

Request Item : 43-APS
Program/Initiative Name: Dementia Stabilization & Care Transition Unit Planning
Budget Request: \$250,000 in 2025/\$250,000 in 2026
Funding: Levy Request
Strategic Priority: Innovative Solutions to Community Problems

Request Description:

Persons with neurocognitive disorders (also known as dementia) may experience physically aggressive behavioral episodes due to their cognitive disease process. Per Dr. Art Walaszek, board certified geriatric psychiatrist and Professor of Psychiatry and Medicine at UW School of Medicine, 90% of persons diagnosed with a neurocognitive disorder will have such behaviorally aggressive episodes during the course of this devastating disease. According to Dr. Alexis Eastman, 50% of individuals diagnosed with dementia will experience agitation and/or aggression. Additionally, of the individuals who develop dementia, 70% will display behavioral expressions due to their disease. We know that these expressions are a form of communication. They are communicating an unmet need. Nevertheless, the behaviors that they display can injure them and the people attempting to care for them.

In Dane County there will be about 10,000 people living with some form of dementia in 2025. This means that approximately 9,000 Dane County residents will experience behavioral expressions, including but not limited to elopement/wandering (with risk of exposure and death), hitting, kicking, biting, screaming, yelling, stealing, trespassing, public nuisance, public exposure, damaging property, self-injury, suicide, and homicide due to their disease. This will not only impact the person living with the disease, but at times it will also cause significant physical and emotional stress for their family members, caregivers, residential caregivers, first responders, crisis responders and hospitals, all of whom are working to support these individuals.

Despite experiencing behavioral challenges being a core feature of the disease, very few care options currently exist. Family members who attempt to access care are being turned away from services that are readily available to others: they are turned away at the emergency rooms because they cannot treat dementia; they are turned away at assisted living facilities and evicted from memory care units because they are not stable; and they are turned away at psychiatric institutions because their conditions are not considered treatable.

Until 2023, Dane County judges were allowing individuals with dementia to go through the Chapter 51 (Emergency Detention) process and then converting them to Chapter 55, under guardianship law. They were previously allowing these individuals with dementia, who were a danger to themselves or others, to be admitted to psychiatric hospitals, such as Winnebago or Mendota. They were also admitted to such hospitals as Stoughton geriatric psychiatric hospital, Watertown Behavioral Health and Southwest Behavioral Health. The doors of these facilities have recently been closed to people living with dementia due to the change in the understanding of the guardianship law. For those persons diagnosed with an incurable disease that causes dementia, such as Alzheimer's, they cannot be admitted to a psychiatric hospital. According to the law, they cannot be treated in a mental health hospital, because their condition cannot be cured.

The Wisconsin state statute referenced in the Helen E.F. decision ([Helen E.F Case Brief 2012](#)) states that because dementia is not a treatable condition, a person with dementia cannot be admitted

involuntarily. Even facilities that specialize in geriatric care, neurocognitive disorders, and psychiatric conditions in older adults, (eg., Stoughton Geriatric Hospital, Watertown Behavioral Health, etc.) must turn these individuals away. In 2023 Dane County Judges started following the law.

Assisted living facilities and memory care facilities have a responsibility to keep their residents safe. When these facilities are unable to care for a resident who is experiencing aggressive behavior, they frequently find there is nowhere for the resident to go because it is not legal for them to be admitted involuntarily to a psychiatric hospital. As a result, these facilities often give the resident a 30-day eviction notice or send them to the hospital and refuse to re-admit them.

The outcomes of a hospital stay for people with dementia are very poor. If admitted at all, it must be for an emergent medical condition, not simply because they have dementia. They are frequently overly sedated because the hospital staff are attempting to meet the needs of all of their patients, and they do not have the time to provide compassionate physical and emotional care for these individuals. Often, the end result for the person with dementia is an earlier death. Even police, emergency rooms, and health care facilities are turning away these individuals, despite the legal responsibility required in Chapter 34 of the legislative code (https://docs.legis.wisconsin.gov/code/admin_code/dhs/030/34). Because dementia is no longer defined as a treatable mental health condition, these individuals are unable to access psychiatric services in an in-patient environment.

The following Dane County residents have dementia and experienced a dementia related behavioral crisis that jeopardized not only them but family, first responders, providers, and so many others across our community in 2023; and, these are only the ones that came to the attention of our Dementia Crisis Specialist in Adult Protective Services.

71 Individuals came to Dementia Crisis Specialist Attention

- 21 by Police
- 14 by Hospitals & Doctor Clinicians
- 8 by ADRC
- 7 by Adult Protective Services Social Workers/Case Managers
- 6 by Home/Health Care Agencies
- 4 by Journey Mental Health/Cares Team
- 5 by family members
- 3 by Senior Center Case Managers
- 3 by Managed Care (Family Care)

Behavioral Expressions during crisis:

- 16 physical aggression
- 16 elopement
- 9 unsafe behavior
- 8 dangerous behavior
- 5 hallucinations
- 4 delusions/paranoia
- 4 verbally aggressive
- 3 sexually and verbally inappropriate
- 3 repetitive/anxious police calling
- 2 neglect

In 2024, as of 8/1/24 there have been 53 cases, resulting in the likelihood of a 30%+ increase in the number of cases over 2023 by year end.

Because they have a dementia diagnosis, by law, they cannot be involuntarily admitted for stabilization in a mental health unit or other psychiatric facilities as dementia is not considered a “treatable mental illness.” Our only option for facilities to which we can Emergently Detain persons here are mental health facilities. There are no medically equip facilities in Dane County to take these folks that is dementia informed and capable of stabilizing behaviors to the point of safely returning them home or to the community. These individuals and those who care for them deserve a better.

States and Counties are expected to provide crisis care for all of their citizens as indicated in Chapter 51 and 55 of the legislative code. This is not being met currently for individuals with dementia who experience a crisis, as defined as a threat to selves or others. The County is charged by statute to enter into an agreement with a facility(s) to provide care for such patients. Dane County is not in compliance with State law as it has no such facility to refer to. Hospitals are turning these individuals and their families away. Communities are left with individuals who are disturbing the peace. Facilities are left attempting to care for individuals who injure their staff or others. Spouses are left trying to manage when their spouse is causing physical injury to them. Doors are closed. Facilities are now turning people away because they may not be able to safely provide care. The staffing crisis has only served to exacerbate this issue.

Those who work with these individuals understand that although their Alzheimer’s disease cannot be cured, there are medications that can be utilized to treat the symptoms that come with the disease. They recognize that the facilities where these individuals reside often do not have the expertise and the appropriate staff, to keep these individuals, and those around them, safe when they display unsafe behavior. They recognize that medical staff is needed to assist in adjusting the medication that will help treat their symptoms. This can include medications that treat their mood as well as pain management. This medical management, along with additional, highly trained personnel, is needed.

Dane County needs to develop a Dementia Stabilization & Care Transition Unit capable of meeting the needs of its’ residents, their families, and all members of the community affected by the behavioral challenges of the disease. Toward that end, since 2022, Dane County APS has been working with 5 surrounding counties to plan for such a place. Exploration of facilities that could be modified and licensed to provide such care have been sought in the community. Estimates for structural modifications, alternative licensing, staffing and training needed have been approximately \$500,000 (\$250,000 for project management, licensing exploration, staffing configuration, training in 2025 and \$250,000 in 2026 to begin operations with on-site psychiatry needed for this population) to open the doors to accepting patients in an 8 bed unit in a local nursing or community facility. Then, daily rates for utilization would be required of any county placing an individual in such a unit for an average 60 day stay.

Given the expense and ability to sustain the unit with daily rates contributed by other counties, it would be prudent for Dane County APS to partner with Badger Prairie Health Care Center on such an endeavor. Funding is being sought to explore and plan for establishing an 8 bed Dementia Stabilization & Care Transition Unit for this critical purpose to the benefit of all our residents. Funding would permit the planning, licensing, assessment of added risk, staffing configuration and training needed to open such a

unit (using the unit previously created for COVID) by the end of 2025. We are one bad outcome away from not having such a facility in Dane County.