



COUNTY OF HUMBOLDT

For the meeting of: 8/18/2020

File #: 20-1031

To: Board of Supervisors

From: Supervisor Steve Madrone

Agenda Section: Initiated by Board Member

SUBJECT:

Letter of Support for Assembly Bill 1976 (Eggman) Related to Mental Health Services (Supervisor Steve Madrone)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Consider, approve and authorize the Chair to sign the Behavioral Health Board's request to send a letter (Attachment 1) to Senator McGuire in support of Assembly Bill 1976 (Eggman), legislation related to mental health assisted outpatient treatment, known as Laura's Law; and
2. Direct the Clerk of the Board to distribute the attached letter, after signature, to the addressees.

SOURCE OF FUNDING:

Mental Health Fund

DISCUSSION:

On June 25, 2020, the Humboldt County Behavioral Health Board voted to request that the Board of Supervisors send a letter of support to Senator McGuire for Assembly Bill 1976 (AB 1976) (Eggman), legislation related to mental health assisted outpatient treatment.

Existing law, known as "Laura's Law", allows courts to compel involuntary assisted outpatient treatment (AOT) for people with a record of mental health hospitalizations, incarcerations or violence. The individual must have been offered an opportunity to voluntarily participate in a treatment plan by the local behavioral health department, yet is likely to relapse or deteriorate to the point of being dangerous to self or others. Implementing Laura's Law is voluntary; counties may opt-in to implementing AOT utilizing their existing mental health services funds and are prohibited from reducing existing voluntary mental health programs serving adults, or children's mental health programs, as a result of implementation. According the California Association of Counties (CSAC), over twenty counties have opted to implement AOT since its passage in 2002 as a demonstration project. The sunset date has been extended several times since.

- AB 1976 would make Laura's Law permanent by eliminating the sunset date for the program.
- AB 1976 would require a county to implement Laura's Law, unless the Board of Supervisors

passes a resolution specifically to opt-out of providing AOT services. The resolution must include the reasons for opting out and any facts or circumstances relied on in making that decision.

- AB 1976 also adds a Superior Court judge to those authorized to request a petition for an order of AOT for individuals who meet criteria. A petition for an AOT order requires the county behavioral health department to conduct an investigation into the appropriateness of each petition. If an AOT petition is approved by the court, any treatment ordered is valid for up to 180 days.

The bill is sponsored by the California Psychiatric Association. CSAC and the County Behavioral Health Directors Association of California support repealing the sunset of this demonstration program, but are concerned that AB 1976 places a mandate on counties to implement AOT services with limited local funds unless the county Board of Supervisors takes affirmative action to opt-out. Additionally, the associations are concerned that expanding the list of those authorized to request a petition for AOT to include judges will increase the workload on county departments in those counties that implement the program.

FINANCIAL IMPACT:

There is no financial impact associated with sending a letter.

STRATEGIC FRAMEWORK:

The recommended actions support the Board of Supervisors' Strategic Framework by creating opportunities for improved safety and health and protecting vulnerable populations.

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to send a letter in support of AB 1976.

ATTACHMENTS:

1. Assembly Bill 1976 draft letter of support
2. Assembly Bill 1976 text

PREVIOUS ACTION/REFERRAL:

Board Order No.:

Meeting of: 04/05/16

File No.: D-7