

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of April 6, 2021

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE OPTING OUT OF LAURA'S LAW - ASSISTED OUTPATIENT TREATMENT ("AOT").

WHEREAS, the Assisted Outpatient Treatment ("AOT") Demonstration Project Act of 2002, known as Laura's Law, authorizes each county to elect to offer specified mental health programs, either through a resolution adopted by the county Board of Supervisors, or through the county budget process, if the county Board of Supervisors makes a finding that specified mental health programs will not be reduced as a result of participating; and

WHEREAS, existing law authorizes participating counties to pay for the services provided from funds distributed to the counties from various continuously appropriated funds, including the Mental Health Services Act Fund, when included in a county plan, as specified; and

WHEREAS, this bill, commencing July 1, 2021, would instead require a county or group of counties to offer those mental health programs, unless a county or group of counties opts out by a resolution passed by the governing body stating the reasons for opting out and any facts or circumstances relied on in making that decision, with a response due to the Department of Health Care Services by April 30, 2021; and

WHEREAS, Humboldt County Behavioral Health already provides a number of services similar to, or the same as, Laura's Law/AOT, with strong outcome measures; and

WHEREAS, the number of individuals that would meet criteria for Laura's Law/AOT based on extrapolation of state and county data would be only 4 individuals, and only 1 of those 4 individuals would require court proceedings, yet the cost to County Behavioral Health would be over \$500,000.00 to set up the infrastructure and staffing required to serve this small number of individuals, making it extraordinarily cost prohibitive; and

WHEREAS, Welfare and Institutions Code Section 5349(d) mandates that voluntary mental health programs serving adults and children cannot be reduced as a result of the implementation of an AOT program. If implementing AOT services will result in the reduction of existing voluntary mental health programs, counties must seek a resolution from their Board of Supervisors to opt out of implementing AOT services. Implementing an AOT program would greatly reduce all voluntary mental health programs due to limited staffing and financial resources. Being a small county, Humboldt is not able to keep a 10 to 1 ratio of clients to clinical staff, as would be required by Welfare and Institutions Code Section 5346. Currently, Humboldt does not have the staffing or the financial resources to implement such a program, and it is unlikely that we would be able to achieve this in the future.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Humboldt, that Humboldt County Department of Health and Human Services, with the Board's support, is opting out of the requirements of this Assembly Bill.

Dated: April 6, 2021

Virginia Bass, Chair
Humboldt County Board of Supervisors