



## State and Children's Advocacy Organizations Reach Interim Agreement in WA Lawsuit over Children's Mental Health

FOR IMMEDIATE RELEASE

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*March 8, 2012* -- Two state agencies and several advocacy groups have reached an interim agreement to develop a framework for reforms in the Washington state mental health system for children and youth enrolled in Medicaid. The agreement temporarily suspends litigation in a class action lawsuit filed against the Department of Social and Health Services and the Health Care Authority.

The [interim agreement](#) was reached after 13 months of mediation and provides for planning and infrastructure development to improve services for children and youth with significant mental health needs and their families.

[T.R. et al v. Dreyfus](#) was filed in November 2009 alleging deficiencies in access to intensive community-based mental health services. The parties began mediation in January 2011 to address the claims in the suit. Although the agreement does not settle the case, U.S. District Court Judge Thomas Zilly has suspended litigation activities in light of the agreement, so that the state and plaintiffs can collaborate on system reforms. The ultimate goal is to reduce psychiatric hospitalizations, keep kids

out of foster care and reduce juvenile justice interventions for those children and youth most affected by mental illness.

"Families, youth, legislators, providers and the state have tremendous interest in and support for improving the system of care for children, youth, and their families," said DSHS Secretary Robin Arnold-Williams. "This interim agreement allows the state to move that agenda forward while addressing the specific needs of class members. The interim agreement focuses existing resources on planning improvements to the system and requires no new funding."

Arnold-Williams called the agreement, "a model for how states and advocacy organizations can work together to promote improved services in a challenging fiscal environment."

"We have a tremendous opportunity with kids with mental health needs because, by getting in early and providing intensive community-based services, we can really help them to turn their lives around. Many kids who experience significant problems, with the right services, overcome them and live full and productive lives. This Interim Agreement takes us closer to making those services a reality in the future," said Regan Bailey, Legal Director for Disability Rights Washington.

According to Susan Foster and Frederic Rivera, attorneys with Perkins Coie, the interim agreement is an important step toward resolving the claims asserted in the lawsuit. "We commend the state for taking the claims seriously and working hard to develop solutions that include meaningful changes to the mental health service delivery system offered to kids in Washington."

"The commitments in this agreement will help move Washington's mental health system forward by employing practices that promote partnership with families and serve children and youth in their homes and communities," added Kim Lewis, an attorney with the National Health Law Program.

"This agreement reflects a tremendous amount of commitment and hard work on both sides," said Patrick Gardner, Deputy Director of the National Center for Youth Law. "It is a very critical first step in getting our clients the care and support they need. The framework to be developed will greatly improve how Washington provides intensive community-based mental health services to children."

Plaintiffs are represented by Disability Rights Washington, the National Center for Youth Law, Perkins Coie, LLP and the National Health Law Program.

The agreement ends June 30, 2013. Prior to that date, the parties will mediate additional steps necessary to ultimately resolve the lawsuit.

**To speak with plaintiffs, please contact Tracy Schroth or Regan Bailey (contact information above).**

Click to download:

- [Interim Agreement](#)
- [Court Order Granting Interim Agreement](#)

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