

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of January 23, 2024

RESOLUTION NO. 24-

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT TO ENSURE SWIFT, SUCCESSFUL AND EFFECTIVE IMPLEMENTATION OF EXPANDED INVOLUNTARY COMMITMENT UNDER SENATE BILL SB 43 (2023-2024 REG SESSION)

WHEREAS, the Lanterman-Petris (LPS) Act (Welfare and Institutions Code section 5000, et seq.) provides for the involuntary commitment of a person who is gravely disabled, which is defined to mean a condition in which a person, as a result of a mental health disorder, is unable to provide for their basic personal needs for food, clothing or shelter; or who is charged with a felony, has been found incompetent to stand trial, and represents a substantial danger of physical harm to others; and

WHEREAS, Senate Bill 43 (2023-2024 Reg. Session), Statutes 2023, Chapter 637 (SB 43), signed by the Governor on October 10, 2023, expands the definition of grave disability to include a person who, as a result of a mental health disorder, a severe substance use disorder (SUD) or a co-occurring mental health disorder and a severe SUD, is unable to provide for their basic personal needs for food, clothing, shelter, personal safety, or necessary medical care; and

WHEREAS, the County is committed to providing effective treatment and services, in humane and appropriate settings, to individuals subject to involuntary commitment; and

WHEREAS, the County is committed to moving swiftly to implement SB 43 and to develop the infrastructure, workforce and treatment programs necessary to effectively serve the expanded populations of individuals subject to involuntary commitment under SB 43; and

WHEREAS, there are currently no locked LPS facilities in Humboldt County or the State of California providing involuntary SUD treatment, limited LPS placements for individuals with complex medical needs, and a lack of evidence-based models for involuntary SUD treatment; and

WHEREAS, providing effective and appropriate treatment for individuals subject to involuntary commitment under SB 43 will require a significant investment of time and resources to identify, expand and build facilities to provide involuntary SUD treatment and serve individuals with complex medical needs; to develop and implement successful, evidence-based models for involuntary SUD treatment; to update involuntary commitment policies and train County staff, private hospital and facility staff, and law enforcement officers to appropriately implement SB 43's expanded involuntary commitment criteria; and to develop the workforce needed to effectively and humanely evaluate and treat individuals involuntarily committed under SB 43; and

WHEREAS, in recognition of the time and resources required, Welfare and Institutions Code section 5008, subdivision (h)(4), as enacted by SB 43, provides that a county, by adoption of a resolution of its governing body, may elect to implement the expanded definition of grave disability at any time until January 1, 2026, thereby providing for an implementation schedule that is tailored to local needs and circumstances and designed to support effective implementation.

NOW, THEREFORE, BE IT RESOLVED that the County of Humboldt Board of Supervisors, State of California, that pursuant to Welfare and Institutions Code section 5008, subdivision (h)(4), as enacted by SB 43, the County of Humboldt hereby elects to implement the expanded definition of “gravely disabled” at the earliest date that will ensure appropriate, effective and humane treatment of individuals involuntarily committed under SB 43 and no later than January 1, 2026.

BE IT FURTHER RESOLVED that DHHS- Behavioral Health shall coordinate with County Administrative Office, Humboldt County Sheriff’s Office, Public Guardian, County Counsel, Humboldt County Superior Court, local law enforcement and hospitals, and other relevant County agencies, to complete the facility and placement expansion, training, policy updates, workforce development, and other steps necessary to effectively implement SB 43’s expansion of grave disability in Humboldt County (“Program Requirements”).

Dated: _____, 2024

STEVE MADRONE, Chair
Humboldt County Board of Supervisors

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

AYES:	Supervisors	Bohn, Bushnell, Wilson, Arroyo
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

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 an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

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

By NIKKI TURNER
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California