



# Health & Human Services Agenda Request

2A  
Agenda Item #

**Requested Meeting Date:** September 27, 2022

**Title of Item:** Competency Restoration Presentation

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	<b>Action Requested:</b>	<input type="checkbox"/> Direction Requested
	<input type="checkbox"/> Approve/Deny Motion	<input checked="" type="checkbox"/> Discussion Item
	<input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Hold Public Hearing*

<b>Submitted by:</b> Paula Arimborgo	<b>Department:</b> H&HS Administration
--------------------------------------	---

<b>Presenter (Name and Title):</b> Becca Person, Adult Social Services Social Worker	<b>Estimated Time Needed:</b> 20 minutes
---	---

**Summary of Issue:**  
Presentation on Competency Restoration

**Alternatives, Options, Effects on Others/Comments:**

**Recommended Action/Motion:**

**Financial Impact:**  
 Is there a cost associated with this request?  Yes  No  
 What is the total cost, with tax and shipping? \$  
 Is this budgeted?  Yes  No *Please Explain:*

# Competency Restoration

Aitkin County Board Presentation

9/27/22

# What is Competency Restoration?

- ▶ Minnesota court rules require individuals who are charged with a crime to be competent to stand trial. Competency Restoration is **the process of providing services for an individual that is found incompetent to stand trial to help them understand the court system and regain competency.** The services are aimed at ensuring a defendant is able to consult with a defense attorney and can understand the charges against him or her and how the court process works.

# Retrospective View of Competency Restoration Services in Minnesota

- ▶ In 2006, MN Department of Human Services started Competency Restoration Services for individuals who were committed to state hospitals due to their inability to participate the criminal court proceedings.
- ▶ Between 2006 and 2018, however, those committed to state hospitals in need of competency restoration became the vast majority of patients causing a reduction in the number of beds/services available to patients who simply needed mental health care.

# Retrospective View of Competency Restoration Services in Minnesota

- ▶ Through data analysis of the services being provided to committed patients, it was determined that the majority could be restored to competency via medication initiation/compliance and participation in other recommended mental health services.
- ▶ In 2018, the Department of Human Services ended competency restoration services for individuals in state hospitals who no longer met medical acuity (hospital level of care) in order to focus on treating those needing medical/mental health services. Patients no longer meeting the necessary level of care are discharged to community settings to continue competency restoration services.

# Retrospective View of Competency Restoration in Minnesota

- ▶ Anoka Metro Regional Treatment Center is the only state hospital providing competency restoration services. St. Peter Forensic Hospital is no longer providing this service.
- ▶ Competency restoration services are expected to be provided within community settings, but there is no existing infrastructure to support the service provision. Due to this, restoration services vary in accessibility and content depending upon a client's geographic location and service connections.
- ▶ In 2019, the Community Competency Restoration Task Force was created and tasked to research and develop recommendations due to the gaps in services:  
[https://mn.gov/sentencing-guidelines/assets/9-CCRTF-FinalReport\\_tcm30-470615.pdf](https://mn.gov/sentencing-guidelines/assets/9-CCRTF-FinalReport_tcm30-470615.pdf)

# Current View of Competency Restoration in Minnesota

- ▶ On 5/23/22, state legislation was passed that will impact how competency restoration services are provided statewide. The legislation included recommendations from the Competency Restoration Task Force.
- ▶ At this time and until legislative changes are implemented, competency restoration services are being provided by counties and community agencies as/if able.
- ▶ Barriers to providing restoration education may include geographic barriers, staff availability and staff training. Also, there are no current funding mechanisms connected to this service provision.
- ▶ Competency restoration programming educates clients on the court process, ie. who is in the courtroom, what are procedures, what are the types of charges, etc. The program may vary from a formalized workbook to watching videos/tv shows, ie. Law and Order.

# Aitkin County and Competency Restoration Services

- ▶ Aitkin County does not have any clients receiving competency restoration services at this time either at Anoka Metro Regional Treatment Center or within the community.
- ▶ Aitkin County has provided competency restoration services to client's within the community in the past.
- ▶ Aitkin County has four employees who have received training and are able to provide competency restoration services.
- ▶ As with other counties, Aitkin County has no funding mechanism to bill these services or travel time if needed.
- ▶ Aitkin County uses a formalized workbook including pre/post tests, worksheets and chapter quizzes, discussions when providing competency restoration services.



# Questions

- ▶ Questions can be sent to [Rebecca.Person@co.Aitkin.mn.us](mailto:Rebecca.Person@co.Aitkin.mn.us) or calls can be made to Rebecca Person at 218-927-7200