

County of Financial Responsibility (COFR) Dispute Resolution Committee - Case 2010-3

Committee:	Doug Ward	Community Mental Health for Central Michigan
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The Committee met via conference call on March 4, 2010 concerning a dispute between two adjoining county CMHSP's. CMHSP representatives from the two counties participated to explain the case and the rationale for each CMHSP's position.

Issue: Three individuals from County A (over a period of years) had been released from jail in County A. They had been residents of County A before being incarcerated. Two of the persons had received services from County A CMHSP and were under the jurisdiction of the County A drug court when released. All three needed housing; two also wanted substance abuse services. County A has no homeless shelter and they ended up in a homeless shelter in County B that also had a substance abuse program. Soon after moving, they requested mental health services from County B's CMHSP.

County A contends that the individuals made the choice to move to County B. They were not ordered by the court to move to County B, although some may have thought that it was a condition of their release. County A also recognizes that it has no homeless shelter and that persons who want that housing option need to go elsewhere. However, County A did not participate in their decisions to move, the persons made the choice to move to County B, and they were living there independently when they requested CMH services. Thus, the COFR would be County B.

County B asserts that the three were transient in County B and had indicated the intent to return to County A. The persons were forced to move to County B as a condition of their release because County A could not provide them with the services they needed – housing and substance abuse support. Because these services could not be provided in County A, their choices to move to County B were not independent, they were still the responsibility of County A, and County A should be the COFR.

Resolution: In all three cases, the individuals moved from County A to County B because of housing and/or substance abuse services that were not available in County A. These are not, however, mental health services covered by the General Fund contract. Their unavailability in County A is not the responsibility of County A CMHSP, and thus not a determining factor for COFR. County A would have been able to provide the necessary Mental Health services if the individuals had chosen to remain in County A. While the individuals may have felt that their housing and Substance Use treatment choices were limited by the court or by circumstances, the three persons did choose to move to County B to obtain these services. They were living independently in County B based on those choices when they presented for CMHSP services. The COFR is County B.