

LOS ANGELES COUNTY – DEPARTMENT OF MENTAL HEALTH
LEGISLATIVE UPDATE TO THE
MENTAL HEALTH COMMISSION
MAY 2023

The Department of Mental Health (DMH) continues to identify bills introduced in this legislative session and prioritizes and analyzes legislation according to the impact on our operations. Therefore, the department's list of priority bills will change as amendments and bill dispositions happen throughout the session. This report includes our list of bills/proposals impacting DMH and other proposals of interest. Of these bills, SB 43 and the Governor's Mental Health Services Act (MHSA) reform proposal are our top priorities as they are the most impactful if enacted as written.

Priority Bills

- SB 43 Gravely Disabled (Eggman), as amended on April 27, 2023, would expand the definition of "gravely disabled" to include individuals with substance use disorders (SUD) and individuals who are unable to meet their personal and/or medical care needs. DMH has concerns that the bill does not provide resources to meet the increased demand it will create for mental health services and public guardian administrative services. It should also be noted that Department of Public Health (DPH) and Department of Health Services (DHS) have also expressed concerns about the bill's expected impact to our County hospitals and the lack of appropriate treatment facilities for involuntary treatment of substance use disorders.

County position - Watch

- Governor's MHSA reform proposal, announced on March 19, 2023, would focus on treatment and services for mental illness, SUD, and homelessness. The proposal includes the issuance of a general obligation bond (\$3B - \$5B) that would pay for thousands of residential mental health treatment beds. The Governor's proposal would also provide increased flexibility to counties in how they can allocate MHSA funds. However, the proposal would also requires counties to spend 30 percent of their MHSA funds on housing (but not supportive housing services). If the Legislature approves the proposal, an initiative will go on the 2024 ballot.

County position - Pending

Bills of Interest

- SB 551 (Portantino), as amended on May 1, 2023, would require at least 20 percent of the total membership of a mental health board (MHB) to be public school employees and at least 20 percent to be individuals who are 25 years of age or younger (i.e., children or transition-aged youth) in counties with a population of 500,000 or more. DMH supports the efforts to prevent conflict of interest on the MHB and representation of youth on the MHB. However, DMH is concerned that if passed, SB 551 would create an over-representation of these groups on the MHB, negatively impacting the equitable representation of other stakeholder groups in the County.

DMH Recommendation – Neutral Position

County position - Watch

- AB 459 (Haney), as amended on April 13, 2023, would require the California Health and Human Services Agency (HHS) to establish by July 1, 2026, the California Behavioral Health Outcomes and Accountability Review (CBH-OAR) to facilitate an accountability

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system that fosters continuous quality improvement in the county and commercial behavioral health services. County behavioral health departments are already subject to multiple types of data and outcome reporting, as well as quality improvement audits and reviews. This bill would significantly increase the requirements on DMH to report data and outcomes and would create new requirements to develop needs assessments and system improvement plans.

County position - Watch

- AB 289 (Holden), as amended on March 7, 2023, would require a county that is developing a three-year plan and annual updates under MHPA to include among the stakeholders in its development efforts youth or youth mental health organizations and individuals representing diverse viewpoints. DMH supports this bill and the efforts to increase youth participation, especially youth from historically marginalized, underserved, racially and ethnically diverse communities, and representatives from LGBTQ+ communities, in the MHPA community planning process.

DMH Recommendation - Support
County position – Watch

- SB 11 (Menjivar), as amended on May 1, 2023, would require the California State University (CSU) system to have one full-time mental health counselor for every 1,500 students. The bill would also establish the CSU Mental Health Professionals Act, contingent upon an appropriation of one-time funds, which would provide financial incentives for CSU students to become mental health counselors in the state. DMH supports efforts to expand the pipeline of students into the public mental health system and therefore is watching how SB 11 proceeds through the legislature.

County position – no position adopted yet

Additional Resources

- Chief Executive Office's fact sheets for the abovementioned items (attached), except for SB 11 which is not yet being tracked by the County. Please note that these fact sheets include information about the entities that have expressed their support for, or opposition to, the specific legislative proposals.
- Master bill list of bills DMH is tracking (attached).

How the Commission Can Provide Input on Legislative Issues

The Commission's role is to advise the Department of Mental Health and the Board of Supervisors on issues related to the Department and the mental health system. This may also include providing analysis and recommendations regarding legislative issues that may impact the Department of Mental Health and/or the mental health system. Commissioners are welcome to provide input directly to their appointing Board office. The Commission may also choose to send a letter to the department Director and/or the Board of Supervisors to share its analysis and recommendations regarding legislation.