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AN ORDINANCE relating to the mental illness and drug dependency evaluation plan; amending Ordinance 15949, Section 3, as amended, and K.C.C. 4.33.010 and adding a new section to K.C.C. chapter 4.33.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. **Findings:**

A. In 2005, the Washington state Legislature authorized counties to implement a one-tenth of one percent sales and use tax to support new or expanded chemical dependency or mental health treatment programs and services and for the operation of new or expanded therapeutic court programs and services.

B. In 2007, the King County council adopted Ordinance 15949 authorizing the levy and collection of, and legislative policies for the expenditure of revenues from, an additional sales and use tax of one-tenth of one percent for the delivery of mental health and chemical dependency services and therapeutic courts. The ordinance also established a policy framework for measuring the effectiveness of the public's investment, requiring the King County executive to submit oversight, implementation and evaluation plans for the programs funded with the tax revenue.

C. In 2008, the Washington state Legislature amended RCW 82.14.460 in Chapter 157, Laws of Washington 2008, which defines those programs and services that are authorized for funding by the sales tax. The amendment added housing that is a component of a coordinated mental health or chemical dependency treatment program or service to the list of programs and services that are authorized for funding by the sales tax. The statute also amended the nonsupplanting provision to allow the sales tax funds to be used for

replacement of lapsed federal funding previously provided for mental health, substance abuse and therapeutic court services and programs.

D In April 2008, the King County council adopted Ordinance 16077, establishing the King County mental illness and drug dependency oversight committee. The oversight committee is an advisory body to the King County executive and the council. The purpose of the oversight committee is to ensure that the implementation and evaluation of the strategies and programs funded by the tax revenue are transparent, accountable, and collaborative. The committee reviews and comments on quarterly, annual and evaluation reports as required in Ordinance 15949. It also reviews and comments on emerging and evolving priorities for the use of the mental illness and drug dependency sales tax revenue. The oversight committee members bring knowledge, expertise and the perspective necessary to successfully review and provide input on the development, implementation, and evaluation of the tax funded programs.

E. Ordinance 15949 directed the development of an evaluation plan to be developed in collaboration with an oversight group. The oversight group, under the guidance of the department of community and human services, provided input on development of the evaluation plan, which was attached to the transmitted motion.

F. The evaluation plan describes the evaluation of the programs and services outlined in the mental illness and drug dependency action plan. It includes a proposed schedule for evaluations, performance measurements and performance measurement targets, and data elements that will be used for reporting and evaluations. In addition, Ordinance 15949 specifies that certain performance measures are to be included in the evaluation plan, including, but not be limited to: the amount of funding contracted to date, the number and status of request for proposals to date, individual program status and statistics such as individuals served, data on utilization of the justice and emergency medical systems and resources needed to support the evaluation requirements.

G. The council recognizes that evaluations are dynamic processes that evolve over time due to availability of data and because programs are added, removed or changed. As data becomes available and as

current and future programs and strategies funded by the sales tax revenue are implemented, there may be necessary revisions to the evaluation plan and processes. Revisions to the evaluation plan and processes will be provided through the annual report made to the council on April 1 of each year. Updates on the evaluation processes will be provided to the council through the quarterly reporting cycles as specified in Ordinance 15949.

H. Performance measurement targets are critical components of the evaluation process, indicating the success or failure of a program or strategy. Therefore, it is critical that performance measurements assess the correct elements and performance measurement targets are accurately set and that both are revisited as the programs and strategies are added and evolve. The county's community partners, in particular officials from cities in towns in King County, have affirmed the need for, and importance of, performance measurement targets for the tax funded programs and strategies. The revised evaluation plan includes preliminary performance measurement targets. The council recognizes that these targets are preliminary and will be impacted by changes in program implementation as well as available data or other factors. It is the policy of the county that the preliminary targets, and any targets established in the future, for the tax funded programs and strategies are to be revised through the annual reporting process to reflect revisions to the strategies, programs, data and other processes.

I. It is the policy of the council that performance measures and performance measurement targets be established for each of the strategies, as well as any new strategies that are established. Such specific performance measures may include: output measures such as program utilization numbers; performance measurement targets may include targets for expected utilization. New or revised performance measures and performance measurement targets for all strategies will be proposed and included in the April 1, 2009, annual report.

J. In August 2008, the council was made aware of the desire by the county's community partners to have a historical control group established in order to more accurately measure the impact of the tax funded

strategies and programs on King County jail recidivism. The oversight committee will review and study the concept of establishing a historical control group for evaluative purposes and make a recommendation in the April 1, 2009, annual report. Representatives from the department of adult and juvenile detention, the department of community and human services, and council staff will assist the oversight group with its analysis.

K. The data needs for evaluating the tax funded programs and strategies are extensive. The data needed to evaluate the strategies and programs funded with the sales tax revenue resides with King County's agencies and also with the county's community partner organizations, stakeholders, providers, entities and jurisdictions. The council recognizes the need for, and requests the cooperation of, the county's community partners to share and coordinate the data necessary for the evaluation of the mental illness and drug dependency strategies.

L. King County is the countywide provider of mental health and substance abuse services and the programs and strategies of the tax funded programs shall available to all county residents regardless of jurisdiction.

M. The evaluation components and performance measures contained in the evaluation plan which is Attachment A to this ordinance, or future evaluation plans may be revised by the council based on changes to county policy, revisions to any current or future programs and strategies, or recommendation from the county executive or the oversight committee.

N. Performance measurements and performance measurement targets are included in the evaluation plan in Attachment A to this ordinance.

SECTION 2. The mental illness and drug dependency evaluation plan, as required in Ordinance 15949 and that is Attachment A to this ordinance, is hereby adopted. Adoption of this ordinance satisfies the proviso requirement concerning the council's approval of the evaluation plan contained in Ordinance 15975, Section 72, as amended.

SECTION 3. Ordinance 15949, Section 3, as amended, and K.C.C. 4.33.010 are each hereby amended

to read as follows:

A. It is the policy of the county that citizens and policy makers be able to measure the effectiveness of the investment of these public funds. The county requires appropriate oversight, accountability and reporting on the status and progress of the programs supported with the sales tax funds. The programs supported with these funds shall be designed to achieve the following policy goals:

1. A reduction of the number of mentally ill and chemically dependent using costly interventions like jail, emergency rooms and hospitals;

2. A reduction of the number of people who recycle through the jail, returning repeatedly as a result of their mental illness or chemical dependency;

3. A reduction of the incidence and severity of chemical dependency and mental and emotional disorders in youth and adults;

4. Diversion of mentally ill and chemically dependent youth and adults from initial or further justice system involvement; and

5. Explicit linkage with, and furthering the work of, other council directed efforts including, the adult and juvenile justice operational master plans, the Plan to End Homelessness, the Veterans and Human Services Levy Services Improvement Plan and the county Recovery Plan.

B. To ensure the oversight, implementation and evaluation of the Mental Illness and Drug Dependency Action Plan is consistent with the county's policy goals outlined in subsection A. of this section and to ensure fulfillment of the requirements of RCW 82.14.460 which enables the sales tax, the office of management and budget, the departments of community and human services, public health and adult and juvenile detention, superior court, district court, the prosecuting attorney, the public defender and the sheriff are requested, with assistance from council staff, to develop and submit for council review and approval an oversight, implementation and evaluation plan for the Mental Illness and Drug Dependency Action Plan accepted by council by Motion 12598.

C. The oversight, implementation and evaluation plan shall have three parts:

1. Part One: Oversight Plan**.** Part one of the oversight, implementation and evaluation plan shall be an oversight plan. Part one, the oversight plan, shall propose an oversight group that will be responsible for the ongoing oversight of the mental illness and drug dependency action plan. The oversight group shall include representation from other county, state and community agencies and entities involved in the mental health, substance abuse, domestic violence and sexual assault, homeless, justice, public health and hospital systems. The oversight plan shall also identify the proposed role of the oversight group and how the oversight group will link and coordinate with other existing county groups such as the Criminal Justice Council, the Committee to End Homelessness and the veterans and human services levy oversight groups. Part one of the oversight, implementation and evaluation plan shall be submitted to the council by April 1, 2008, for council review and approval by motion. Twelve copies of the part one oversight plan shall be filed with the clerk of the council, for distribution to all councilmembers and to the lead staff the law, justice and human services committee or its successor;

2. Part Two: Implementation Plan. Part two of the oversight, implementation and evaluation plan is an implementation plan. Part two, the implementation plan, shall describe the implementation of the programs and services outlined in the Mental Illness and Drug Dependency Action Plan. This description shall include: a schedule of the implementation of programs and services outlined in the Mental Illness and Drug Dependency Action Plan; a discussion of needed resources, including staff, information and provider contracts; and milestones for implementation of the programs. The implementation plan shall address how adult drug diversion court, one of the county's therapeutic courts, may also utilize sales tax revenue for program expansion. Additionally, because the council recognizes that there is a strong correlation between sexual assault and domestic violence victimization and subsequent mental health problems, substance abuse, homelessness, incarceration and usage of the emergency medical system, the implementation plan shall include a proposal on how to integrate programs that support specialized mental health or substance abuse counseling,

therapy and support groups for victims of sexual assault, victims of domestic violence and children exposed to domestic violence, provided by or in collaboration with recognized sexual assault and domestic violence services providers. A revised 2008 spending plan and financial plan for the mental illness and drug dependency fund shall be included in part two. Part two shall be developed in collaboration with the oversight group. Part two of the oversight, implementation and evaluation plan shall be submitted to the council by July 3, 2008, for council review and approval by motion. Twelve copies of the part two implementation plan to the council shall be filed with the clerk of the council, for distribution to all councilmembers and to the lead staff the law, justice and human services committee or their successors; and

3. Part Three: Evaluation Plan. Part three of the oversight, implementation and evaluation plan is an evaluation plan. Part three, the evaluation plan, shall describe an evaluation and reporting plan for the programs funded with the sales tax revenue. Part three shall specify: process and outcome evaluation components; a proposed schedule for evaluations; performance measurements and performance measurement targets; and data elements that will be used for reporting and evaluations. Performance measures shall include, but not be limited to: the amount of funding contracted to date, the number and status of request for proposals to date, individual program status and statistics such as individuals served, data on utilization of the justice and emergency medical systems and resources needed to support the evaluation requirements identified in this subsection C.3. Part three shall be developed in collaboration with the oversight group. Part three of the oversight, implementation and evaluation plan shall be submitted to the council by August 1, 2008, for council review and approval by motion. Twelve copies of the part three evaluation plan to the council shall be filed with the clerk of the council, for distribution to all councilmembers and to the lead staff the law, justice and human services committee or their successors.

D.1. In addition to reviewing and approving the parts one, two and three of the oversight, implementation and evaluation plan outlined in subsection C. of this section, in coordination with the oversight group, the executive shall submit four quarterly progress reports and an one annual summary report for the

programs supported with the sales tax revenue to the council. The quarterly reports shall include at a minimum:

a. performance measurement statistics;

b. program utilization statistics;

c. request for proposal and expenditure status updates; ((~~and~~))

d. progress reports on evaluation implementation;

e. geographic distribution of the sales tax expenditures across the county, including collection of residential ZIP code data for individuals served by the programs and strategies; and

f. updated financial plan.

2.a. The quarterly reports to the council are due to the council March 1, June 1, September 1 and December 1 for council review for years one and two and thereafter, every six months.

b.(1) The annual report to the council shall be submitted to the council by April 1, for council review and acceptance by motion. The annual report shall also include:

(a) a summary of quarterly report data;

(b) updated performance measure targets for the following year of the programs; ((~~and~~))

(c) recommendations on program and/or process changes to the funded programs based on the measurement and evaluation data;

(d) recommended revisions to the evaluation plan and processes; and

(e) recommended performance measures and performance measurement targets for each mental illness and drug dependency strategy, as well as any new strategies that are established. New or revised performance measures and performance measurement targets for the strategies shall be identified and included in the April 1, 2009, annual report and in each annual report thereafter.

3. Twelve copies of the quarterly reports and the annual report to the council shall be filed with the clerk of the council, for distribution to all councilmembers and to the lead staff the law, justice and human services committee or its successor.

E. Concurrent with the executive's 2009 budget proposal, and for each subsequent year that the tax exists, the executive shall submit a report on program expenditures and revenue as part of the annual budget review process. The information submitted with the executive's budget shall include an annual updated financial plan and a detailed spending plan for the tax funding, as well as revenue information. The elements of an annual spending plan, at a minimum, shall include:

1. A detailed list of funded activities along with a budget and revenue for each activity;
2. A reasonable estimate of cost per unit of service of activities;
3. The anticipated number of service units to be provided for each activity or item;
4. How many individuals are estimated to be served in each activity;
5. Whether the activity is to be completed by the county or by a contracted provider; and
6. Full time equivalent or term-limited temporary employee impact if service is provided by the county.

SECTION 4. The mental illness and drug dependency oversight committee shall review and study the concept of establishing a historical control group for evaluative purposes. The oversight committee members shall make a recommendation on establishing a control group to measure recidivism in the King County jail in the April 1, 2009, annual report that is submitted to the council. Representatives from the department of adult and juvenile detention, the department of community and human services, and council staff shall assist the oversight group with its analysis.

NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 4.33 a new section to read as follows:

The council shall conduct a comprehensive review and analysis of the evaluation measures, targets, benchmarks and data related to the mental illness and drug dependency programs and strategies. This review shall occur every three years. The first review shall

occur in 2011.

SECTION 6. Sections 3 and 5 of this ordinance expire January 1, 2017.