



COUNTY OF HUMBOLDT

For the meeting of: 1/23/2024

File #: 24-26

To: Board of Supervisors

From: DHHS: Behavioral Health

Agenda Section: Special Presentation

Vote Requirement: Majority

SUBJECT:

AB1976 Mental Health Services: Assisted Outpatient Treatment and Implementation of Expanded Involuntary Commitment under SB 43

RECOMMENDATION(S):

That the Board of Supervisors:

1. Receive and file a presentation by the Department of Health and Human Services- Behavioral Health (DHHS-BH) regarding Assisted Outpatient Treatment and Implementation of Expanded Involuntary Commitment under SB 43; and
2. Adopt a Resolution of the Board of Supervisors of the County of Humboldt to delay the implementation of SB 43 until no later than January 1, 2026, to ensure successful, and effective implementation of expanded involuntary commitment.

SOURCE OF FUNDING:

Behavioral Health Fund (1170), General Fund (1100)

DISCUSSION:

On June 8, 2021, your board authorized the funding for a pilot program of AB 1421 and 1976 Laura's Law aka Assisted Outpatient Treatment (AOT). AOT provides court-ordered community treatment for individuals with a history of repeated hospitalization or incarceration, or a history of violent behavior to self or others. AOT permits California Counties to utilize courts, probation, and mental health systems to address the needs of individuals unable to participate in community mental health treatment programs without supervision. Humboldt County Behavioral Health began accepting referrals for AOT on July 1, 2022.

On April 4, 2023, a presentation was delivered to your Board that provided some of the highlights and challenges that the AOT pilot program had encountered in the first six months of services. This presentation is designed to further that discussion and provide the Board with additional information and outcomes.

SB 43, signed by the Governor this October, will make substantial changes to California’s involuntary commitment law. Most significantly, SB 43 expands the categories of individuals who may be subject to involuntary commitment by broadening the definition of “gravely disabled” under state law. In adopting this change, the Legislature provided counties with the ability to prepare for and implement the expanded definition over a two-year period. Specifically, while other provisions of SB 43 will take effect on January 1, 2024, the law authorizes county boards of supervisors to adopt a resolution establishing a timeline to implement the expanded “gravely disabled” definition, up to January 1, 2026.

This presentation will discuss these two current initiatives affecting Behavioral Health as well as the resources and expectations for those initiatives against the current fiscal landscape. Information will include the current work and outcomes of the AOT program and will examine SB 43 and its potential impacts to the Behavioral Health system. Additionally, it will include a review of current expenditures within DHHS-BH, to include psychiatric hospitalizations and long-term care costs, that are likely to be significantly impacted by SB 43. Finally, staff will also review some aspects of the CARE court program and how this may intersect with these initiatives.

DHHS-BH recommends adopting a resolution that will delay the implementation of SB 43, until no later than January 1, 2026, recognizing that several critical actions are needed from the State to begin moving forward with training, facilities, and staffing. Additional time is needed to ensure that the county is moving forward with the appropriate steps to implement SB 43, but in a manner that is able to deliver care to those covered by the Legislature’s policy decision to expand the definition of “grave disability.”

FINANCIAL IMPACT (AOT):

Expenditures (1170-424)	FY23-24 Adopted	FY24-25 Projected*	FY25-26 Projected*
Budgeted Expenses	\$859,950	\$867,018	\$874,440
Total Expenditures	\$859,950	\$867,018	\$874,440
Funding Sources (1170-424)	FY23-24 Adopted	FY24-25 Projected*	FY25-26 Projected*
General Fund	\$379,674	\$379,674	\$379,674
State/Federal Funds	\$337,131	\$337,131	337,131
Use of Fund Balance	\$143,145	\$150,213	157,635
Total Funding Sources	\$859,950	\$867,018	\$874,440

**Projected amounts are estimates and are subject to change.*

Narrative Explanation of Financial Impact (AOT):

The AOT program budget in Fund 1170, Budget Unit 424 includes expenditures for DHHS-BH personnel salary and benefits, indirect costs and professional services provided by contractor, EA Family Services. Revenues include county General Fund contributions and Federal and State financial participation for Medi-Cal Specialty Mental Health Services. At this time, AOT funding from county General Fund has not been reauthorized for fiscal year 2024-25.

STAFFING IMPACT:

DHHS-BH support personnel includes 0.02 FTE Deputy Director, 0.02 FTE Program Manager, Quality Assurance and 1.0 FTE Administrative Analyst I/II. The contractor, EA Family Services, provides the bulk of staffing support for this program.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework priority of protecting vulnerable populations, creating opportunities for improved safety and health, and providing community appropriate level services.

OTHER AGENCY INVOLVEMENT:

EA Family Services, Law Enforcement, Courts, Public Defender, County Counsel, and hospitals.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board Discretion

ATTACHMENTS:

1. Resolution of the Board of Supervisors of the County of Humboldt to delay the implementation of SB 43 until no later than January 1, 2026, to ensure successful, and effective implementation of expanded involuntary commitment.

PREVIOUS ACTION/REFERRAL:

Board Order No.: G-1; I-3; I-2; D-14, F-1

Meeting of: 8/18/20; 4/6/21; 6/8/21, 1/11/22; 6/28/22, 4/4/23

File No.: 20-1031; 21-375; 21-695; 22-833, 23-297