

HOUSE BILL No. 6388

September 26, 2018, Introduced by Reps. Howrylak, Chang and Kosowski and referred to the Committee on Law and Justice.

A bill to create Michigan crime survivor trauma recovery centers; to establish the purpose and duties of the Michigan crime survivor trauma recovery centers; to provide standards for the operation of Michigan crime survivor trauma recovery centers; to create a crime survivor trauma recovery center advisory committee; to create a crime survivor trauma recovery center fund; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Michigan crime survivor trauma recovery center act", or the
3 "CSTRCA".

4 Sec. 2. This act shall be administered by the department of
5 health and human services.

1 Sec. 3. As used in this act:

2 (a) "Assaultive crime" means that term as defined in section
3 9a of chapter X of the code of criminal procedure, 1927 PA 175, MCL
4 770.9a.

5 (b) "Assertive case management" means a type of case
6 management during which a mental health professional accompanies
7 clients to court proceedings, medical appointments, and other
8 community appointments as needed, assists with the completion and
9 filing of an application for assistance for crime victim
10 compensation and police reports and with a crime survivor's return
11 to work and securing employment, coordinates a crime survivor's
12 care, including assistance for obtaining safe housing, financial
13 entitlements, and access to medical providers, and serves as a
14 liaison with other community agencies, law enforcement, and other
15 support services.

16 (c) "Assertive outreach" means removing barriers to care by
17 providing services in the crime survivor's home, in the community,
18 or at other locations outside the agency, as needed, ensuring that
19 crime survivors are not excluded from services because of emotional
20 or behavioral issues that often result from trauma.

21 (d) "Crime survivor" means any of the following:

22 (i) A victim of an assaultive crime, including, but not
23 limited to, sexual assault, domestic violence, physical assault,
24 vehicular assault, or human trafficking. As used in this
25 subparagraph, "domestic violence" means inflicting bodily injury,
26 causing serious emotional injury, causing psychological trauma, or
27 placing in fear of imminent physical harm by threat or force a

1 person who is a spouse of, a former spouse of, or a person who has
2 had a dating relationship with, resides or has resided with, or has
3 a child in common with the person committing or threatening
4 violence.

5 (ii) Family members of homicide victims.

6 (iii) Individuals who are 18 years of age or less, who have
7 had contact with the juvenile dependency or justice system, or who
8 have experienced trauma as a result of exposure to violence,
9 including domestic violence.

10 (e) "Crime survivor trauma recovery center" or "CSTRC" means a
11 center established under this act that provides an integrated,
12 structured, and evidence-based program of trauma treatment and
13 support services that meet the minimum requirements established in
14 this act and other criteria as established by the department. Crime
15 survivor trauma recovery center or CSTRC does not include a mental
16 health facility or agency unless the facility or agency is awarded
17 a grant by the department from the crime survivor trauma recovery
18 center grant fund created in section 6.

19 (f) "Crime survivor trauma recovery center advisory committee"
20 or "committee" means the crime survivor trauma recovery center
21 advisory committee established under section 4.

22 (g) "Department" means the department of health and human
23 services.

24 (h) "Director" means the director of the department.

25 (i) "Mental health professional" means that term as defined in
26 section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.

27 (j) "Underserved crime survivor" means an individual who meets

1 the criteria and guidelines established by the Office for Victims
2 of Crime of the United States Department of Justice Office of
3 Justice Programs.

4 Sec. 4. (1) The crime survivor trauma recovery center advisory
5 committee is established within the department.

6 (2) The committee shall advise and assist the department on
7 all matters concerning the development, implementation, and
8 promulgation of rules for the implementation and continuing
9 operation of CSTRCs.

10 (3) The committee shall include 12 members appointed by the
11 director not more than 90 days after the effective date of this act
12 as follows:

13 (a) Three mental health professionals, including 1 mental
14 health professional with expertise in providing services to
15 adolescents and children.

16 (b) One individual representing the department.

17 (c) Two representatives of community-based organizations
18 providing recovery assistance such as housing, job placement, or
19 economic support to underserved crime survivors.

20 (d) One individual representing advocates for alternatives to
21 incarceration.

22 (e) One individual representing advocates for domestic and
23 sexual assault survivors.

24 (f) One representative from a Michigan designated trauma
25 facility, level I.

26 (g) One representative from a county prosecutor's office from
27 a jurisdiction with a concentration of underserved crime survivors.

1 (h) One representative from a law enforcement agency serving
2 crime survivors.

3 (i) One crime survivor.

4 (4) Committee members shall serve for 3-year terms. If a
5 committee member vacates his or her position before the end of the
6 member's term, the director shall appoint a member for the
7 unexpired term in the same manner as the original appointment.

8 (5) The committee shall select a member to serve as committee
9 chairperson annually.

10 (6) The business that the committee may perform shall be
11 conducted at a public meeting of the committee held in compliance
12 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

13 (7) The committee shall make recommendations regarding
14 additional funding mechanisms for CSTRCs. The committee shall
15 provide recommendations made under this subsection to the director
16 after a majority vote by the committee members on those
17 recommendations.

18 (8) The committee shall meet not less than quarterly, but as
19 often as necessary to carry out its duties under this section.

20 (9) A majority of the members of the committee constitute a
21 quorum for the transaction of business at a meeting of the
22 committee. A majority of the members present and serving are
23 required for official action of the committee.

24 Sec. 5. To carry out its duties under this act, the department
25 shall do all of the following:

26 (a) Establish CSTRCs in accordance with this act.

27 (b) Develop, coordinate, administer grants to, and perform

1 evaluations of CSTRCs to ensure that the highest quality of
2 integrated trauma treatment and support services are provided to
3 underserved victims of assaultive crimes.

4 (c) Facilitate and promote programs providing public
5 information and education concerning crime survivor trauma recovery
6 centers.

7 (d) Develop and maintain the highest standards of integrated
8 trauma treatment and support services by doing all of the
9 following:

10 (i) Seek technical assistance and monitor compliance with
11 standards to ensure that integrated, evidence-based, and effective
12 trauma treatment and support services are implemented by CSTRCs.

13 (ii) Not less than annually, inspect or provide for the
14 inspection of each CSTRC to ensure compliance with standards
15 established under this act by the department.

16 (iii) Promulgate rules to establish requirements for CSTRCs
17 and individuals providing services necessary to implement this act.
18 The department shall submit all proposed rules and changes to the
19 committee and provide a reasonable time for the committee's review
20 and recommendations before submitting the rules for public hearing
21 under chapter 3 of the administrative procedures act of 1969, 1969
22 PA 306, MCL 24.231 to 21.264.

23 (e) Collect data as required under the crime survivor trauma
24 recovery center data collection act to ensure that evidence-based
25 standards for trauma care are being met and to guide the
26 development and evaluation of additional CSTRCs that are
27 geographically located in a manner making services accessible to

1 the greatest possible number of underserved crime survivors.

2 (f) Make the data collected under subdivision (e) publicly
3 available in annual reports and on the department's website.

4 (g) Provide training in evidence-based integrated trauma
5 treatment and support services for CSTRC personnel.

6 (h) Provide training for law enforcement, criminal justice
7 personnel, paramedics and other emergency medical personnel, and
8 hospital personnel about CSTRCs that is designed to raise awareness
9 of trauma-informed services and increase access for underserved
10 victims of assaultive crime.

11 (i) Ensure that the committee develops rules for the
12 implementation and operation of the crime survivor trauma recovery
13 center grant fund created in section 6 by January 1, 2020.

14 (j) Identify additional funding mechanisms and sources for the
15 operation of CSTRCs.

16 (k) Promulgate rules necessary to implement this act under the
17 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
18 24.328.

19 (l) Perform other duties as set forth in this act.

20 (m) Establish a grant program or contract with a public or
21 private agency to provide training, public information, and
22 assistance or conduct other activities specified in this act.

23 (n) Establish procedures for annually reporting to the
24 governor and the legislature on the development and implementation
25 of and services provided by CSTRCs.

26 Sec. 6. (1) The crime survivor trauma recovery center grant
27 fund is created within the state treasury.

1 (2) Upon appropriation, additional excess revenue in the crime
2 victim's rights fund created in section 4 of 1989 PA 196, MCL
3 780.904, shall be deposited into the crime survivor recovery center
4 grant fund as provided for in section 4(2) of 1989 PA 196, MCL
5 780.904, along with any available matching federal funds.

6 (3) The CSTRCs shall be established and operated utilizing the
7 money from the crime victim's rights fund created in section 4 of
8 1989 PA 196, MCL 780.904, and deposited into the crime survivor
9 recovery center grant fund as provided in section 4(2) of 1989 PA
10 196, MCL 780.904, and supplemented by matching funds under the
11 victims of crime act of 1984, chapter 14 of title II of Public Law
12 98-473.

13 (4) The state treasurer may receive money or other assets from
14 any source for deposit into the fund. The state treasurer shall
15 direct the investment of the fund. The state treasurer shall credit
16 to the fund interest and earnings from fund investments.

17 (5) Money in the fund at the close of the fiscal year shall
18 remain in the fund and shall not lapse to the general fund.

19 (6) The department shall be the administrator of the fund for
20 auditing purposes.

21 (7) The department shall expend money from the fund, upon
22 appropriation, for the following purposes:

23 (a) Administering grants to support the operation of CSTRCs.

24 (b) Technical assistance and evaluation of CSTRCs.

25 (c) Database development for data collection for all CSTRCs as
26 required under the crime survivor trauma recovery center data
27 collection act.

1 (d) Training for staff and administrators of CSTRCs on best
2 practices, policies, and data collection and entry.

3 Sec. 7. (1) The department shall establish 2 pilot CSTRCs in
4 fiscal year 2020. Each CSTRC shall receive a 3-year grant of
5 \$1,000,000.00 per calendar year from the crime survivor trauma
6 recovery center grant fund created in section 6.

7 (2) The department may award consecutive grants to a CSTRC to
8 prevent a lapse in funding. The department may not award a CSTRC
9 more than 1 grant for any period of time.

10 (3) Any portion of a grant that a CSTRC does not use within
11 the specified grant period shall revert to the crime survivor
12 trauma recovery center grant fund created in section 6.

13 (4) To qualify for grant awards, a CSTRC must do all of the
14 following:

15 (a) Employ an experienced, on-site multidisciplinary team of
16 mental health professionals who provide services using established
17 evidence-based practices. The team must include all of the
18 following individuals:

19 (i) A psychiatrist as that term is defined in section 100c of
20 the mental health code, 1974 PA 258, MCL 330.1100c.

21 (ii) A psychologist licensed under part 182 of the public
22 health code, 1978 PA 368, MCL 333.18201 to 333.18237.

23 (iii) A social worker licensed under part 185 of the public
24 health code, 1978 PA 368, MCL 333.18501 to 333.18518.

25 (iv) A licensed professional counselor licensed under part 181
26 of the public health code, 1978 PA 368, MCL 333.18101 to 333.18117.

27 (b) Additional types of clinicians are permitted under

1 subdivision (a) if the additional clinicians are licensed by the
2 appropriate licensing board or are in the process of being
3 licensed.

4 (c) Provide trauma treatment and support services with a
5 primary goal of a decrease in psychosocial distress, the
6 minimization of long-term disability, improvement of overall
7 quality of life, reduction of the risk of future victimization, and
8 promotion of post-traumatic growth for crime survivors by doing all
9 of the following:

10 (i) Using a single point of contact for the crime survivor
11 with support from an integrated multidisciplinary trauma treatment
12 team. All treatment teams shall collaboratively develop treatment
13 plans in order to achieve positive outcomes for crime survivors.

14 (ii) Utilizing inclusive eligibility criteria to serve crime
15 survivors of a wide range of crimes, including, but not limited to,
16 crime survivors of sexual assault, domestic violence, battery,
17 crimes of violence, vehicular assault, and human trafficking, as
18 well as family members of homicide victims to ensure that no person
19 is excluded from services solely on the basis of emotional or
20 behavioral issues resulting from trauma, including, but not limited
21 to, substance abuse problems, low-initial motivation, or high
22 levels of anxiety.

23 (iii) Offering a structured evidence-based program of mental
24 health and support services that provide victims with services that
25 include intervention, individual and group treatment, medication
26 management, substance abuse treatment, case management, and
27 assertive outreach. This care shall be provided in a manner that

1 increases access to services and removes barriers to care for crime
2 survivors of violent crime, such as providing services to a crime
3 survivor in his or her home, in the community, or in other
4 locations that may be outside the agency.

5 (iv) Serving crime survivors who are homeless, chronically
6 mentally ill, members of immigrant and refugee groups, or disabled,
7 who have severe trauma-related symptoms or complex psychological
8 issues, who are of diverse ethnicity or origin, or who are juvenile
9 crime survivors.

10 (v) Delivering services that include assertive case
11 management.

12 (vi) Utilizing assertive outreach.

13 (vii) Providing any other services under any other criteria
14 established by the department to ensure that CSTRCs provide high-
15 quality, evidence-based trauma treatment and support services for
16 underserved crime survivors of assaultive crime.

17 (5) The department shall ensure that each CSTRC provides the
18 minimum number of treatment sessions and targeted support services
19 to effectively meet the clinical goals established for a crime
20 survivor. Sixteen treatment sessions is the minimum number of
21 treatment sessions required for each crime survivor, with up to 32
22 treatment sessions available if authorized by the multidisciplinary
23 team.

24 (6) The department shall only award grants to CSTRCs that
25 conduct assertive outreach and provide services to underserved
26 crime survivors.

27 (7) Each CSTRC that receives a grant from the department shall

1 be selected by the department through a well-defined process that
2 takes into account crime rates and geographical distribution to
3 ensure services are provided to the greatest possible number of
4 underserved crime survivors.

5 (8) A CSTRC that is awarded a grant shall do both of the
6 following:

7 (a) Provide a report to the department that includes how grant
8 funds were spent, the number of crime survivors served as tabulated
9 by counting each individual crime survivor once regardless of the
10 number of services offered to that crime survivor, staff
11 qualifications, crime survivor demographic information, units of
12 service provided by the CSTRC, treatment outcomes, and data related
13 to treatment, processes, outcomes, and numbers.

14 (b) Submit any forms and data requested by the department to
15 allow the department to receive federal matching funds for eligible
16 crime survivor services and allowable expenses.

17 (9) The department shall provide an annual report to the
18 governor and the legislature that includes aggregate and detailed
19 data provided by the CSTRCs to the department on services, the
20 demographics of crime survivors served, and outcomes of the
21 treatment provided by the CSTRC.

22 Enacting section 1. This act takes effect 90 days after the
23 date it is enacted into law.

24 Enacting section 2. This act does not take effect unless
25 Senate Bill No.____ or House Bill No.____ (request no. 06366'18) of
26 the 99th Legislature is enacted into law.