



Testimony for the Senate Health and Welfare

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General statement about the nature of community programming for those with Intellectual Disability considered for the Forensic Facility

Community Supports for those needing higher levels of care cannot be designed the way we've historically done so in Vermont. Vermont lacks safe community options for those that are justice involved due to charges such as: aggravated assault with a deadly weapon; fire setting and arson; regular elopement and rejection by the individual of community options; repeated assault of medical professionals, law enforcement, the public, and caregivers; property destruction resulting in eviction and no trespass orders. The existing community options fall short for this very small number of individuals needing support. Some community programs are more isolated than a facility. Community supports for the very small number of individuals (1-5 people is our best estimate) looks like the following:

- Gated properties without the freedom to leave;
- Completely isolated locations with no opportunity for socialization;
- Limited privacy and the potential for 3:1 staffing;
- Transportation in police vehicles, or the equivalent;
- Access to victims if/when they elope;
- No access to intensive mental health treatment.

Intensive Mental Health Treatment is not available to those receiving Intensive Developmental Services in the Community

The intensive mental health supports available through this forensic facility cannot be matched in the community. Those with IDD accessing the developmental services system cannot also access the intensive mental health system in the community. The 2 systems—intensive mental health and intensive developmental services—cannot be offered simultaneously. There are a few for whom the mental health need outweighs the developmental services need. It is a person with IDD's only opportunity to access intensive mental health treatment if they are involved in Act 248.

Combining populations MH and DS

I do not see difficulty, to Senator Hardy's previous question, in sharing resources, staff, and space in the facility. These are not mutually exclusive populations. Those accessing this facility can be peers, with more joining them together than separating them apart. Proper screening and oversight of the facility will ensure all people accessing the facility are safe and able to access the care they need. The workgroup has made strong suggestions in order to ensure proper screening and oversight of the treatment offered in this facility. The workgroup has included robust ideas around screening and would

like the DS system and MH to partner closely over the long term to be sure the correct fits are considered.

I'd like to highlight an example of how screening process might work. Someone with level 3 Autism who has committed an egregious crime may not be screened as a good candidate for the combined milieu at the Forensic facility. However, someone with moderate intellectual disability and trauma—who lives largely with independence except that they committed an egregious crime could be screened as a strong candidate for the forensic facility. For the person with moderate intellectual disability, attention to their mental health needs may supersede their developmental services need.

In addition to proper screening, the 192 workgroup provided strong oversight recommendations. We would like approval of the IDD beds along with continued dialogue and work to ensure oversight from a number of entities can ensure those with IDD are accessing appropriate care at the facility. You can refer to the information included in the VCP position and the workgroup report around oversight.

Again, I would draw your attention to the workgroup's clinical support section and section on recommendations for oversight of the facility to ensure those with IDD can access specialized mental health treatment with a lens of intellectual disabilities. In addition, the VCP position statement has robust information to guide the care of those accessing the forensic facility.

Please feel free to contact me with further questions, comments, or concerns.



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