group restoration services with a Competency Trainer or Clinician
- Psychological assessments
- Data tracking relative to offered services and restoration rates

For patients who do not already have an involuntary medication order (IMO) on file from the court and yet appear to the treating psychiatric prescriber to require psychiatric medication which has been refused, the psychiatric prescriber will work with the patient and the courts to obtain an IMO. This would only be done for those patients who are not adherent to psychiatric medication and for whom the provider believes medication is an important component in achieving restored competency.

The individual restoration services may include relevant handouts for self-study and Competency Trainer follow up to reinforce of the concepts. Further, patients may be offered virtual competency restoration groups and/ or participation in JBCT groups occurring at the facility, depending on suitability for the groups and logistical availability.

For patients who are suspected to have been restored through the EASS process, there will be a psychologist available to reassess patients and potentially certify restoration. This will allow the restored



patient to bypass admission to the JBCT/ DSH program and return to court more quickly for adjudication of their case.

The EASS restoration to competency program is designed to provide stabilization on medications as needed and some restorative treatment interventions that focus on:

- Aggressive medication and management of symptoms
- Multi-modal, experiential, and remedial training modules, either in a group or individual format
- Assessment of competency using evidence-based tools, as needed
- Monitoring of offered services and responsiveness to the patient engagement

Wellpath's goal is to start the restoration services as soon as possible following the court deeming the patient incompetent to stand trial and before the patient is admitted into a JBCT or DSH program. As such, Wellpath strives to improve the level of cognitive functioning of inmates whose return to court is hindered by an inability to comprehend basic legal proceedings and an inability to assist in their own defense.

### Benefits of Adding an Early Access & Stabilization Services Approach to Competency Restoration

Wellpath's Early Access & Stabilization Services restoration services will likely result in benefits to the patients, the counties, and the Department of State Hospitals. That is, patients are likely to be stabilized more quickly by receiving patient engagement related to restoration services while they wait for a JBCT/ DSH bed.

Additionally, we expect some patients to be restored patients in EASS, resulting in cost savings, less time in custody for the most acute patients, more services for the most acute patients, and a safer jail. The felony ISTEASS services will be beneficial in the following ways:

#### *Benefits to the Patient:*

- ✓ Stabilize on medication more quickly
- ✓ Get treatment started much more quickly than awaiting admission to a JBCT/ DSH program
- ✓ More prompt provision of due process
- ✓ Continuity of medical, mental health, and milieu care in the jail (for patients who move to JBCT)
- ✓ Continuity of social support due to proximity to family and friends

#### *Benefits to Counties:*

- ✓ Convenience due to having Wellpath
- ✓ Savings from reduced cost for transportation, reduced cost from long waits for hospital beds, and reduced cost from increase length of state admission time and length of stay
- ✓ Reduced strain in managing behavioral outbursts due to virtually no admission delays
- ✓ **All counties are eligible to subcontract up to \$200,000 in funding for the Sheriff's Department annually to support the program through Wellpath**

### Early Access & Stabilization Service Program Elements

Wellpath's felony EASS services will be comprised of the following:

- **Review of records** – Review any available placement reports, court reports, background information, and other clinical records
- **Clinical stabilization of patient (Medication Management)** – Stabilize mental illness first through medication management as needed; improve understanding of the court process; reinforce understanding of court process
- **Training and education** – Provide multi-modal education in individual or group format as logistically feasible
- **Therapeutic support** – Focus on teaching the patient therapeutic coping skills; building skills through individual and group treatment support; a focus on encouraging medication adherence
- **Ongoing reassessments of progress towards competency** – Provide ongoing reassessment of clinical stability, cooperation, and understanding of the court process
- **Reinforcement of learning** – Reinforce patient’s knowledge through individual and group methods as logistically possible
- **Provision of data deliverables to DSH** – Provide DSH with data based on predetermined data metrics such as: total patients receiving patient engagement in Phase I by name, date, etc.; date patient began Phase I; types of services offered, number of individuals successfully restored; number of formal evaluations and reports to the court; demographics of inmates served and diagnosis; and number of malingers

### **Program Schedule**

Wellpath will provide competency restoration services weekly and encourage patients to study competency materials throughout the week and on the weekends. Patients will be offered individual sessions by a clinician or competency trainer which focus on competency education and/or rational decision making in the legal context. We will offer weekly groups that are relevant to competency and mental health, such as relaxation training, coping skills, and cognitive behavioral treatment as clinically appropriate and logistically available.

The types of patient engagement may include individual sessions, groups, and medication management and will be patient-centered and will be adjusted with progress. There may be opportunities for patients to engage in either in-person groups or virtual groups, depending on their stability and the logistical resources of the facility.

### **Multi-modal, Experiential Competency Restoration Educational Experience & Components**

Wellpath’s competency restoration training is sensitive to individuals’ learning styles and psychiatric stability and uses a variety of different activities to present information in different ways. The Competency Trainer and/ or clinician will provide educational material presented in a multi-modal format as available using discussions, reading materials, lectures, individual instructions, role-playing, videos, etc. Elements of the defendant’s court proceedings will be addressed, such as:

- Criminal Charges
- Severity of Charges – Felony vs. Misdemeanor
- Sentencing

- Pleas – Guilty, Not Guilty, Nolo Contendere, Not Guilty by Reason of Insanity; Plea Bargaining
- Roles of Courtroom Personnel
- Evaluating Evidence
- Adversarial Nature of the Trial Process
- Court Room Behavior
- Assisting Counsel in Conducting a Defense
- Probation and Parole

Competency Restoration Training and Learning Styles		
Learning Style	Activity	Description/Goals
<b>Auditory</b>	Lectures and discussions	<ul style="list-style-type: none"> <li>• Focus on the importance of disclosing information to attorneys</li> <li>• Discussing possible punishments that could follow guilty verdicts</li> </ul>
<b>Kinesthetic</b>	Role-playing	<ul style="list-style-type: none"> <li>• Play arrest scenarios to learn about legal rights</li> <li>• Emphasize the process of exchanging information with counsel, weighing this information, and reasoning toward possible decisions in relevant areas</li> </ul>
	Competency games	<ul style="list-style-type: none"> <li>• Games using legal terminology are used to develop knowledge of sanctions, the adversarial process, and types of pleas</li> </ul>
<b>Visual</b>	Watching court scenes in movies and television	<ul style="list-style-type: none"> <li>• Develop knowledge of legal terms and how to effectively participate in the court process</li> <li>• Discuss the relevant legal issues and appropriate and inappropriate courtroom behaviors displayed in the videos</li> </ul>
<b>Reading-Writing</b>	Reading vignettes	<ul style="list-style-type: none"> <li>• Learn about criminal charges and possible consequences</li> </ul>

Individual study materials will be provided to patients to provide additional exposure to the competency material between individual or group sessions. Individuals with poor literacy skills will review the study materials orally in individual competency sessions.

### ***Psychotropic Medication Monitoring***

While providing education to patients who are incompetent to stand trial is necessary, in the majority of cases, such treatment may not be sufficient to restore competency. In addition to competency groups, competency classes, and individual sessions, intensive psychiatric treatment is needed.

Achieving better control of psychotic symptoms through use of appropriate psychotropic medications at the most effective dosages will impact competency in a number of ways:

- Control of psychotic symptoms will improve the patient’s ability to consult with his or her lawyer with a reasonable degree of rational understanding
- Control of psychotic symptoms will help the patient to manifest appropriate courtroom behavior, testify relevantly, and focus attention to learn competency material
- Functional legal capacities will be addressed by improving relevant capacities and skills such as communication, clearer thinking, ability to weigh risk and benefits, and ability to apply these towards making a decision

Wellpath believes in immediate medication stabilization, so the restoration process is not further delayed. Stabilization through medication will require strict monitoring of side effects and compliance. The success of any restoration to competency program lies in how well the treatment team can stabilize a patient on their medications and correspondingly, how well a patient can then engage in therapeutic tasks. When a patient is stable and able to engage with his or her environment or a therapeutic milieu, the patient can be on his or her way to being restored.

### ***Measuring Progress and Effectiveness***

The EASS team will regularly review the progress of the patients, and they will be periodically reassessed by the team for progress towards restoration.

### **Reporting Requirements**

Wellpath will submit data to DSH related to the competency services offered to each patient including and not limited to information related to involuntary medication administered to patients.

Wellpath will file a certificate of restoration with the committing court in cases where the Psychologist determines the patient has regained mental competence.

### ***Discharge and Re-entry Planning***

Wellpath understands the importance of patients maintaining adherence to medication after competency is restored. Often, successful restoration to competency is secondary not only to education about legal issues, but also to adherence to medications. Upon restoration of competency, Wellpath staff will continue providing group and individual programming to maintain competency and to address the need for continued adherence to medications as possible given logistics in the jail facilities. For patients who have a history of medication non-adherence, psychiatric staff will seriously consider the use of depot medications (injectable medications that are released into the body slowly over an extended period of time), if at all feasible.

Once competency is restored, Wellpath staff will invite custody staff to participate in the discharge planning process, which will include a discussion of the processes that helped the patient to achieve medication adherence. Discharge planning will include:

- Referrals to agencies and services, as needed
- Phone and written contact with the receiving agency to coordinate continuity of care and other needed services
- A final Competency Evaluation, in accordance with a template approved by DSH