

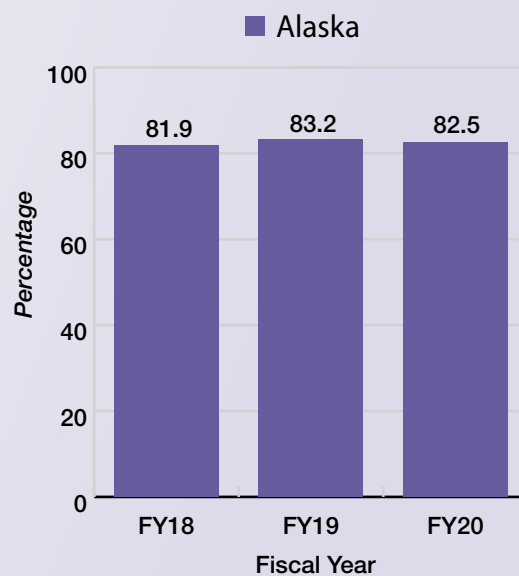
# SERVICES IN THE LEAST RESTRICTIVE ENVIRONMENT

## INDICATOR 20: Percentage of Alaskans who meet criteria for an institutional level of care who were served by a home and community-based waiver

### Story Behind the Baseline

Least restrictive practices in home communities are paramount for Trust beneficiaries to be able to live meaningfully as contributing members of such communities. Receiving local services preserves existing natural supports and allows for the development of additional supports, making it the desired first choice. Long-term services and supports offer a wide range of services to help people with disabilities who need support to live more independently by assisting with personal and healthcare needs and activities of daily living, such as eating, bathing, grooming, and other related activities.

Medicaid home and community-based waivers (HCBW) allow Alaskans with disabilities to avoid institutional care, such as nursing homes, by contracting



**Population: Alaska Statewide**

**Data Source:**

- Medicaid Management Information System via COGNOS

**Data Source Contacts:**

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with HCBW provider agencies. In 2019, individuals who receive HCBW and Intellectual & Developmental Disabilities (IDD) waiver services cost an average of \$89,043 per person receiving services. By comparison, if these individuals with an intellectual disability were in an intermediate care facility, at the average cost of \$216,710 per person annually, it would cost \$127,667 more per year for each individual. If these individuals were in a nursing home, at the average cost of \$156,956 per person annually, it would cost \$67,916 more per year for per each individual. Currently, the costs of home and community-based services (HCBS) are much lower because they can serve more people with the same amount of money, ensuring sustainability of services. Services provided in a least restrictive environment ultimately leads to more meaningful lives for beneficiaries, as well as cost efficiencies for state government.

## What Works?

Increased access to enhanced and timely treatment options within a robust continuum of care is necessary. To increase statewide service access and capacity, more providers, including care coordinators, service providers (such as direct service professionals), and rural providers of all types, would help reduce waitlists for services that have already been approved. Furthermore, additional providers and resources are necessary to review eligibility for individuals on an intellectual and developmental disabilities waitlist.

Ensuring that person-centered planning is taking place allows individuals to choose where they would like their care delivered, so they may remain in their home community and maintain as much independence as possible. Supporting a beneficiary's caregivers, family, and/or friends with services such as transportation, respite, and chore services utilization allows the beneficiary and their support people to remain in their home communities.

### Source:

- [State of Alaska Home and Community-Based Waiver Programs](#)

## SERVICES IN THE LEAST RESTRICTIVE ENVIRONMENT

### INDICATOR 21: Percentage of criminal defendant referrals admitted to a therapeutic court

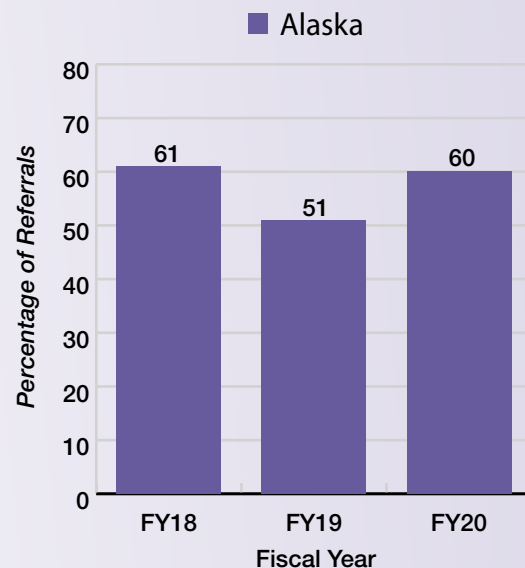
#### Story Behind the Baseline

Therapeutic courts in Alaska support participants' abstinence from drugs and alcohol and promote self-sufficiency while beneficiaries remain in the community and rebuild their lives. Mental health courts are specialized therapeutic courts that employ a problem-solving approach to criminal case processing for eligible beneficiaries with the goal of reducing the high numbers of beneficiaries in Alaska's criminal justice system.

Therapeutic courts have been working since 1998 to reduce recidivism and provide ready access to treatment for offenders with substance use and mental health disorders. Their mission

is to have a positive impact on the community by increasing public safety and reducing the cost associated with rearrest, criminal case processing, confinement, and jail overcrowding. On an individual level, therapeutic courts aim to break the cycle of criminality of people who experience drug and alcohol addiction and enhance their long-term reintegration into the community.

All therapeutic courts carry out a self-evaluation every year to measure their performance against goals and objectives aligned with national best practice standards. Additionally, court teams and stakeholders meet regularly to discuss issues that are barriers to meeting these goals.



**Population:** Alaska Statewide

**Data Source:**

- Alaska's Automated Information Management System (AKAIMS)-Therapeutic Court Module

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Prior to fiscal year 2020 (FY20), therapeutic courts revised eligibility criteria so that referral numbers could be maintained despite the criminal justice reforms contained in Senate Bill 91 (SB 91) – a lower legal exposure meant fewer people were interested in an intensive 12 to 18-month program. The repeal of SB 91 came into effect at the beginning of FY20 and this, combined with the previous push for referrals, led to a higher percentage of people being admitted into therapeutic courts in FY20 despite complications caused by the COVID-19 pandemic.

Much of FY20 has been impacted by COVID-19. As the pandemic intensified, therapeutic courts made a concerted effort to keep up the number of referrals and, via social media and virtual meeting platforms, keep participants engaged in treatment to ensure continued program progress. This also meant developing a mobile drug and alcohol testing system that would keep participants on track while minimizing travel and public contact.

## What Works?

Therapeutic court participants require robust and readily available behavioral health services. The therapeutic court administration has developed contractual relationships with local substance use disorder treatment providers to support immediate access; however, contractual relationships for mental health services are still being developed and beneficiaries do not always have immediate access to mental health services.

Access to the behavioral health continuum of care in Alaska continues to be problematic due to a workforce shortage to meet the needs of beneficiaries. The Alaska Medicaid 1115 Behavioral Health Demonstration Waiver (1115 Waiver) will increase access by supporting local community mental health providers to increase capacity and coordination through the use of the Administrative Services Organization.

### Sources:

- [Alaska Therapeutic Courts](#)
- [Therapeutic Courts in the Alaska Court System](#)

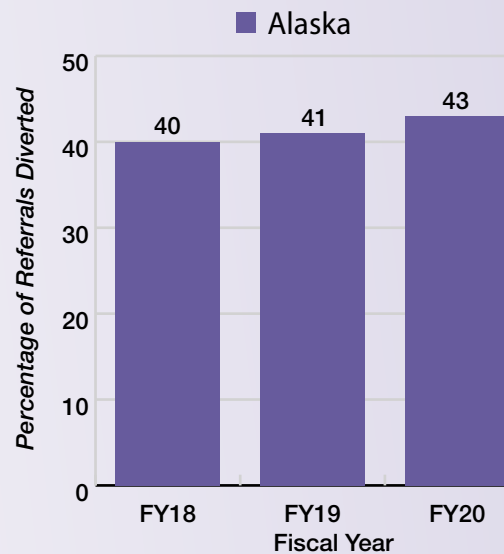
## SERVICES IN THE LEAST RESTRICTIVE ENVIRONMENT

### INDICATOR 22: Percentage of all juvenile justice referrals that were diverted from formal court action

#### Story Behind the Baseline

Research has demonstrated that introducing low-risk youth into formal interventions with the juvenile justice system can unintentionally increase the likelihood of continued delinquent behavior due to the exposure to higher-risk youth; therefore, it is important that youth are diverted from the formal juvenile justice system and are provided less restrictive interventions when appropriate. It is also important that appropriate behavioral and neurobehavioral interventions are provided to youth and families as a part of the diversion process.

For a number of years, the Division of Juvenile Justice (DJJ) has consistently diverted anywhere between 30% to 35% of all cases referred from law enforcement. Probation officers receiving these referrals have the discretion to work with youth, parents, victims, and communities to identify appropriate alternative sanctions other than formal court intervention, detention, and/or institutional treatment. Probation officers can recommend community work service, restitution, letters of apology, victim/offender mediation, behavioral health assessments, and other informal interventions to both hold youth accountable for their actions and provide interventions to



**Population:** Alaska Statewide

**Data Source:**

- Division of Juvenile Justice, Department of Health and Social Services

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increase competency development. The DJJ also uses more formal mechanisms for diversion such as informal probation, youth courts, tribal diversion, and other structured interventions available in communities throughout Alaska. The DJJ continues to utilize such interventions to appropriately divert youth from formal court intervention.

Secure juvenile facilities in Alaska are often a default system for ensuring behavioral and neurobehavioral interventions are provided to youth Trust beneficiaries. A correctional setting is not the best environment for youth to receive these services. To ensure adequate services are available and provided in a less restrictive manner, the cooperation of community providers is essential.

## What Works?

According to the Annie E. Casey Foundation, the most recent data collected from the Office of Juvenile Justice Delinquency and Prevention shows that 41% of juveniles involved with the juvenile justice system nationwide were diverted. The purposes of diversion programs are numerous and include cost-savings, reductions in recidivism and reoffending, avoidance of labeling, least-restrictive intervention, an increase in outcomes for youth, and an attempt to reduce disproportionality. Studies have shown that low-risk youth are 45% less likely to reoffend when diverted from formal court; this also accounts for a reduction in recidivism rates. The cost-savings to the community, DJJ, victims, and the youths' families are sizable.

A 2014 study by the McDowell group, specific to the Youth Court Division programs of Alaska, reported that: "Excluding the benefit to the State of Alaska and to individuals who move away from Anchorage, the quantifiable average annual benefit to the Anchorage community alone from youth court operations is \$198,800 in savings in the cost of crime plus \$80,450 in the value of adult and youth volunteer time and defendant community-service time, for a total annual benefit of \$279,250." Tribal diversion programs also account for cost-savings and better outcomes for youth. In Alaska, there are currently 25 tribes participating in the tribal diversion programs.

### Sources:

- Alaska Department of Health and Social Services – Division of Juvenile Justice System Change Summary; January 2021
- Council of Juvenile Correctional Administrators Community-Based Mental Health Services; August 2017
- Alaska Department of Health and Social Services- Division of Juvenile Justice System Improvement Summary For 2015 State of Alaska Crime Summit; February 2015