



DEPARTMENT OF MENTAL HEALTH

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February 13, 2023

TO: Supervisor Janice Hahn, Chair
Supervisor Hilda L. Solis
Supervisor Holly J. Mitchell
Supervisor Lindsey P. Horvath
Supervisor Kathryn Barger

FROM: Lisa H. Wong, Psy.D.
Interim Director *LHW, Psy.D.*

SUBJECT: **ANNUAL REPORT TO THE BOARD FOR EXPANDING LANTERMAN-PETRIS-SHORT (LPS) AND PROBATE CONSERVATORSHIP CAPACITY IN LOS ANGELES COUNTY (ITEM 9, AGENDA OF AUGUST 8, 2017)**

On August 8, 2017, your Board directed the Department of Mental Health (DMH) in collaboration with the Health Agency and the Chief Executive Officer to convene stakeholders with representatives of the Superior Court, mental health experts, consumers and consumer advocates and to report back to the Board with recommendations on multiple directives.

This is the fourth annual report addressing the directive to provide annual reports regarding conservatorships.

Data

The Office of the Public Guardian (OPG) uses the Client and Asset Management System (CAMS), a database under the auspices of the Treasurer and Tax Collector (TTC) for use by Public Administrator, Public Guardian, Medical Examiner-Coroner and certain DMH Clinics for Representative Payee services. Data is compiled manually or with one-time queries from the CAMS database.

There is also a data exchange between CAMS and the DMH Integrated Behavioral Health Information System (IBHIS) that provides information on the amount of mental health services provided to conservatees served by OPG. This information is detailed below.

This report reflects OPG's efforts to gather as much data to meet the data request for OPG conserved clients. Unless otherwise noted the conservatorship data is for Fiscal Year (FY) 2021-22.

1. The number of clients placed in Probate and LPS conservatorship with OPG annually:

OPG was initially appointed conservator for 107 Probate conservatees and 284 LPS conservatees and reappointed as conservator on 2,012 LPS conservatees.

2. The number of individuals referred for investigation for Probate and LPS conservatorships with OPG, OPG caseloads and frequency of OPG Deputy contact with conservatees:

OPG received a total of 742 LPS referrals from designated acute psychiatric facilities, Jail Mental Health and Superior Court (Mental Health Court, Criminal Courts and Probate Court). Ninety-six percent of referrals were accepted and investigated by OPG. Residency issues continue to be the primary reason a referral is rejected. Exhibits 1 and 1A provide details on the number of LPS referrals received monthly and the sources of those referrals.

OPG and the Homeless Outreach Mobile Engagement (HOME) Team continued the Outpatient Conservatorship program. Ninety-three cases were referred resulting in 86 petitions for conservatorship and 70 of those cases were placed on conservatorship. See Exhibit 2 for more details.

OPG received 1,558 Probate referrals from a variety of sources. Ninety-six percent of all referrals were accepted and investigated. The primary reasons a case was not investigated were residency issues, inappropriate diagnosis, or incomplete referrals. See Exhibit 2 for more details.

OPG currently designates Deputy Public Guardians (DPG) to perform functions of Investigator, Caseload Deputy/Case Manager and Training/Audit Deputy. OPG successfully completed the reclassification of the Deputy series during the reporting period. The average monthly caseload per Deputy for these assignments are:

a	LPS Investigations	8 investigations per month
b	LPS Forensic Investigations	14 investigations per month
c	LPS Caseload	50-85 appointed cases depending on Classification*
d	LPS Forensic Caseload	113 appointed cases
e	LPS Minors Investigation and Caseload	24 total referrals and average of 30 appointed cases
f	LPS Audit	7 cases per month
g	Probate Investigations	5-18 investigations per month**
h	Probate Caseloads	40-60 appointed cases depending on Classification *
i	Probate Audit	8 cases per month

During the reporting period, Deputies conducted client visits primarily in-person unless a facility closed visits due to a COVID-19 outbreak. A total of 10,769 client visits were performed during FY 2021-22.

Due to staffing and caseload size, OPG has an expectation that conserved clients in structured settings are visited once per quarter and those living in independent settings such as their own home are visited monthly. OPG met the visitation standard approximately 90 percent during the fiscal year.

3. The number of OPG clients who exit conservatorship and the reasons for clients exiting conservatorship:

A total of 541 LPS temporary and permanent conservatorships were terminated. The reasons are varied, but the most common reasons for a termination of a conservatorship were a finding of Not Gravely Disabled, Suitable Alternative to Conservatorship and Death. Unfortunately, COVID-19 continued to have an impact on our conservatees.

There was a slight increase in the number of conservatorship cases terminated due to a lack of a doctor to testify in a court trial or jury trial: 70 in FY 2021-22 as compared to 65 in the previous year.

OPG is also pleased to report that based on our recommendations, the Court appointed 166 private conservators as the initial or successor conservator. See Exhibit 3 for more details.

4. The number of clients who exit and return within one year:

In FY 2020-21, 638 LPS conservatorships were terminated for various reasons. Eight of these individuals were referred again for conservatorship in FY 2020-21 and two were placed on conservatorship.

*Caseloads were impacted by an average of 17.33 vacancies per month in the Deputy series in FY 2021-22. This was an increase in our vacancy rate for FY 2020-21 which averaged 13.25 monthly vacancies.

** OPG has MOUs with outside entities to dedicate DPGs to investigate their referrals (APS, County Hospitals, Conservatorship Access Network). OPG also provides a dedicated investigator to the Probate Court.

5. The number of OPG LPS conserved clients waiting for a higher level of care, including locked facilities and lengths of wait time for higher levels of care for conserved clients:

According to DMH's Intensive Care Division, the number of conservatees waiting for Metropolitan State Hospital is 26 with an average wait time of 394 days and the number of conservatees waiting for Napa is three with an average wait time of 506 days; the number waiting for a Specialized or General Subacute is 203 and the length of wait time is 141 days; and the number waiting for Enriched Residential Services (ERS) is 214 with an average wait time of 96 days. See Exhibit 4 for more details.

Due to the Felony Incompetent to Stand Trial (FIST) waitlist, admission of LPS conserved to the state hospitals is severely restricted. DMH was only able to admit four conserved clients during the annual reporting period.

6. The number of OPG LPS conserved clients in locked facilities and lengths of stay in locked facilities for OPG clients:

According to DMH's Intensive Care Division, the number of OPG conserved clients in Specialized Subacute is 379; the number in General Subacute is 702; and the number in ERS, an unlocked setting, is 329.

Data shows that length of stay at Specialized Subacute is 2.26 years; length of stay for General Subacute is 1.96 years; and length of stay for ERS is 1.28 years. See Exhibit 4 for more details.

A review of OPG's database finds there are 326 OPG conserved clients in the following state hospitals: Patton, Metropolitan, Napa, Atascadero, and Coalinga. The average length of stay at the state hospital varies from state hospital to state hospital, but the average ranges between 1.5 to 5.5 years. There are a few conservatees with extraordinary stays of more than 15 years. The longer length of stay at state hospitals is impacted by conservatees on a Murphy conservatorship with active charges for a violent felony, who remain incompetent to stand trial, and are deemed by Superior Court to pose a danger to the public. As a result, the least restrictive level of care appropriate is the state hospital and few suitable alternative levels of care currently exist.

7. The number of OPG clients who are receiving specialty mental health services:

In FY 2021-22 the data match found 39.8 percent of conservatees received at least one billable outpatient service with DMH directly operated, legal entity or DMH Fee For Service providers: mental health services, targeted case management, medication support services, crisis intervention, crisis stabilization, day treatment/rehab services or therapeutic behavioral services (TBS). This was a slight decrease from the previous report of 41 percent. Conservatees receiving

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services in state hospitals, IMD's or with private insurance would not be captured in our data match but these conservatees are technically receiving specialty mental health services under the Local Mental Health Plan (MHP).

A manual review of conservatorship data determined there was a slight decrease in the number of OPG conservatees enrolled in Full-Service Partnership (FSP) programs. There are 225 conservatees enrolled in directly operated or contracted FSP programs as compared to 258 FSP clients documented in our previous annual report.

If you need additional information, please contact Luis Leyva, Acting Deputy Director, at (213) 974-0407 or Lleyva@dmh.lacounty.gov or Connie D. Draxler, Acting Chief Deputy Director, at (213) 738-4926 or Cdraxler@dmh.lacounty.gov.

LHW:CDD:LL:lm

Attachments

c: Executive Office, Board of Supervisors
Chief Executive Office
Alliance for Health Integration

EXHIBIT 1

LPS INVESTIGATION UNITS FY 2021 - 2022

UNIT 1 - INVESTIGATION (HOSPITAL AND MENTAL HEALTH COURT) REFERRAL SOURCES

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
Adventist Health Glendale				1		1	1						3
Antelope Valley Hospital	1												1
Aurora Charter Oak Hospital	1												1
Aurora Las Encinas	1	2		1	1					1		1	7
Citrus Valley Medical Center		1						1					2
College Hospital Cerritos	2	2	2	1	1	2	1	2	1	4	2	2	22
College Hospital Long Beach	1	1		1				2	1		3	1	10
College Medical Center South Campus (Hawthorne)								1					1
Del Amo Hospital	1												1
Dignity Health Northridge Hospital	1												1
Exodus Recovery Psychiatric	3				1		1	1				1	7
Gateways Hospital & Medical Center	6	6	8	2	1	2		1	1	3	7	3	40
Glendale Memorial Hospital & Health Center						1			1				2
Glendora Community Hospital				1							1		2
Harbor-UCLA Medical Center	3	4	3	1	8	5	1		5	7	4	3	44
Huntington Hospital Della Martin Center	1	1		1		1	1	2					7
Kaiser Permanente Mental Health Clinic			1							1			2
LAC+USC / A. F. Hawkins /Keck	5	7	4	7	2	8	5	4	4	10	1	9	66
La Casa Psychiatric		1	2				1		1	1	2		8
LA Downtown Ctr - Hellman/Temple		1				1	1	1	1				5
Long Beach MC & South Campus											1		1
Olive View-UCLA Medical Center	1	1		1		1		1	1	2	1	1	10
Out of County	3	3	1	3		1		2	3	4	4	3	27
Out Patient Referral		2	4	2	4	3	2	3	4	4	2	2	32
Mission Community Hospital	1	1											2
Pacific Hospital of Sun Valley								1					1
Penn Mar Therapeutic Center			1					1					2
Providence Little Company of Mary Medical Center				2				2	1	1	1		7
Resnick Neuropsychiatric Ronald Reagan				1	1	1		1	1				5
Sherman Oaks Hospital												1	1
St. Francis Medical Center											1		1
USC Verdugo Hills Hospital						1				1	1		3
Veterans Administration Veterans Affairs Los Angeles	6	4	1		1	9	3	6	4		1	5	40
Veterans Administration Veterans Affairs Long Beach			2	1	1	1	1	1	1	1			9
Rejected	1		1	2	1	3	1	2		1	1	2	15
TOTAL:	38	37	30	28	22	41	19	35	30	41	33	34	388

*Note: The following facilities did not send any referrals for FY 2021-22

- Adventist Health White Memorial
- BHC Alhambra Hospital
- Exodus Recovery (Eastside/ Westside)
- Henry Mayo Newhall Hospital
- Kedren Acute Psychiatric Hospital

- Los Angeles Jewish Home for The Aging
- Motion Picture & Television Fund Hospital
- San Gabriel Valley Medical Center
- Silver Lake Medical Center
- Southern California Hospital @ Culver City

EXHIBIT 1A

LPS INVESTIGATION UNITS FY 2021 - 2022 UNIT 16 - INVESTIGATION (FORENSIC AND MINORS) REFERRAL SOURCES

	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL
Dept. 95 A/ Dept. 95 B/ Dept. 95 C/ Dept. 95 D	11	22	23	16	19	23	22	30	28	22	15	20	251
Outlying Criminal Courts	6	4	9	9	3	3	3	3	6	4	2	1	53
Atascadero State Hospital	1												1
Metro State Hospital					1							1	2
Patton State Hospital													0
Napa State Hospital				1									1
Coalinga State Hospital													0
Twin Tower Correctional Facility (TTCF)	6	3	1	2	1	9	6	2	1	2	5	4	42
Juvenile Hall		1											1
College Hospital													0
LAC/USC Augustus/Hawkins													0
Gateways													0
Starview		1											1
Century Regional Detention Facility (CRDF)			1										1
Trust							1						1
TOTAL:	24	31	34	28	23	36	31	36	35	28	22	26	354

EXHIBIT 2

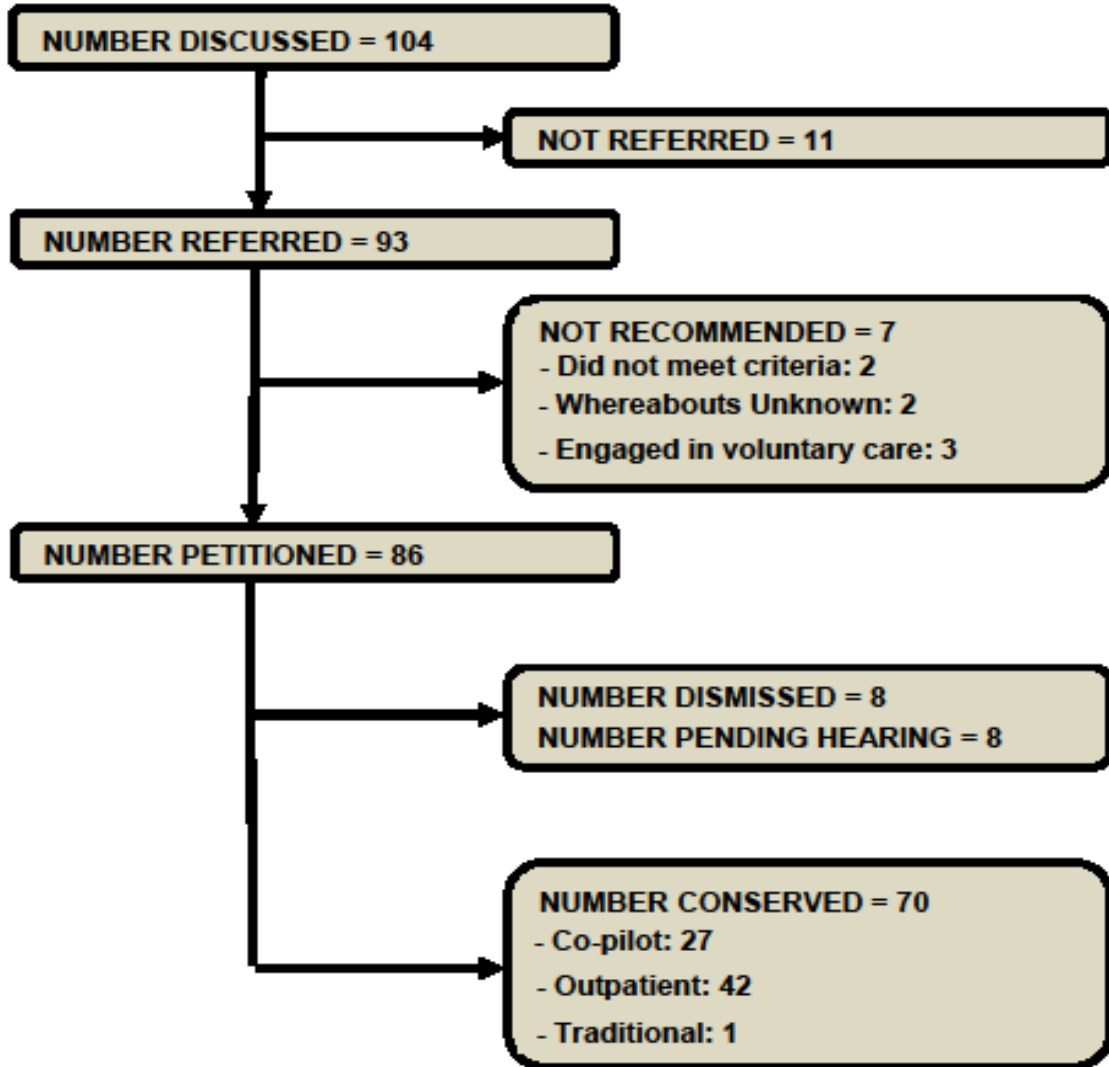


EXHIBIT 3

PROBATE INVESTIGATION UNITS FY 2021 - 2022

UNIT 8, 9, & 10 - INVESTIGATION (HOSPITAL AND PROBATE COURT) REFERRAL SOURCES

	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL
Adult Protective Services (APS)	1	1		2	4		6	1	4	6	1		26
Attorney (ATT)	1		1	1	1						2		6
Conservator Access Network (CAN)	9	5	4	6	1	3	11	9	4	3	3	7	65
County Hospital (CHO)	3	4	3	3	6	4	4	3	5	3	9	4	51
Community (COM)	1	1	3	5	8	4	7	2	3	2	6	5	47
Court (CRT)	1	5	2	2	3	8	8	7	5	2	4	1	48
Referral Rejected (RJ)	14	5	20	6	11	12	3						71
Family Referrals (FAM)	2	2	3	2	2	1	2	1	1	4	4	1	25
Other (OTH)	1	5	4	2		1	4	2	4		1	4	28
Public Administrator/Public Guardian/Public Conservator (PA/PG/PC)			3						2	2	1		8
Private Citizen (PRC)													0
Private Hospital (PHO)	11	8	10	12	10	12	9	16	19	10	7	10	134
Skilled Nursing Facilities (SNF)	97	87	68	49	64	52	65	75	83	63	31	80	814
Trust (TRT)	2	1		1		1	4	2		2			13
Veterans Affairs (VA)	3	3	4	5	2	6	2	4	4	3	5	3	44
Forensic Center (FOR)				1							2		3
Genesis (GEN)	1					1							2
Department of Health Services (DHS)	2			1						1		1	5
Department of Social Services (DPSS)	22	10	11	9	15	10	9	15	23	10	15	16	165
Private Professional Fiduciary (PPF)													0
Residential Facilities (RES)	2											1	3
TOTAL:	171	138	136	105	125	120	128	142	154	109	94	136	1558

EXHIBIT 4

LPS CONSERVATORSHIP TERMINATIONS FY 2021 - 2022 TOTAL ALL UNITS

	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL
Term. By Law Not Filed				2			2			1			5
Commitment to State Prison	1												1
Alternative	4	4	4	1	3	6	5	6	9	5	3	11	61
AWOL	6	1	3	2	7	2	4	1	3	2	2	2	35
Re-Hearing Granted	2			2			2		1	1			8
NGD	9	14	8	6	11	11	11	9	14	8	8	15	124
Not Trnsp./No Video conf.		1				1							2
Last Day/Contested/ No Doctor	3	8	6	2	7	7	8	10	9	3	5	2	70
Death	2	7	7	6	10	9	7		10	6	2		66
Voluntary			1	1			1						3
Successor Appointed	6	2	8	6	6	6	5	6	6	6		2	59
Private Conservator	3	10	9	7	12	6	13	4	15	4	10	14	107
TOTAL:	36	47	46	31	60	47	54	41	66	35	32	46	541

EXHIBIT 5

INTENSIVE CARE DIVISION LOS ANGELES PUBLIC GUARDIAN DATA FY 2021 - 2022

	No. of LAPG clients currently in the facilities	FACILITIES	TOTAL # OF DAYS	AVG YEARS	# of LAPG CLIENTS ON Referred List	Length Of Wait Time
SPECIALIZED SUBACUTE						
	89	SIERRA VISTA	99023	3.05		
	149	LA PAZ	150936	2.78		
	24	CRESTWOOD FALLBROOK	20505	2.34		
	56	OLIVE VISTA CENTER	34955	1.71		
	61	SHANDIN HILLS	31652	1.42		
SUBTOTAL	379		337071			
AVERAGE	76		67414	2.26	407*	^ 146.20
GENERALIZED SUBACUTE						
	83	VIEW HEIGHTS CONVALESCENT	133061	4.39		
	48	COMMUNITY CARE CENTER	66466	3.79		
	52	MEADOWBROOK MANOR	54250	2.86		
	40	LAUREL PARK CENTER	38337	2.63		
	43	LANDMARK MEDICAL CENTER	36013	2.29		
	4	SYLMAR HEALTH & REHABILITATION**	2999	2.05		
	51	ALPINE	36468	1.96		
	151	LA CASA	106730	1.94		
	44	HARBOR VIEW BHC	27453	1.71		
	57	PENN MAR	14910	0.72		
	76	AURORA LAS ENCINAS	14636	0.53		
	18	CALIFORNIA PSYCHIATRIC TRANSITIONS	2830	0.43		
	35	STONE POINT HEALTH CARE	1966	0.15		
SUBTOTAL	702		536119			
AVERAGE	54		41240	1.96	407*	^ 146.20
ENRICHED RESIDENTIAL SERVICES						
	41	TELECARE 7	38936	2.60		
	65	PERCY VILLAGE	51909	2.19		
	75	NEEDS	36583	1.34		
	21	ANNE SIPPI CLINIC	8511	1.11		
	31	CEDAR STREET HOMES	9738	0.86		
	40	NORMANDIE VILLAGE EAST	11469	0.79		
	49	SPECIAL SERVICES OF GROUPS	12625	0.71		
	7	BRIDGES - CASITAS ESPERANZA	1576	0.62		
SUBTOTAL	329		171347			
AVERAGE	41		21418	1.28	436	^ 87.58

^ While client legal and/or medical issues can increase the average length of stay, the number of clients serviced in FY 21-22 has actually increased and average length of stay has decreased as compared to that in FY 20-21.

Potential attributing factors - Improved management and adaptation to Covid, increased vaccination in clients, etc.

*The total number of referrals represent both generalized and specialized Subacute facilities. Referrals can also be made to both generalized and specialized subacute at the same time.

**DMH's contract with Sylmar Health & Rehabilitation was terminated 3/16/22.