



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

May 6, 2014

The Honorable Edward J. Kasemeyer
Chair
Senate Budget and Taxation Committee
3 West Miller Senate Building
Annapolis, MD 21401-1991

The Honorable Norman H. Conway
Chair
House Appropriations Committee
121 House Office Building
Annapolis, MD 21401-1991

RE: 2009 JCR Pg. 91 – DDA – Census and Costs of Serving Forensic Population Report

Dear Chairmen Kasemeyer and Conway:

Pursuant to the 2009 Joint Chairmen's Report (Pg. 91), the Department of Health and Mental Hygiene respectfully submits this report on the census and costs of serving the forensic, developmentally disabled population in community settings.

If you have any questions, please contact Bernard Simons, Executive Director of the Developmental Disabilities Administration, at (410) 767-5600.

Sincerely,

Joshua M. Sharfstein, M.D.
Secretary

Enclosure

cc: Gayle Jordan-Randolph, M.D., Deputy Secretary, DHMH
Bernard Simons, Executive Director, DDA
Patrick Dooley, Chief of Staff, DHMH
Allison Taylor, Director, Office of Governmental Affairs

**2009 Joint Chairmen’s Report (Page 91) Developmental Disabilities Administration
Census and Costs to Serve Forensic Population**

The Developmental Disabilities Administration (DDA) provides a number of services for court-involved individuals, including services provided through the Secure Evaluation & Therapeutic Treatment (SETT) program and community providers. Courts can commit individuals to the Department of Health and Mental Hygiene (DHMH) for a number of reasons, among them for evaluation of competency to stand trial, or after an individual has been found to be incompetent to stand trial or not criminally responsible and is concurrently a danger to self, person, or property of another. Once individuals with developmental disabilities are committed to DHMH by a court, they reside and receive care and treatment in one of the State’s two SETT facilities, located in Jessup and Sykesville, Maryland. If a court orders an end to a commitment, DHMH funds services for the individual through DDA-licensed providers in the community.

During Fiscal Year 2013, DDA developed comprehensive service plans for forty-seven (47) court-involved individuals with an intellectual disability¹. These aftercare or service plans were approved by the courts and enabled the individuals to remain in, or return to, the community with supports and services to meet their health, habilitation, treatment and safety needs. Seventeen (17) court-involved individuals were diverted from admission to the SETT facilities. They were evaluated in the correctional facility or medical services office or State residential center, and upon court approval, were released with appropriate services to support them successfully in the community without having to enter the Jessup SETT facility.

The table below details the number of court-committed individuals who received services in the community and the associated (actual) expended costs of those services during Fiscal Year 2013.

Table: Court Committed Individuals Services in the Community in FY 2013

Description of Services	Number of Individuals	Cost to Serve Individuals
Residential, Day/Supported Employment & Resource Coordination	32	\$2,012,581
In Home Support	15	\$81,484
Subtotal for individuals released during FY 2013	47	\$2,094,065
Subtotal for individuals previously served who continued services in the community	83	\$7,576,821
Totals for individuals in the community for FY 2013	130	\$9,670,886

¹Effective October 1, 2009 references to “mental retardation” changed to an “intellectual disability” in all Maryland statutes except those involving individuals found incompetent to stand trial or not criminally responsible.

In addition, approximately 83 individuals were previously released from commitment to the DHMH and are being monitored by the court. These individuals are on probation, conditional release, or pre-trial conditions of release in the community with support and services funded by DDA. The estimated costs to provide services to these individuals are approximately \$7,576,821.

Average Daily Census for Fiscal Year 2013

	Capacity	Census
Jessup Secure Evaluation & Therapeutic Treatment Unit	12	9
Sykesville Secure Evaluation & Therapeutic Treatment Unit	20	17

DDA continues to work collaboratively with stakeholders and the courts to serve individuals with intellectual disabilities in the least restrictive most integrated setting.