

Board of Supervisors

Meeting Date: 06/25/2013

Brief Title: ADMH Presentation on Laura's Law

From: Kim Suderman, Director, Alcohol, Drug and Mental Health

Staff Contact: Chris Contreras, Administrative Services Analyst, Alcohol, Drug and Mental Health, x8289

Information

Subject

10:30 a.m. - Alcohol, Drug & Mental Health

Authorize the Director of Alcohol, Drug & Mental Health to implement an Assertive Outpatient Treatment pilot during fiscal year 2013-14 to assist in determining the feasibility of implementing Laura's Law in fiscal year 2014-15. (No general fund impact) (Suderman)

Recommended Action

Authorize the Director of Alcohol, Drug & Mental Health to implement an Assertive Outpatient Treatment pilot during fiscal year 2013-14 to assist in determining the feasibility of implementing Laura's Law in fiscal year 2014-15.

Strategic Plan Goal(s)

Preserve and ensure safe and crime free communities

Reason for Recommended Action/Background

There is much debate across the state of California as to whether AB 1421, court ordered Assisted Outpatient Treatment (AOT), also known as Laura's Law, should be utilized for those with serious mental illness whose condition is deteriorating, and/or is unlikely to survive safely in the community without supervision or WIC 5150. While creating a program can be expensive, there is also a cost for not operating such a program. Those eligible for AOT are regularly using resources today through the criminal justice system and psychiatric inpatient services (the criteria for eligibility into the program) with a high cost; for example Woodland Memorial Hospital's psychiatric inpatient rate for FY 2012-13 rate \$1,447 a day. These same resources could be better spent on proactive treatment, rather than reactive intervention.

To inform our partners and the community, ADMH hosted a series of meetings, focus groups, phone calls, to receive verbal and written feedback from partners, stakeholders, consumers, including a presentation from Nevada County by Michael Heggarty, Behavioral Health Director, Honorable Judge Thomas Anderson, and Carol Stanchfield of Turning Point Community Programs. The schedule included:

April 22—Presentation from the Nevada County Team to: County Administration, Courts, County Counsel, District Attorney, Public Defender, Probation, Law Enforcement, Public Guardian, Legal Aid, Patient's Rights, Hospitals, Department Heads, ADMH.

April 22—Local Mental Health Board (LMHB) received presentation from the Nevada County Team,

May 17—Consumer Wellness Center presentation and discussion—all voted to support a pilot of Laura's Law

May 28—LMHB continued discussion and voted to support a pilot of Laura's Law

June 5—MHSAs Stakeholder Meeting, , stakeholders voted to support a pilot of Laura's Law

June 6—ADMH All Staff discussion regarding Laura's Law, and the possible Pilot,

There are no dollars attached to the legislation. In addition, AB 1421 explicitly states that funding the program may NOT REDUCE any Children's Mental Health Program nor reduce any voluntary Adult Mental Health Program. During the current economy, counties must choose carefully what they fund, ensuring positive outcomes for use of

limited resources.

To that end, ADMH considered the following:

- A. AOT is paired in tandem with an Assertive Community Treatment (ACT) program, an evidence based practice (EBP) model, allowing consumers to be served most flexibly.
- B. Turning Point Community Programs is Nevada County's Provider for Laura's Law/AOT and ACT.
- C. Turning Point is Yolo's Current Provider of the ACT, funded under MHSA Community Services and Support's Full Service Partnership Program.
- D. National Statistics for AOT counties is an average served of 1 per 50,000 population
- E. Yolo County's population is approximately 207,000
- F. ADMH has funded 50 slots with Turning Point, of which 48 are currently filled as of the writing of this BOS Letter

At the Budget Hearings on June 11, 2013 for Fiscal Year 2013-14, the Board of Supervisors discussed allocating \$100,000 to be available to ADMH from Health and Human Services Contingency Funds, to address 3 service areas, including: Increasing the existing Turning Point Community Programs' Full Service Partnership Program (FSP) to serve up to 4 slots for AOT; unanticipated increased residential placements with additional mental health treatment costs; and challenges with the treatment costs for the Medi-Medi population.

Although the Health and Human Services Contingency Fund was initially discussed as a possible funding option, the department will also explore other alternative funding strategies such as excess realignment revenue beyond current projections, which can be added as part of the Adopted Budget hearing in September, or at a later date as new information becomes available. Beyond 2013-14, if the program is recommended to continue, the department will also engage the upcoming MHSA stakeholder process to explore the use of those funds to support the program in the long term.

ADMH therefore proposes an AOT Pilot as follows:

- Make available up to 4 additional slots in Turning Point Community Programs contract for AOT, which would continue the 50 ACT slots and allow up to 4 AOT slots.
- No voluntary consumer will be bumped from the program
- ADMH and Turning Point will work with the Courts, County Counsel, Public Defender, District Attorney, Public Guardian, and other partners such as law enforcement and hospitals, etc., to develop and implement the pilot program.

Approving the AOT Pilot would allow Yolo County to learn from Nevada County, figure out what works for Yolo, and work with the consumers and all the partners to create our own process, tweak and change the process as needed for the smoothest and most successful implementation of the program, and then evaluate and review the outcomes for future planning.

Background of AB 1421/AOT, also known as Laura's Law:

Laura's Law, patterned after New York's Kendra's Law, is named after a 19-year-old woman working at a Nevada County mental health clinic. She was one of 3 who died after a shooting by a delusional patient who had resisted treatment. Laura's Law/AB 1421, authored by Assembly Woman Helen Thomson, was signed into California law in 2002 and became effective January 1, 2003. The interest in Laura's Law has increased, most recently due to the Colorado and Connecticut incidents.

AB 1421 allows court-ordered, intensive outpatient treatment called Assisted Outpatient Treatment (AOT), for a small population of individuals who have multiple psychiatric hospital and jail stays, and challenges with homelessness. These individuals are often too mentally ill to and have difficulty understanding the value of engaging in treatment.

AOT is designed to provide service intervention before an individual decompensates to such a level that it triggers an involuntary hospitalization or arrest, providing an alternative to hospitalization and incarceration, providing continuity of care for some of the most difficult-to-treat people, who traditionally decline treatment. Nevada County is currently the only county that has fully implemented Laura's Law. Los Angeles County has a small pilot program; San Diego County has a Laura's Law alternative; and Orange County and several others are providing alternative services designed to prevent involuntary interventions.

AB 1421 allows a person that is authorized to obtain assisted outpatient treatment pursuant to an order if requisite criteria are met, as specified. Under this law, participating counties are required to provide prescribed assisted outpatient services, including a service planning and delivery process that are client-directed and employ psychosocial rehabilitation and recovery principles.

A lack of funding and the ongoing controversy over forcing the mentally ill into treatment has led most counties to decide against enacting it. Some object to forced treatment if no crime has been committed. Others say the prospect could deter the mentally ill from seeking treatment voluntarily for fear they could wind up under court-ordered supervision.

Competitive Bid Process:

The AOT pilot pared in tandem with the Turning Point, ACT program is currently covered by an existing RFP, approved by the Board of Supervisor's on July 19, 2012.

On May 21, 2013, the Board of Supervisor's approved to postpone to June 2014 the issuance of multiple competitive bids for existing services currently being provided by community-based providers.

Other Agency Involvement

County Counsel
Public Defender
District Attorney
Courts
Public Guardian

Fiscal Impact

Fiscal impact (see budgetary detail below)

Fiscal Impact (Expenditure)

Total cost of recommended action:	\$ 64,523
Amount budgeted for expenditure:	\$ 64,523
Additional expenditure authority needed:	\$ 0
One-time commitment	Yes

Source of Funds for this Expenditure

Contingency / Realignment \$64,523

Explanation (Expenditure and/or Revenue)

In 2013-14, the department anticipates using either Health and Human Services Contingency and/or excess Realignment revenue that may become available once the current year is closed and all pending revenues have been reported.

Attachments

[Att. A. Laura's Law Program Feedback](#)

Form Review

Inbox	Reviewed By	Date
Kim Suderman	Kim Suderman	06/17/2013 10:40 AM
Jesse Salinas	Jesse Salinas	06/18/2013 10:43 AM
Kim Suderman	Kim Suderman	06/18/2013 11:22 AM
Form Started By: Chris Contreras		Started On: 05/01/2013 11:16 AM
Final Approval Date: 06/18/2013		