



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

B-2

For the meeting of: December 17, 2013

Date: December 12, 2013

To: Board of Supervisors

From: Phillip R. Crandall, Director
Department of Health and Human Services

Amy Larson, RN, Dep. Director MH

Subject: Welfare & Institutions Code Sections "5150" and "5585.50/5585.55" Resolution to Designate Sempervirens Psychiatric Health Facility and Psychiatric Emergency Services as the Involuntary Detention, Evaluation, and Treatment Facilities for Mentally Disordered Adults and Minors

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve the attached Welfare and Institutions Code Sections "5150" and "5585.50/5585.55" Resolution to Designate Sempervirens and Psychiatric Emergency Services as the Involuntary Detention, Evaluation, and Treatment Facilities for Mentally Disordered Adults and Minors, as specified in the Welfare and Institution Code, Sections 5150, 5585.50, and 5585.55; and
2. Rescind Resolution No. 07-62.

SOURCE OF FUNDING:

N/A

Prepared by _____ Michelle Tucker, Administrative Analyst

CAO Approval _____

Amy Larson

REVIEW:

Auditor _____ County Counsel KR Human Resources _____ Other _____

TYPE OF ITEM:

☒ Consent
☐ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. C-1, C-15

Meeting of: 02/11/2003; 07/24/2007

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor Lovelace Seconded by Supervisor Bass

Ayes Fennell, Lovelace, Sundberg, Bohn, Bass

Nays _____
Abstain _____
Absent _____

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: Dec. 17, 2013

By: Kathy Hayes
Kathy Hayes, Clerk of the Board

DISCUSSION:

Welfare and Institutions Code Section 5404 authorizes counties to designate facilities as 72-hour evaluation and treatment facilities. On July 24, 2007 the Board of Supervisors approved Resolution No. 07-62 (item C-15) to allow for the involuntary detention, evaluation, and treatment of certain mentally disordered persons as specified in Welfare and Institution Code, Section 5150 at Sempervirens Psychiatric Health Facility located in Eureka, California.

The resolution before the Board today continues authority to designate the Sempervirens facility as the County's designated "5150" involuntary detention facility per Welfare and Institutions Code Section 5150 , and expands the County's designated "5150" facility listing to include Psychiatric Emergency Services (PES). PES provides emergency psychiatric services. Additionally, the Resolution provides authorization to provide involuntary detention, evaluation, and treatment to certain mentally disordered minors at Sempervirens or PES, pursuant to Welfare Institution Code Sections 5585.50 and 5585.55. Pursuant to California Code of Regulations, Title 9 Section 821, the County must advise the State Department of Health Care Services of its designated facilities for evaluation and treatment purposes and designation of those persons who may, upon probable cause, take, or cause to be taken, a mentally disordered person or minor into custody and placement in the evaluation and treatment facilities.

Under the proposed resolution, individuals authorized to issue a 5150 5585.50 or a 5585.55 "hold" include Humboldt County peace officers, emergency room physicians, various licensed Department of Health and Human Services-Mental Health staff members, community psychiatrists who are Board certified as specified in the attached resolution, and physicians offering emergency services at K'ima:w Medical Center. The proposed resolution also adds the class of Physician's Assistant to those Department of Health and Human Services-Mental Health staff members with authority to issue a 5150, 5585.50, or a 5585.55 "hold."

The previous resolution, No. 07-62 passed by the Board of Supervisors July 24, 2007, should be rescinded because the new resolution will supersede the old one.

FINANCIAL IMPACT:

With passage of this resolution there is no anticipated impact to the County General Fund or the Mental Health Fund.

Approving this resolution supports the Board's Strategic Plan by continuing to provide opportunities for improved health and safety, and by protecting vulnerable populations.

OTHER AGENCY INVOLVEMENT:

Local hospitals, community psychiatrists, and physicians serving the K'ima:w Medical Center

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Pursuant to Welfare and Institutions Code Section 5150, 5585.50, and 5585.55, the Board must have a resolution in place designating its facilities. The Board may choose not to approve Sempervirens and

Psychiatric Emergency Services as its facilities; however, this alternative is not recommended as mentally disordered patients would need to be treated at out-of-county facilities away from their local community and at additional cost. Additionally, there would not be a local facility to evaluate and treat mentally disordered minors.

ATTACHMENTS:

1. Resolution Recommended for Adoption
2. Resolution 07-62

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting on December 17, 2013

RESOLUTION NO. 13-94

RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS

**PROVIDING EVALUATION SERVICES FOR MENTALLY DISORDERED PERSONS
AND MINORS**

WHEREAS, Welfare and Institutions Code Section 5150 provides for the involuntary detention, evaluation, and treatment of certain mentally disordered persons and Welfare and Institutions Code Sections 5580.50 and 5585.55 provide for the involuntary detention, evaluation, and treatment of certain mentally disordered minors; and

WHEREAS, Welfare and Institutions Code section 5404 authorizes counties to designate facilities as 72-hour evaluation and treatment facilities; and

WHEREAS, the County is required to advise the State Department of Health Care Services (California Code of Regulations, Title 9 Section 821) of its designated facilities for evaluation and treatment purposes and designation of those persons who may, upon probable cause, take, or cause to be taken, a mentally disordered person or minor into custody and placement in the evaluation and treatment facilities; and

NOW, THEREFORE, BE IT RESOLVED:

1. The following named facilities are hereby designated as evaluation facilities for the purpose of the detention, evaluation, and treatment of mentally disordered persons and minors under this resolution:

Sempervirens - Eureka, CA

Psychiatric Emergency Services - Eureka, CA

2. The following classes of persons are hereby designated as persons who may, upon probable cause, take, or cause to be taken, mentally disordered persons and minors described in Welfare and Institutions Code Sections 5150 and 5585.50 into custody and place them into a facility.
 - a. Peace officers exercising jurisdiction within either the County of Humboldt or any incorporated city within the County.
 - b. On-duty emergency room physicians at any of the hospitals offering emergency room services in Humboldt County (in coordination with Sempervirens staff).
 - c. The following on-duty staff members of the Humboldt County

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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RESOLUTION NO. 13-94

Department of Health and Human Services-Mental Health or
on-duty contractors credentialed by the Humboldt County
Department of Health and Human Services-Mental Health Medical
Staff:

- i. Licensed physicians;
 - ii. Licensed psychologists;
 - iii. Licensed clinical social workers;
 - iv. Licensed marriage, family and child counselors;
 - v. Licensed physician's assistants
 - vi. Licensed nurse practitioners;
 - vii. Registered Nurses;
 - viii. Licensed psychiatric technicians; and
 - ix. Licensed vocational nurses;
- d. Community psychiatrists in Humboldt County who are certified by the Board of Medical Quality Assurance in the field of psychiatry.
- e. Licensed physicians offering emergency services at the K'ima:w Medical Center.
3. The designations under this resolution are effective the date herein stated above as approved by the Humboldt County Board of Supervisors. All previous designations are hereby revoked.
4. The Clerk of the Board is authorized and directed to send certified copies of this resolution to the Department of Health and Human Services-Mental Health Director.
5. Resolution 07-62 is hereby rescinded.



REX BOHN,
Vice-Chair, Humboldt County Board of Supervisors

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting on December 17, 2013

RESOLUTION NO. 13-94

Adopted on motion by Supervisor Lovelace, Seconded by Supervisor Bass, and the following vote:

AYES: Supervisors Fennell, Lovelace, Sundberg, Bohn, Bass

NAYS: n/a

ABSENT: n/a

ABSTAIN: n/a

STATE OF CALIFORNIA)

County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Seal of said
Board of Supervisors

KATHY HAYES

Clerk of the Board of Supervisors of
the County of Humboldt, State of
California

By





COUNTY OF HUMBOLDT

AGENDA ITEM NO.

C-15

For the meeting of: July 24, 2007

Date: July 2, 2007

To: BOARD OF SUPERVISORS

From: PHILLIP R. CRANDALL, DIRECTOR
DEPARTMENT OF HEALTH AND HUMAN SERVICES
MENTAL HEALTH BRANCH

Subject: "5150" RESOLUTION FOR INVOLUNTARY DETENTION, EVALUATION
AND TREATMENT OF CERTAIN MENTALLY DISORDERED PERSONS

RECOMMENDATION(S):

That the Board of Supervisors:

- Approve the attached "5150" Resolution for the involuntary detention, evaluation, and treatment of certain mentally disordered persons as specified in the Welfare and Institution Code, Section 5150.
- Rescind Resolution No. 03-17.

SOURCE OF FUNDING:

N/A

DISCUSSION:

The resolution continues authority to designate the Seampervirens facility as the County's

Prepared by Bill Linn, Administrative Analyst II

CAO Approved [Signature]

REVIEW:

Auditor _____ County Counsel SPM Personnel _____ Risk Manager [Signature] Other _____

TYPE OF ITEM:

☒ Consent
☐ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. C-1

Meeting of: 02/11/2003

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor WOOLLEY

Seconded by Supervisor SMITH

And unanimously carried by those members present.
The Board hereby adopts the recommended action
contained in this report.

Dated: July 24, 2007

Kathy Hayes, Clerk of the Board

By: Nicole Turner

designated "5150" facility (Involuntary Detention Facility per Welfare and Institutions Code 5150.

Pursuant to WIC Section 5150, the County must also provide a list of persons and/or agencies who, according to law, can be authorized to "upon probable cause take, or cause to be taken," a person meeting the Lanterman-Petris-Short Act (LPS) detention criteria, into custody and place him or her into a designated treatment facility.

Under the resolution currently in place, individuals authorized to issue a "5150" include Humboldt County peace officers, emergency room physicians, the County Mental Health Branch Director, various licensed Mental Health Branch staff members, and community psychiatrists who are Board certified as specified in the attached resolution.

The proposed resolution also adds the class of Nurse Practitioner to those Mental Health Branch staff members with authority to issue a "5150" if so indicated. The previous resolution, #03-17, passed by the Board of Supervisors on February 11, 2003, should be rescinded because the new resolution will supersede the old one.

FINANCIAL IMPACT:

With passage of this resolution there is no anticipated impact to the County General Fund or the Mental Health Fund.

OTHER AGENCY INVOLVEMENT:

Local hospitals, community psychiatrists, and physicians serving the K'ima:w Medical Center.

ALTERNATIVE TO STAFF RECOMMENDATION:

Pursuant to WIC Section 5150, the Board must have a resolution in place. The Board could choose not to designate Sempervirens as the local 5150 facility. However, this alternative is not recommended as mentally ill patients would need to be treated at out-of-county facilities at additional cost. The Board could also choose to add or delete different categories of individuals as those authorized to take a person and place him/her in a mental health treatment facility.

ATTACHMENTS:

Resolution

PC/DW/bl

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of July 24, 2007

RESOLUTION NO. 07-62

PROVIDING EVALUATION SERVICES FOR MENTALLY DISORDERED PERSONS

WHEREAS, Welfare and Institutions Code, Section 5150 provides for the involuntary detention, evaluation, and treatment of certain mentally disordered persons; and

WHEREAS, the County is required to advise the State Department of Mental Health (California Code of Regulations, Title IX, Sections 821 and 821.1) of its designated facility for evaluation purposes and designating those persons who may, upon probable cause, take, or cause to be taken, a mentally disordered person into custody and placement in the evaluation facility;

NOW THEREFORE, IT IS RESOLVED as follows:

1. The following named facility is hereby designated as an evaluation facility for the purpose of the detention, evaluation, and treatment of mentally disordered persons under this resolution:

Sempervirens - Eureka, CA

2. The following classes of persons are hereby designated as persons who may, upon probable cause, take, or cause to be taken, mentally disordered persons described in Welfare and Institutions Code, Section 5150 into custody and place them into a facility.

- a. Peace officers exercising jurisdiction within either the County of Humboldt or any incorporated city within the County. -
- b. On-duty emergency room physicians at any of the hospitals offering emergency room services in Humboldt County (in coordination with Sempervirens staff).
- c. The following on-duty staff members of the Humboldt County Department of Health and Human Services Mental Health Branch Department or on-duty Contractors credentialed by the Humboldt County Department of Health and Human Services Mental Health Branch Medical Staff as directed by the Mental Health Branch Director and approved by the County Board of Supervisors:
 - i. Licensed physicians;
 - ii. Licensed psychologists;
 - iii. Licensed clinical social workers;
 - iv. Licensed marriage, family and child counselors
 - v. Nurse practitioners;

- vi. Registered nurses;
 - vii. Licensed psychiatric technicians; and
 - viii. Licensed vocational nurses;
- d. Community psychiatrists who are certified by the Board of Medical Quality Assurance in the field of psychiatry.
 - e. Licensed physicians offering emergency services at the K'ima:w Medical Center.
- 3. The designations under this resolution are effective the date herein stated above as approved by the Humboldt County Board of Supervisors. All previous designations are hereby revoked.
 - 4. The Clerk of the Board is authorized and directed to send certified copies of this resolution to the Mental Health Branch Director and the State Director of Mental Health.
 - 5. Resolution 03-17 is hereby rescinded.


Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Gelst, seconded by Supervisor Woolley, and the following vote:

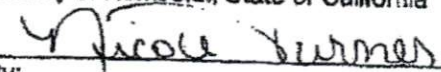
AYES: Supervisors: Gelst, Woolley, Rodoni, Smith, Neely
NOES:
ABSENT:
ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) SS

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Seal of said
Board of Supervisors.

KATHY HAYES
Clerk of the Board of Supervisors of the
County of Humboldt, State of California

By:


Date: July 24, 2007