

DEPARTMENT OF MENTAL HEALTH DIRECTOR'S UPDATE: Senate Bill (SB) 43 Update



**Mental Health Commission
November 21, 2024**

Dr. Curley Bonds, Chief Medical Officer – DMH



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▶▶ SB 43 Definition Changes/Additions

- **SB 43 allows adults to be placed on 5150's and other involuntary holds based on their "severe" Substance Use Disorder (SUD).**
 - ◁ "Severe" SUD is defined as a diagnosed substance-related disorder that meets the diagnostic criteria of "severe" according to the most current version of Diagnostic and Statistical Manual of Mental Disorders (DSM-5 currently) **at the time of the evaluation*** for involuntary detention.
- **Grave disability based on personal safety considerations is defined as the inability to survive safely in the community without involuntary detention or treatment due to a Mental Health (MH) disorder, severe SUD, or a co-occurring MH and severe SUD.**
 - ◁ The eligible behavioral health condition must be the reason for the inability to provide for personal safety.
- **Grave disability based on necessary medical care considerations is defined as when a person, as a result of a MH disorder, a severe SUD, or a co-occurring MH and severe SUD, requires medical care as determined by a professional operating within their scope of practice to prevent serious deterioration of an existing physical medical condition which, if left untreated, is likely to result in serious bodily injury as evidenced in Section 15610.67 of the Welfare and Institutions Code.**

▶▶ LA County SB 43 Workgroup Structure

- **SB 43 Steering Committee** (co-led by DMH and DPH-SAPC leadership)
 - **Client Flow, System Mapping, System Guidelines, and System Evaluation Workgroup** (co-led by Dr. Gary Tsai, Jaclyn Baucum, Dr. Debbie Innes-Gomberg, Lauren Nakano, and Theion Perkins)
 - **Community Education and Collaboration Workgroup** (co-led by Karen Zarsadias-Ige and Antonne Moore)
 - **Court Process/Adherence to Court Orders Workgroup** (led by James Kwon and Court Administrator)
 - **LPS Designation and Training Workgroup** (led by Dr. Debbie Innes-Gomberg)
 - **Managed Care Workgroup** (co-led by Jaclyn Baucum and Allison Kato)
 - **Treatment and Care Planning Workgroup** (co-led by Dr. Brian Hurley and Theion Perkins)

*Other operational focus areas:

- Staffing & budget
- Individuals' ineligible for new SB 43 criteria

▶▶ Purpose of Client Flow, System Mapping, System Guidelines, and Evaluation (FMGE) Workgroup

The aim of the Client Flow, System Mapping, System Guidelines, and System Evaluation (FMGE) Workgroup will be to focus on systems-level considerations related to:

- ◁ **Client Flow*** – How clients placed on grave disability holds under SB 43 arrive at, move, and transition through care settings.
- ◁ **System Mapping*** – How the system is structured to accommodate various client, system, and stakeholder needs (hospitals, clinicians, law enforcement, other LPS facilities and staff, etc.).
- ◁ **System Guidelines*** – SB 43 criteria and examples, particularly with regard to the definition of severe SUD, necessary medical care, and personal safety, that help to guide the SB 43 process.
- ◁ **System Evaluation*** – Ensuring processes to evaluate the impact, strengths, weaknesses, etc. of the new SB 43 process and its application at both a population- and individual-level.

**Coordination with the Steering Committee and other Workgroups will be essential*

- **Work Product Under Development:** Guidance documents and client flow maps that explain how issues listed above will be addressed when SB 43 is implemented.

▶▶ Purpose of Community Education and Collaboration Workgroup

The purpose of the Community Education and Collaboration Workgroup is to:

- Develop FAQs and website information with input from stakeholders/community members, so it is widely available to the public prior to implementation.
- Assist in the creation of presentation resources and educational materials.
- Coordinate with the Designation and Training Workgroup.
- **Work Product Under Development:** Variety of public education materials, including presentations, FAQs, and information that will be posted on DMH's website.

▶▶ Purpose of Court Process/Adherence to Court Orders Workgroup

- **Identify stakeholders in the LPS conservatorship process including the process of holds leading to an LPS referral.**
 - Update court orders/other documents involved in the LPS conservatorship process to capture new definitions.
 - Educate stakeholders and those involved in the process about range of possible placements and Level of Care
 - Mirror training being provided in the Designation and Training workgroup to the certification and judicial hearing officers
 - Work with court admin to ensure information/language regarding SB 43 is made available through the court
 - Identify areas of potential gridlock (due to logistics/staffing/misguided workflow)
 - Report back updates as appropriate from other workgroups
- **Work Product Under Development:** Court order documents will be updated to reflect the new definitions of grave disability

▶▶ Purpose of Designation and Training Workgroup

The purpose of the Designation and Training Workgroup is to:

- Update online and written training and education materials for:
 - ◀ LPS authorized individuals and LPS designated facilities;
 - ◀ Non designated facilities who may receive individuals on an involuntary hold
 - ◀ Law enforcement, EMS
- Coordinate presentations to interested parties
 - ◀ DMH/DPH-SAPC recently presented to LA County Police Chief's Association
- Coordinate with the Community Education and Collaboration Workgroup and Court Process Workgroup
- **Work Product Under Development:** Updating the training and education materials for all designees to reflect the new definition of grave disability, and to explain the new processes

▶▶ Purpose of Managed Care Workgroup

- **The purpose of the Managed Care Workgroup is to:**
 - ◁ Identify the areas of SB 43 impact to the Medi-Cal Managed Care Plans (MCPs).
 - ◁ Work with the LA County MCPs to develop workflows that map out new processes for coordination across behavioral health systems.
- **The goals of the Managed Care Workgroup are to:**
 - Ensure 1/1/26 readiness for MCP coordination.
 - Engage and get alignment with MCP partners.
 - Bring in external stakeholders, as needed.
- **Work Product Under Development:** Workflows will be developed that explain how clients will be managed and how DMH/DPH-SAPC will coordinate care and client flow with the MCPs.

▶▶ Purpose of the Treatment and Care Planning Workgroup

The purpose of the Treatment and Care Planning Workgroup is to:

- Identify and address treatment resources, capacity or gaps in services
- Addressing co-occurring substance use needs
- Addressing co-occurring necessary medical needs
- Explore establishment of an inventory of current treatment facilities.
- Incorporating the Model Care Coordination Plan (AB 2242).
- Work closely with the Client Flow and other cross-cutting workgroups.
- **Work Product Under Development:** Guidance documents and client flow maps that explain how issues listed above will be addressed when SB 43 is implemented.

Questions?



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