

June 8, 2023

Sent via email:

Ms. Tess Kelly
And Mr. Joshua Dankoff
joshuadankoff@cffjj.org

RE: Sunshine Law Request – 06/05/2023

Dear Ms. Kelly,

I am responding on behalf of the Custodian of Records for the Department of Social Services (DSS) to your information request, which DSS received on June 5, 2023. This response is being submitted within the three-day period required by the Sunshine Law, Section 610.023.3, RSMo.

Your request was:

This is a request for records under your state public records law. I am requesting copies of public records regarding health and behavioural health service delivery in youth correctional facilities in your jurisdiction, to inform a comparative research project regarding health and mental health care delivery in juvenile detention facilities across the US. Specifically, I request information regarding the following:

1. Name and contact details for those responsible for health and behavioral health services provisions at all locations where juveniles are incarcerated within your jurisdiction.
2. Regulations, policies and procedures that govern the operation of health and behavioral health provision for juveniles incarcerated within your jurisdiction. This includes health intake, room confinement, medication management, access to specialist and dental services, discharge planning services, and other health and behavioral health related policies.

AUXILIARY AIDS AND SERVICES ARE AVAILABLE UPON REQUEST TO INDIVIDUALS WITH DISABILITIES

TDD / TTY: 800-735-2966
RELAY MISSOURI: 711

3. Contracts from January 1, 2021 to the time the request is filled between your agency and any healthcare provider including both physical health and behavioral health.

4. Records concerning your jurisdiction's most recent application to Centre for Medicaid Services (CMS) for an 1115 Medicaid waiver (if applicable), and any response, with specifically focus on how and whether such a waiver applies to provision of Medicaid funded services for detained juveniles.

5. Records relating to financing for health and behavioral health care delivery in your jurisdiction.

I request the records be provided electronically. If there are any fees for searching or copying these records, please inform me. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of the administration of juvenile justice. This information is not being sought for commercial purposes.

If access to the records I am requesting will take longer than allowed by statute, please contact me with information about when I might expect copies of the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,

Tess Kelly

Fellow, Harvard FXB Centre for Health and Human Rights

Joshua Dankoff

Director of Strategic Initiatives

Citizens for Juvenile Justice

617.338.1050

DSS will conduct research to determine whether we maintain records responsive to your request. Should we maintain responsive records, the earliest date and time the responsive documents may be available is August 9, 2023. This is only an estimate of time. Before providing the requested records, DSS must 1) process and review the request, 2) if required, notify staff members of the request in order to obtain potentially responsive documents and/or other items, 3) if required, generate search terms and

submit a request to a separate department to obtain potentially responsive emails, 4) convert any potentially responsive documents, emails, and/or items into an accessible and usable format, 5) review all gathered potentially responsive documents, emails, and/or other items to determine if they are responsive to the request, 6) review responsive documents, emails, and/or other items to determine if they are closed or privileged by law and make any necessary redactions, and 7) compile or print responsive documents, emails, and/or other items to provide to you, the requester. Additionally, the aforementioned process is dependent upon the availability of staff members to locate items, the volume of the specific request, other active requests, and the on-going work of staff members.

The Sunshine Law, Section 610.026, RSMo, allows for the collection of fees, including staff time for the search, research, and duplication for providing the records you have requested as well as copying costs. In the event DSS locates responsive documents, emails, and/or other items, an invoice containing the cost estimate for fulfilling your request will be provided to you.

Please note that to the extent we locate responsive documents, emails and/or other items, we reserve the right to close them in whole or in part pursuant to law, including but not limited to Section 610.021, RSMo.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharie Hahn". The signature is fluid and cursive, with the first name "Sharie" and last name "Hahn" clearly distinguishable.

Sharie Hahn
General Counsel
Department of Social Services
Division of Legal Services
(573) 751-3229

CC: Muckrock