

**STATE COMMITTEE ON
PROBLEM GAMBLING**
May 16, 2008- 9:00 a.m. to 4:00 p.m.
Country Inn & Suites
5353 North 27th St., Lincoln, NE

Committee Members Present: Carmen Engelhardt, Janet French, Sherrie Geier, Steve Jung, Dennis McNeilly and Kenneth Timmerman

Committee Member Absent: Robert Sylvester

DHHS Staff Present: Scot Adams, Abigail Anderson, Nancy Heller, Eric Hunsberger, Vicki Maca and Joel McCleary

Guests: Toni Arntzen, Steve Kroll, Jolene John, John Schere, Deb Hammond and Wanda Swanson

I. Introductions/Welcome:

Steve Jung welcomed all members and guests. Steve informed the Committee that he received word that David Stempson and Don Warren have both resigned from the State Committee on Problem Gambling.

II. Attendance- Determination of a Quorum/Call To Order:

Chairperson Steve Jung determined a quorum was present and then encouraged Committee members to think of possible applicants to fill the Committee vacancies.

III. Approval of February 29, 2008 Minutes:

The minutes from the February 29, 2008 meeting were amended and approved by general consent.

IV. Approval of Agenda:

The agenda for the current meeting was amended and approved by general consent.

Unfinished Business

I. Officer Reports.

Chair (Quarter priorities) - Steve Jung:

Steve informed the providers in attendance that they were invited to speak about their need for an increase or decrease in Education dollars in their 2009 contracts.

Eric Hunsberger reported that he had assessed the utilization rates and needs of providers for the remainder of FY2008. Deb Hammond asked if Choices Treatment Center, Inc. was awarded \$5000 in Education dollars. Eric answered yes.

Steve reported that some providers voiced concern about the amount of their allocation of Education funds. Steve stated that the discussion of FY2009 contracts would occur later during today's meeting.

Vice-Chair (Budget Report) - Steve Jung/Willard Bouwens:

Willard Bouwens, Financial Services Administrator for DHHS Financial Services, provided the Committee with his summary of "Fiscal Year 2007-2008 Expenditures and Revenues as of April 30, 2008" (See Attachment A). He explained that the top portion of the page described the amount of money available to date for the Gamblers Assistance Program. To date, 83.54% of the total amount for FY2008 has been spent.

The bottom portion of the page details the funding sources and the status of those sources. To date, \$489,966 is currently in that account. He further noted that at the end of FY2008, approximately \$200,000 will be carried over to FY2009, which he reported was “right on target and where the program wants to be”.

Sherrie stated that, in the past, the GAP only received Lottery and Charitable Gaming funds, but now the GAP also receives Health Care Cash funds. She asked Willard if the Health Care Cash funds are placed, in their entirety, in the GAP account at the beginning of the fiscal year, and if that amount would be \$225,000. Willard stated that this is correct, and the GAP program could use these funds to cover first quarter expenses, if needed.

Sherrie then asked if it is true that unexpended funds from the Health Care Cash Fund could be eliminated if they are not used, and if it is also true that funds from the Lottery and the Charitable Gaming cannot be eliminated. She asked if the Fund 22640 was not spent, if it reverts back to the state. Willard agreed. Scot Adams clarified that the Legislature can decide to take the Health Care Cash funds back, if the funds are not spent by the end of the fiscal year. Willard agreed with Scot and further clarified that the current appropriation of this money will be spent by June 30, 2008.

Sherrie asked Willard to explain the difference between revenue and spending authority. Willard stated that DHHS Financial Services projects a particular fiscal year’s GAP budget three years in advance. The Lottery funds are also projected, and then a request is made to the Legislature’s Appropriations Committee. Willard again referred to Attachment A, and further described the top section of the page as the “Go forth and spend,” section, and the bottom section of the page as “a checkbook”. Sherrie asked Willard if he bases the requested amount of spending authority on fixed funding amounts or on spikes of funding. She further noted said that the statutory “hold harmless” provision for Lottery funding is about to expire. Eric explained to the committee that the \$745,986 from the Lottery Act Revenue was further described on the first page of the Funds section in the Committee’s meeting binder (As of February 19, 2008).

Sherrie further commented on the GAP fiscal summary page that Willard had provided to the Committee (Attachment A). She suggested the headings for column three should be the same for clarity, i.e.: “Gamblers Assistance Aid” and “Lottery Revenue” should be changed to have the same title. Steve concluded the conversation of this topic by thanking Willard for his preparation of Attachment A.

Secretary Report (Committee Membership Update) – Dennis McNeilly:

State Committee on Problem Gambling member list (Attachment B)
“Baby Boomer Volunteers Bring Varied Skills to the Table” (Attachment C)

Dennis stated that the Committee is looking for new members to fill current vacancies. The Committee has been informed there are currently three applications for appointment under consideration by the governor.

Sherrie explained an article on Baby Boomer Volunteers that she provided to Committee members. The article described various ways to attract Baby Boomers to volunteer opportunities. Sherrie reported she has made several contacts in an attempt to recruit new members to the Committee. She contacted a group called RSVP within the Lincoln Area Agency on Aging. RSVP organizes short-term assignments and project commitments for the people interested in volunteering, and the UNL Alumni Association. Sherrie reported the UNL Alumni Association does not have any volunteers at this time, and when contacted, the Wesleyan and Doane College Alumni Associations requested a short description of GAP. Sherrie suggested that a brochure explaining the work of the Committee be prepared for membership recruitment.

Sherrie further reported that Mr. J.L. Schmidt, a former AP reporter and current Director for the Lied Main Street Program in Nebraska, is interested in being a member of the Committee. Eric reported that he has called providers to ask for referrals of consumers to serve on the Committee, because at least one more of the Committee vacancies must be filled by a consumer. When asked how the Committee defines a ‘consumer,’ Sherrie clarified that a consumer is defined by this Committee as the problem gambler and his/her family member, or significant other. In the past the Behavioral Health Council defined a consumer

as someone who is the primary consumer. When the Behavioral Health Council was disbanded, this Committee decided that for our purposes a consumer could be defined as described in this paragraph.

Dennis McNeilly stated that the National Council on Problem Gambling (NCPG), a national advocacy organization for problem gamblers and their families, defines consumer to include the problem gambler and their family. He further suggested that this Committee be as inclusive as possible in its definition of consumer. Carmen Engelhardt agreed with Dennis and stated that, as a family member of a recovering gambler, she thought it important for the committee to consider family members in their definition of consumer and efforts serve problem gamblers.

Scot Adams stated that when he was an addictions counselor, the state used to reimburse for services for family members, however he reported that is no longer the case. Scot encouraged the Committee's flexibility and stated that it is often family members who are leveraging for change and that is very important to remember and continue to discuss. Eric Hunsberger then summarized that this Committee considers a consumer to be the problem gambler and his/her family members. He also recommended that the Committee have a member from the field of education. He further reported that he is working with Sarpy and Cass County school districts to recruit a new committee member.

Dennis suggested the Committee might also wish to attract new Committee members from all regions of the state of Nebraska, and thus it might be good to contact University of Nebraska at Kearney alumni and other alumni boards from out state Nebraska. Sherrie reiterated that she felt the Committee needs a pamphlet to provide those interested in possible Committee membership. Eric stated he would take the lead on preparing a brochure for this purpose, with guidance from Dennis and Sherrie. Dennis further suggested stated that the brochure explain how the Committee would prepare potential members with the necessary background on gambling, in order to encourage them to serve on this Committee. Steve Jung suggested there should be two documents- a brochure that serves as a recruitment tool, and an orientation packet that explains the Committee, and orients it to gambling, etc. Janet French suggested the brochure preparation should be led by a dedicated Committee member.

Sherrie asked Eric if the Committee could obtain copies of the Biennial Report. Eric reported the report is available from the DHHS website or he would mail a hard copy to Committee members who let him know of their request.

II. LB1058 Implementation Plan – Steve Jung:

Steve asked Committee members to review The State Committee on Program Gambling and Division of Behavioral Health Implementation of LB1058, Draft April 5, 2008. (Attachment D). Copies of the transcript of the Floor Debate for LB1058 from March 26, 2008 (Attachment E) were also distributed to the Committee for their review. Sherrie explained that there are three rounds of debate in the passage of a bill. In the case of LB1058, all debate took place on the first round. The bill then moved to the second and third rounds. The transcript (Attachment E) is a companion piece to LB1058 and reflects the legislative intent of the bill.

Eric stated that it is important to know how a bill affects policy decisions. Eric then asked Committee members to provide feedback on the Implementation Plan Draft before September 30, 2008. Eric stated he wanted to be sure to capture the legislative intent in this draft plan. Sherrie stated that it would be more useful for Steve to appoint an ad hoc Committee to go over this draft. Scot Adams stated that he would like the ad hoc committee's input about the plan by July 1. Eric will arrange a teleconference before July 1 to provide feedback on this draft. Sherrie Geier, Steve Jung, Ken Timmerman and Janet French volunteered to participate in the ad hoc Committee.

III. GAP Program Report/FY2009 Contracts/NCPG Annual Conference June 2008 – Eric Hunsberger

Steve asked the Division to find out information on new appointments from the Governor's Office.

Eric told the Committee that Jerry Bauerkemper, Dennis McNeilly and he will attend the National Conference on Problem Gambling in Long Beach, CA next month.

Eric referred back to Attachment A and noted that the balance for GAP is \$210,508 as of the end of April. He then discussed provider requests for additional dollars for the current (08) fiscal year.

Choices requested an additional \$25,000 for treatment.

Heartland requested funds for Vietnamese and Mandarin Chinese translation services for problem gambling consumers. Exact dollar amounts were not listed in the request. Eric and the Committee agreed that federal law requires that translation needs be accommodated, so the Committee must find a way to accommodate the request. Vicki stated that \$50/hour is the state rate set for translation services by the behavioral health regions. Dennis stated that in the future, providers may need to build translation services into their budgets, based on their geographical and specific client needs.

Steve asked the providers present at the meeting if they saw any difficulties with such a plan. Steve Kroll, from First Step Recovery Center, stated that agencies are required by law to provide translation services. Wanda Swanson from Choices Treatment Center stated that they had a Hispanic client who went through treatment, and they (Choices) provided translation services. Dennis suggested that the Committee may want to ask all the providers to determine whatever percentage of their annual budget may be necessary for translation services. Sherrie stated the providers should be asked what their history is concerning translation needs.

Eric stated that Richard Landrigan requested \$2000 additional treatment dollars. First Step requested an additional \$6000 for treatment. Eric stated that these requests were reviewed based on the utilization rate as of today and the handouts "Agency Services Expenditures as of May 15, 2008" and "Individual Provider Expenditures as of May 15, 2008," (Attachment F).

As of May First Step has used 80% of its budget. Betty Hampton under-utilized her funds. Ron Felton will have completed services in Hastings, Grand Island and Kearney as of the end of May. Rebecca Green is planning on working in these areas, and there is \$15,000 reserved for her to use for treatment services. Dennis then moved and Ken seconded that treatment dollars be reallocated accordingly: \$5,000 from Rebecca Green, \$3,500 from Betty Hampton and \$5,000 from Lutheran Family Services will be reallocated as \$1,000 to Richard Landrigan, \$3000 to First Step Recovery Center, \$1,000 to Heartland Family Service and \$8,500 to Choices Treatment Center. A roll call vote was taken, and the motion passed unanimously.

Vicki stated that a standardized form would help the providers when they request additional funds. The Committee needs to know the dollar amount requested, utilization rates and other detailed information. Ken stated that percentage of dollars that will be used for translation services should be included in contracts for all providers. Providers could also be asked what percentage of their budget has been used for translation services in the past. Vicki suggested that Eric create a form and a cover letter to providers to use when requesting additional funds.

The Committee took a brief break for lunch and proceeded to work during lunch.

Eric asked the Committee to review the Gamblers Assistance Program DRAFT Projections for FY09. As of May 16, 2008." (Attachment G). The Committee made suggestions and corrections. Steve stated it would be helpful to know whether Cari and Joan are planning to become an agency. Eric stated that Gary Cornish will not be continuing services, and that Wanda Swanson has volunteered to assume his treatment services.

Carmen stated that she noticed the billboards and she thinks they are very helpful as a consumer and someone who lives in a rural community. Eric thanked her and stated that billboards are not in the budget for next year. Dennis stated that billboards should be matched to the spikes in gambling throughout the year, such as when March Madness, the Super Bowl and all the Bowl games occur. Eric stated that he is hearing a shift in priorities then if the Committee wants billboards next year.

Sherrie stated that she questioned whether the prevention contractors each need \$50,000 to support their activities. The Committee has not reviewed their work. Does the Committee need to assess whether it

needs to give less to preventions groups to be able to pay for billboards? It cost approximately \$19,000 this year for 7-9 billboards to be displayed for six months. Eric stated that there is a model out there that shows that prevention programs work, but we don't know if billboards work. Also, more advertising can produce more calls for treatment, so you have to deal with that. Vicki further suggested that when the volume of calls increases, it also indicates the need to go to the Legislature to request additional funding.

Vicki asked if providers use a sliding fee scale, because research says clients will show up and engage more if the client has to contribute to their treatment. Carmen stated that her family had to contribute to their treatment at Horizon. Vicki stated that there is an element of self-respect and commitment if clients contribute. She stated that she also thinks there are many options to fund billboards. Steve Kroll from First Step stated that they advertise that gambling treatment is a free service, if you are already getting treatment for substance abuse or mental health treatment.

Sherrie stated that \$160,000 is divided between two prevention groups and NCCG (National Council on Compulsive Gambling). She asked what the money is used for. Eric reported that \$60,000 supports the Helpline. \$50,000 for one prevention provider, and \$50,000 for the other prevention provider.

Sherrie asked if the prevention providers are required to provide quarterly program and financial reports, because the Committee has not yet been provided them. Eric stated that one thing to remember is that these programs are in the early stages of development.

Dennis suggested that since marketing statistics are available from billboard companies, the Committee should be able to obtain some initial statistics from the prevention providers, even if the statistics are preliminary. He also suggested that the Committee may wish to fund prevention providers initially, and then taper that amount, so that additional prevention providers could be started. This would encourage the prevention providers to grow their support and base, rather than be entirely dependent upon the GAP. Vicki cautioned the Committee to think about a decision to reduce funding of prevention providers very carefully, because providers rely on their budget months in advance. Dennis further suggested the Committee would be best served by a strategic plan for the creation, funding and promotion of new prevention programs throughout the state, rather than continue to only fund two programs each year. He also stated the prevention programs need to know how much financial support they can depend on from the GAP, and how much funding they need to anticipate from additional sources every year.

John Schere, Garfield-Loup-Wheeler (GLW) Children's Council, Inc., asked if he might address the question before the Committee. He then introduced himself as one of the education providers for the prevention program the Committee was discussing. Born in Burwell, Nebraska, John moved back to Nebraska after working 13 years for Harrah's Entertainment, where he had a number of responsibilities in their finance departments.

John is the program facilitator of the GAP education program with the GLW Children's Council. He runs a scholarship program (in Sr. High grades 10-12) and a savings bond program (Jr High grades 6-9) to encourage the delivery of information on risks associated with gambling for youth in schools in the three-county area. The school program informs school children about not only risk associated with gambling, but also odds and probability, responsible gambling and related information regarding who might be more at risk to develop a gambling addiction.

Mr. Schere described how he has been able to develop partnerships with community leaders, educators and law enforcement persons in the three-county area, while educating students and parents concerning problem gambling. The GLW Children's Council offers a retreat for seventh graders on gambling, drug and alcohol prevention and self-esteem issues. The Council also offers educational presentations to interested church groups.

John then reported he provides quarterly reports to Eric on the program. He reported he has also sent data to Juan Ramirez at the University of Nebraska's Public Policy Center (UofN-PPC) during the past year. Eric reported the UofN-PPC is currently processing the data. John stated that by using the surveys from "The Odds Are" program, they have reduced their numbers by 1/2 on all gambling questions except card-

playing. He attributes this to the current popularity of card-playing and celebrities on television who play cards. John reported his program currently works in a three-county area, but is interested in expanding the program. Eric stated that data like John's indicate that these programs do work. Vicki stated that Juan Ramirez from UofN-PPC was going to be here today to present this data. Hopefully UofN-PPC can make this data available very soon.

Dennis restated that it sounds as though the Committee wants to have billboards in FY09 and also to evaluate the currently funded prevention programs, in order to have money available for the funding of more and new prevention programs. Sherrie stated that last year a program was reduced by 50% to move funds, so there is a precedent of doing this here. Janet French asked who made that decision, and Eric replied that the Division had made that decision.

Vicki again encouraged the Committee not to reduce funding from programs but create an ad hoc Committee to find alternate money for billboards. She will research to see if there is some other money to use to save the billboards. Janet stated that there is a need to balance treatment and prevention. Ken and Dennis stated that the goal is to increase prevention programs throughout the state.

Steve referred to Attachment G and asked why Spence Counseling is being reduced from \$145,000 to \$120,000, and Heartland is being increased by \$25,000. Steve read correspondence from Spence Counseling (Attachment H), which stated that they oppose any reduction in funding. They have utilized 98% of their funds for FY08, they hired new staff to replace the one they lost, they paid for their new staff to be trained in Topeka, Kansas the month of her hire and they are prepared to train other staff in the fall of 2008.

Dennis asked Eric to please explain his formula for the funding change in question. Dennis, Vicki and Sherrie concluded that Eric was not using a consistent funding formula, and it was discussed that when that happens there is inequality in funding and it seems that some agencies are being favored over others.

Sherrie stated that it should be noted in the minute that, in FY08, Choices was listed as receiving \$185,000. \$5,000 of that amount was actually a contract amendment from the previous fiscal year; however, it was not paid to Choices until FY08. It looks like they received a FY08 contract for \$185,000, because \$5,000 from FY07 was not paid until August of 2007 (in FY08). Sherrie asked that the language in the document entitled Gamblers Assistance Program DRAFT Projections for FY09 be consistent with Willard's fiscal handout (Attachment A) and that references to legislative bill numbers, such as LBs 321, 1039 and 638, not be used when discussing funds.

The Committee discussed using ads on buses and ads in movie theaters to promote awareness of problem gambling. Sherrie stated there should be a plan for billboards for FY2010 and also asked if Magellan and UofN-PPC could give reports to the Committee. Sherrie made the motion to accept the Gamblers Assistance Program Projections for FY09 as amended by the Committee. Dennis seconded the motion. A roll call vote was taken, and the motion passed unanimously.

New Business

I. Election for Committee Vice Chair – Steve Jung:

Steve asked for nominations for Vice-Chair. Janet nominated Sherrie Geier. Ken seconded the motion. A roll call vote was taken, and the motion passed with one abstention.

Steve stated that the Clinical Report, Certification Committee Updates, Clinical Audit Findings/Trends, Magellan Update and Fiscal Year 2008 Consumer Surveys would be discussed at a later date because of time constraints.

II. Contract Language Review – Eric Hunsberger

Eric asked the Committee to review the sample DHHSBH-08-GAMB-Contract (Attachment I). Sherrie asked if the Scope of Services is created by each provider. Eric answered yes. Sherrie asked if the Committee could see what two different agencies' scope of services sections look like. Eric answered yes.

Corrections by the Committee included:

IA: "contracts" should actually be "contact"

IA: #5 and #8 are both listed as Legal History

IB, #4: the Committee discussed the definition of crisis. Some members stated that crisis hours should not be limited. Nancy Heller stated that the Certification Board is discussing that definition right now.

Vicki stated that she thought #4 seems to be limiting someone who is in crisis. There are safety issues if someone is suicidal.

Dennis stated that one could use language to encourage providers to ascertain whether it is a crisis or has now turned into a pattern for the client. He also asked whether or not there should be a section in the contract which states that the provider can apply for additional funds, if needed.

Wanda stated that in a crisis, an hour is usually not enough. After you do the initial intake and paperwork, then it is billed as a regular session. Toni stated that when someone is in crisis, she doesn't ask for demographic information. She asks them what the crisis is and gets the Magellan information later.

Sherrie asked if "provider" is defined in the contract. Vicki stated that "provider" and "consumer" should be defined in the contracts. Sherrie asked why the Scope of Work is not developed before the contract starts. Eric replied that it is usually pretty similar to the last year's Scope of Work. Sherrie asked why the individual sources of funding are listed in the contract. If it is necessary to have them listed individually, then the language needs to match Willard's reports. Eric stated that it is an administrative need to include them, and that he could change the language.

III. Provider Reports – Toni Arntzen, Steve Kroll and Jolene John with First Step Recovery Center

Steve Kroll introduced everyone and told the Committee that Jolene John will be replacing Toni Arntzen as the Gambling Counseling Coordinator at First Step Recovery Center. Toni and Steve went to the Hewitt Center and collected approximately 150 surveys during the three days they promoted gambling awareness. They had a booth and a sign. They utilized tools to create conversation with the students concerning gambling awareness. Steve stated that different objects appealed to different kinds of people. The vitamin containers appealed to the college age girls.

Toni discussed the handout (Attachment J) of presentation activities in 2007-08 that First Step held. She said they use the "Odds Are" program with their youth groups. They present gambling information to all their substance abuse groups and have found that 50% of substance abusers also have gambling problems.

Steve said that since August 2007, they have thirty clients who have gambling problems and substance abuse problems. In many instances the client started going to First Step for gambling problems and then began to work with a psychiatrist or began substance abuse treatment.

Toni stated they don't charge to give presentations, like the one she gave that morning at the penitentiary. Education and awareness is the root of AA (Alcoholics Anonymous), and she thinks it is the same for GA. She thinks gambling counselors need to work on education and awareness. The youth and elderly populations are the fastest growing populations with gambling problems.

Confirm Agenda Items

Confirm Agenda Items for Next Meeting – Steve Jung

Clinical Report

Certification Committee Updates

Clinical Audit Findings/Trends

Magellan (MDS) Update
Fiscal Year 2008 Consumer Surveys
Line Chart of Expenditures by Willard Bouwens
Brochure for Committee membership
How Minority Health gambling problem issues are being addressed by GAP
Contract Extension Form
UofN-PPC report
Review/Adopt the Implementation Plan of LB1058
2009 Legislative Needs

Steve stated that the ad hoc committee for the LB1058 Implementation Plan review should email Eric concerning available dates for a teleconference.

Sherrie asked Eric to have Willard Bouwens request \$20,000 in spending authority for billboards as soon as the process allows.

Adjournment

The meeting was adjourned at 4:07pm by general consent.

Public Comment

Wanda Swanson asked Eric if there was going to be a PAC contract next year. Eric stated there was not.

Wanda asked who took care of public awareness responsibilities this year in the eastern half of Nebraska. Eric stated that the agencies and NCCG did.

Wanda asked if a person could get copies of the budget from FY04, FY05 and FY06.

Sherrie asked if Wanda wanted Income and Expenditure Report instead of annual budgets. She said she did. Eric said that it was public information and she could get it if she asked for it.

Wanda asked who to ask treatment questions of because she emailed Nancy and did not get a response. Eric said Nancy is the one to answer treatment questions. Nancy Heller did not respond to the email because she did not receive it. It was later found that the email from Wanda was not sent, even though she thought she had sent it. There was a problem with her computer or email system.

Sherrie stated that Vicki Maca sent an email that gave contact names and phone numbers.

Wanda stated that from all the talk about billboards today she wished the Committee would put as much effort into finding money for treatment for her clients as it did in finding money for billboards.

Toni thanked Eric, Nancy and Abby for their work. She also had a question about treatment in Hastings. Eric stated that the intent was to retain Rebecca Green for services in Hastings.

Jolene John stated she is grateful for the Committee's work. She came from a family of a gambler and the Committee does not fully know what this work means to gamblers' families. In general, providers need to include the family.

John Schere stated that people in Nebraska need to know the difference between legal and illegal gambling. People need to know there are poker games going on in bars all over and kids are gambling. Kids are selling pickle cards and there is no law against it. There is also illegal football gambling going on.

Sherrie stated that a report from Jerry at NCCG would be helpful. He could make a list of legal and illegal gambling. Sherrie and Steve also suggested that Jerry should provide some training for Committee members.

Eric stated that Joel McCleary had to leave but asked Eric to express Joel's appreciation to consumers and family members, especially Carmen and Ken, for discussing the billboards and sharing their thoughts. Also, congratulations to everyone involved with the Proclamations from the Governor in March.