



## Key Messages on FJJA Proposals

### **Preserve Behavioral Health Overlay Services for Juvenile Justice Youth: It already meets the desired outcomes sought by the state in Medicaid reform.**

1. **The implementation of BHOS played a significant role in allowing Florida to settle a huge class action law suit (M.E. vs. Chiles & M.E. vs. Bush).**
  - This law suit was filed in 1990 and alleged that HRS, and later both DCF and DJJ, failed to provide adequate mental health assessments and treatment in residential programs.
  - The case was settled just before trial largely on the State's commitment to provide BHOS.
  
2. **An effective use of Medicaid dollars, Juvenile Justice BHOS already meets the desired outcomes sought by the state in Medicaid reform.**
  - The Department of Juvenile Justice must designate a provider as a critical need; thus limiting the number of potential providers.
  - The Agency for Health Care Administration certifies the service provider; thus insuring that the provider is capable of delivering the services.
  - Allowable services are defined in rule; thus preventing unnecessary services.
  - The rate is bundled; thus preventing "up charging."
  - The \$35 per day bundled charge has not changed since 1998; thus showing cost containment.
  - The JJBHOS records are audited annually by an independent entity with paybacks possible if inappropriate or improper services are provided; thus guaranteeing the integrity of the services delivered.
  
3. **If BHOS services are maintained, Florida will benefit from cost avoidance from future higher costs.**
  - The net result is that while JJBHOS is not technically "capitated," it is definitely "capped."
  - The purpose of BHOS services is to address, on an individualized basis, medically necessary mental health and substance abuse treatment to avoid a more intensive (*and more expensive*) level of care.
  
4. **A recent 2010 evaluation of Florida's Behavioral Health Overlay Services (BHOS) by the Louis de la Parte Florida, Mental Health Institute at USF found that children who did not receive BHOS services in DJJ programs were 62 times more likely to be placed in Statewide Inpatient Psychiatric Program at a cost of \$406 per day.**
  - Outcomes for juvenile justice involved youth who received BHOS were considerably better compared to youth who did not receive BHOS while in DJJ programs.