

MEMORANDUM OF UNDERSTANDING

Among

Texas Department of Human Services, Texas Commission for the Blind, Texas Department of Health, Texas Department of Mental Health and Mental Retardation, Texas Education Agency, Texas Juvenile Probation Commission, Texas Rehabilitation Commission, and Texas Youth Commission.

Pursuant to Senate Bill 298 enacted by the Seventieth Texas Legislature, this memorandum of understanding has been developed by the named agencies in consultation with advocacy and consumer groups. The memorandum, as adopted by rule by each agency, provides for the implementation of a system of **community resource coordination groups**, hereinafter referred to as coordination group, to coordinate services for all multiproblem children and youth. All community resource coordination groups established pursuant to this memorandum shall conform to the model developed by the Children and Youth Services State Coordinating Committee.

Although the primary purpose of this memorandum is to establish a system which ensures the coordination of services between agencies for multiproblem children and youth, the importance of the family is recognized as an integral part of each child's or youth's support system. It is the commitment of the agencies that services provided to multiproblem children and youth pursuant to this memorandum shall be in the most normal and least restrictive environment possible.

I. Financial and Statutory Responsibilities of Each Agency

Each agency's financial and statutory responsibilities in relation to multiproblem children and youth are described in the Texas Health and Human Services Coordinating Council's publication, Health and Human Services In Texas: A Reference Guide. Each agency agrees also to provide all coordination groups additional information concerning financial and statutory responsibilities including, but not limited to, subcategories of funding for different services such as prevention, family preservation and strengthening, emergency shelter, diagnosis and evaluation, residential care, after-care, information and referral, and investigation services. Each coordination group shall be responsible for clarifying further, on an individual case basis, each agency's financial and service responsibilities.

5. Statutory Authority. The new section is proposed under the Human Resources Code, §61.034, which provides the Texas Youth Commission with the authority to make rules and policies necessary to accomplish its function.

Multiproblem Children and Youth

For the purpose of this memorandum, a "multiproblem child or youth" is a person within an agency's statutory age limitations and under the age of 22 years with multiagency needs who is now receiving or has received services in the past and whose needs cannot be met without interagency coordination.

Interagency Cost-Sharing

The agencies will share in the cost of providing needed services when the coordination group confirms that the referring agency cannot provide all of the needed services and when the needed services are within the financial capability and statutory responsibility of the other agencies for the designated service(s). Cost-sharing includes, but is not limited to, provision of services by more than one agency and provision of services by an agency or agencies together with purchase of service from third parties by an agency or agencies.

The agencies and the coordination groups shall use the guidelines for cost-sharing developed by the Children and Youth Services State Coordinating Committee in making such determinations.

Eliminating Duplication of Services

Each coordination group shall implement procedures within the boundaries of existing legal authority for the purpose of eliminating duplication of services relating to assessment and diagnosis, treatment, residential placement and care, and case management of multiproblem children and youth.

Each state agency agrees to pursue amendments to state law, rules, or policies necessary to facilitate the elimination of duplication of services.

V. Interagency Dispute Resolution

For the purpose of interagency dispute resolution, each agency shall designate a representative who is not a member of any coordination group. The representative shall have decision-making authority over the agency's liaison to the coordination group and ability to interpret policy and commit funds. When interagency disputes arise over the agencies' areas of service responsibilities, the representatives of the agencies involved in the dispute shall review and make a final decision collectively regarding the resolution of the dispute. The interagency dispute shall be reviewed within 45 days of written notification from the coordination group that a dispute exists.

Interagency disputes that cannot be resolved due to legal or resource limitations will be reported in writing by the agencies involved to the Texas Health and Human Services Coordinating Council. The Council shall conduct a review and provide written recommendation(s) for resolution to the agencies involved within 30 days of request.

VI. Composition of the Community Resource Coordination Group

Each of the state agencies will designate the local representatives to serve on the coordination group. Private sector youth agencies in the geographical area served by the coordination group shall designate their representatives which shall not exceed five. The private sector liaisons are recognized as "member agencies" of the coordination group.

VII. Case Identification and Referral

Each coordination group shall implement the procedures for case identification and referral as set forth in the model for coordination groups developed by the Children and Youth Services State Coordinating Committee. Individual referrals for consideration shall meet the definition for multiproblem children and youth pursuant to Section II of this memorandum and shall include only those children or youth for whom the referring agency has determined that it is not able to provide all of the needed services after exhausting all existing resources within the agency's purview and existing interagency linkages.

VIII. Convening A Community Resource Coordination Group

A coordination group meeting may be convened by a representative of any member agency pursuant to Section VI of this memorandum. Each coordination group shall establish procedures for scheduling meetings.

IX. Agency Participation In Community Resource Coordination Group

A member agency may be excused from a coordination group meeting if the coordination group determines that the age or needs of the child or youth to be considered are clearly not within a member agency's service responsibilities.

X. Sharing of Confidential Records and Information

All members of a coordination group shall consider the records and information of a child or youth for whom the meeting is convened as confidential. Each member agency shall ensure compliance with its legal requirements concerning disclosure of confidential records and information including, if applicable, case-by-case documentation of all parties reviewing the records.

XI. Implementation of the Memorandum of Understanding

The Children and Youth Services State Coordinating Committee shall develop and recommend to the commissioners and executive directors of the agencies a comprehensive plan to implement this memorandum.

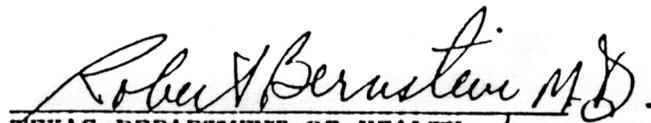
Pursuant to Chapter 131, Section 131.009 Human Resources Code, each agency shall adopt this memorandum by rule no later than November 1988. This memorandum of understanding may be expanded, modified, or amended at any time by the unanimous written consent of the named agencies. As needs indicate, we the undersigned agree to pursue additional resources to ensure agency compliance with this memorandum.


TEXAS DEPARTMENT OF HUMAN SERVICES
Commissioner MH

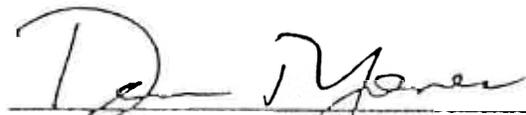
10/13/88
Date of Signature


TEXAS COMMISSION FOR THE BLIND
Commissioner

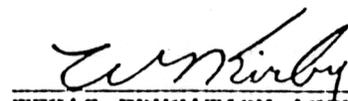
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TEXAS DEPARTMENT OF HEALTH
Commissioner

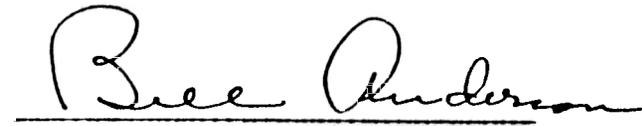
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TEXAS DEPARTMENT OF MENTAL HEALTH
AND MENTAL RETARDATION
Commissioner

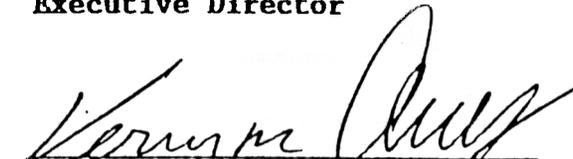
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TEXAS EDUCATION AGENCY
Commissioner

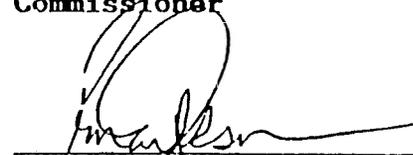
9-28-88
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TEXAS JUVENILE PROBATION COMMISSION
Executive Director

10-3-88
Date of Signature


TEXAS REHABILITATION COMMISSION
Commissioner

10-6-88
Date of Signature


TEXAS YOUTH COMMISSION
Executive Director

10-10-88
Date of Signature