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June 8, 2020

ASSEMBLY FLOOR ALERT

Assembly Bill 1976 (Eggman) – Mental Health Services: Assisted Outpatient Treatment As Amended on May 4, 2020 – Oppose Unless Amended

The California State Association of Counties (CSAC) regretfully must continue to maintain an OPPOSE UNLESS AMENDED position on Assembly Bill (AB) 1976. As amended, AB 1976 would: 1) require a county or group of counties to use local funds to implement Laura’s Law or compel the County Board of Supervisors to enact a resolution outlining the county’s decision not to do so; 2) eliminates the repeal date of Laura’s Law and 3) authorizes a judge in the Superior Court to force a county’s mental or behavioral health director to respond to the judge’s petition for an order of assisted outpatient treatment (AOT) to be filed for a person who appears before the judge.

AB 1976 is seeking to ensure that AOT services – commonly called Laura’s Law and authorized by the Legislature in 2002 as a county-option demonstration project – are made available in all counties, despite locally-developed treatment options, priorities, and funding needs. The Laura’s Law demonstration project, as constructed, allows county Boards of Supervisors to consider the needs and priorities of their local communities, as well as the fiscal ramifications, of implementing AOT services. AB 1976 places a mandate on counties to participate, unnecessarily complicates the local decision of how, when, and whether to implement Laura’s Law, and increases staff workload.

Further, counties are concerned that allowing a judge to request a petition for an AOT order will increase workload. Expanding the list of those authorized to request a petition increases the workload of the county department as the county mental or behavioral health director is required to conduct an investigation into the appropriateness of each petition. Existing law already authorizes family members and others with longer term relationships to request a petition. Any additional increase in workload at a time of forecasted funding declines and a wave of COVID-19 related behavioral health issues would be misguided.

Counties would support the elimination of the repeal date of the Laura’s Law demonstration under the provisions of current law. CSAC is not opposed to the local implementation of Laura’s Law; in fact, over 20 counties in California, including San Diego, Los Angeles and San Francisco, have implemented AOT programs under existing law. Counties have utilized the authority in current law to decide whether implementing Laura’s Law is a viable option and continue to assess this based on the needs of their residents.

It is for these reasons that CSAC must maintain an OPPOSE UNLESS AMENDED position on AB 1976. Should you or your staff have additional questions about our position, please do not hesitate to contact Farrah McDaid Ting at (916) 650-8110. Thank you.

cc: The Honorable Susan Eggman, Member, California State Assembly
Honorable Members, California State Assembly
Gail Gronert, Office of the Assembly Speaker
Cyndi Hillery, Assembly Republican Caucus