



Legislation Text

File #: 15-0844, **Version:** 1

Health and Human Services Agency recommending the Board adopt and authorize the Chair to sign Resolution **141-2015**, authorizing the implementation of an Assisted Out-Patient Pilot Program in El Dorado County, also known as Laura's Law, with a total maximum obligation of \$500,000 over the course of approximately three years, and declaring that no voluntary services will be reduced as a result of this implementation.

FUNDING: State Mental Health Services Act Funds; Community Corrections Partnership funding; and Medi-Cal funding if applicable.

DEPARTMENT RECOMMENDATION:

Health and Human Services Agency (HHS) recommending the Board adopt the attached Resolution authorizing the implementation of an Assisted Out-Patient Pilot Program, also known as Laura's Law, effective in Fiscal Year 2015-16 and continuing over the course of approximately three years. No voluntary mental health services will be reduced as a result of implementation of this pilot program.

DISCUSSION / BACKGROUND:

El Dorado County has established a continuum of behavioral health services for adults with severe mental illness. The Mental Health Services Act, passed in 2004, has allowed El Dorado County to expand this continuum of care through the implementation of the Intensive Case Management Team, Transitional Housing (T-House) Program, and the Wellness Center. In FY 13/14 and FY 14/15, an average of approximately 1,075 adults per fiscal year had at least one open MHSA episode for all or a portion of the fiscal year. Currently, there are approximately 549 adults with a serious mental illness who have an open MHSA episode.

The implementation of the Assisted Out-Patient Treatment program will provide El Dorado County an additional tool to use in engaging people with severe mental illness. People eligible for this program will be El Dorado County residents, 18 years or older, and suffering from mental illness who are unlikely to remain safely in the community without supervision. In addition, the person must have been hospitalized or incarcerated in a forensic or other mental health unit of a state correctional facility or local correctional facility (not including any period during which the person was hospitalized or incarcerated immediately preceding the filing of the petition) twice in the last 36 months as a result of their mental illness, or their mental illness must have resulted in violence or attempted violence to themselves or others within the last 48 months (not including any period in which the person was hospitalized or incarcerated immediately preceding the filing of the petition).

This law allows El Dorado County two new tools to assist people with mental illness who meet the specified criteria. The first is the ability to mandate someone to Assisted Out-Patient Treatment through the use of court-ordered treatment if they have refused to participate in voluntary treatment. The second is the use of a court order to authorize the transport of a person in the Assisted Out-Patient Program for them to be psychiatrically assessed. This can occur if the individual is deteriorating and unsafe in the community even if they do not meet criteria of being a danger to self or others per Welfare & Institutions Code section 5150. It is expected that there will only be a small

number of people who will need to utilize this law as a result of the many voluntary services that are available. However, for those few who need the treatment made available by this law to be successful in their treatment and recovery, it is quite significant.

The mandated treatment program is similar to the Full Service Partnership programs already established in El Dorado County. These programs, in addition to the 24/7 AOT program, include an array of services necessary for recovery for each individual person. Other jurisdictions in California that have implemented AOT, as well as other states with similar laws, identify the patient outcomes realized from these programs result in significant reductions in hospitalizations, incarcerations, homelessness, and psychiatric emergencies for those adults who participate in AOT. The cost benefit analysis of these programs identify an increased benefit over cost.

The AOT program establishes a discretionary program for counties that allow involuntary, court imposed out-patient treatment for people who are mentally ill and meet specific clinical criteria. In addition, this law requires that the County Board of Supervisors authorize implementation of the program by adopting a resolution, and makes a finding that no voluntary adult or children's mental health program will be reduced as a result of implementation of this program.

It is estimated that treatment costs for this program will be approximately \$200,000 per year. This assumes there will be 10 people referred each year, of which some will agree to voluntary services and some will be court-ordered for services. It is anticipated that this program will have a slow-start up, and as a result the funding for the pilot program will last approximately 3 years.

On January 23, 2013, the Mental Health Commission passed a motion requesting the El Dorado County Mental Health Director take all necessary steps to support AOT, and have had ongoing discussions since that time supporting the implementation of AOT in El Dorado County. In addition, HHSA received a letter of support for this program from the National Alliance for the Mentally Ill, El Dorado (NAMI) organization. Lastly, the Community Corrections Partnership consisting of representatives from the Probation Department, Sheriff, District Attorney, Public Defender, Placerville Police Department, HHSA and the Superior Court unanimously support the implementation of this pilot program.

California Senate Bill 585, chaptered into law on September 9, 2013, authorizes MHSA funding to be utilized for AOT. Allocation of MHSA funding for the implementation of AOT was approved by this Board in the Fiscal Year 2015/16 MHSA Plan Update as Community Services and Supports (CSS) Project 2d, and the funding for AOT will be included in the FY 2015/16 addenda budget. In addition, the CCP agreed to provide \$125,000 in funding over the course of this pilot project to provide AOT services to repeat offenders with a serious mental illness.

If approved today, it is expected there will be approximately six months of program development necessary prior to implementation, and actual services will begin in Spring 2016. Public education about Assisted Out-Patient Treatment will be included as part of the implementation of the program.

ALTERNATIVES:

The Board could decline to adopt the Resolution authorizing the AOT Program (Laura's Law), in which case the current system of outpatient mental health services for adults would continue, without the ability to mandate services for those individuals who meet the criteria for Assisted Out-Patient Treatment.

OTHER DEPARTMENT / AGENCY INVOLVEMENT:

County Counsel, El Dorado County Superior Court, and the Community Corrections Partnership

CAO RECOMMENDATION

It is recommended that the Board approve this item as only a three year pilot program.

FINANCIAL IMPACT:

The treatment cost estimated at a maximum amount of \$500,000 over the course of the pilot program will be funded with \$375,000 of State Mental Health Services Act funds, and a maximum of \$125,000 of AB109/Community Corrections Partnership funds, with no Net County cost. Federal funding via Medi-Cal may be utilized, if applicable. If approved, the funding will be included in the FY 2015/16 addenda budget.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1. Clerk of the Board to obtain signature of Chair on the Resolution authorizing implementation of a pilot Assisted Out-Patient Treatment program.
2. Clerk of the Board to return one (1) certified Resolution to HHSA at 3057 Briw Road.

STRATEGIC PLAN COMPONENT:

Health and Human Services Agency Strategic Plan Objective 3.3.5 - Continue to explore the feasibility of implementing Laura's Law in El Dorado County.

CONTACT

Don Ashton, M.P.A., Director