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California Association of Mental Health Patients' Rights Advocates

Board Meeting MINUTES
Wednesday, July 19, 2023
Time: 1:00 PM - 4:00 PM
via Zoom

I. Call to Order

a. Introductions and Roll Call

Member/Title	County
Jean McDonald / President	San Diego
Richard Krzyzanowski / Vice President	Los Angeles Area
Lisa Long / Treasurer	Placer
Melody Beltz / Secretary	Humboldt
Christina S. Kraushar / Central	Merced
Whitney Wilson / South	San Diego
Daniel Wagoner – COPR / At Large	Sacramento Area
Jim Raphael / Emeritus	Santa Clara
Melanie Roland / Legislative Committee	Santa Clara
Dave Vandenburg / Emeritus	Monterey
Daniel Wagoner – COPR / At Large	Sacramento Area
Samuel Jain, Senior Policy Attorney / DRC	Sacramento

II. Housekeeping

- a. Roll Call – Quorum met. Ann Venegas of Riverside resigned from the Board.
- b. Treasurer's Report: Lisa reports beginning balance of \$7,317.00, no expenses this quarter, dues received in the amount of \$735.00 leaving us with a total balance of \$8,052.00.
 - Melody makes a motion to approve the Treasurer's report, seconded by Richard, no further discussion, motion carries.
- c. Approval of Minutes-There were no changes or corrections. Richard makes the motion to approve the minutes, Lisa seconds, no further discussion, motion carries.

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III. Coalition Reports

- a. Far North: Jill (Shasta) reports strike issues, went on strike for several days and may go on strike again. Exodus of county employees occurring. Lisa (Placer) reports the Board of Supervisors approved a new PHF, Placer will go from 1 to 2 PHFs will take 2 years. Second CSU opening in Auburn, board and care opened and the county contracted for 16 beds, one B & C expanded from 12 to 18. Facility opened for conservatees. Existing PHF suffered a lot of staff loss, holds being lifted and logistical chaos, toxic workplace issues. Melody (Humboldt) reports a new BH triage facility in collaboration with Behavioral Health, Mad River Community Hospital and Cal Poly Humboldt to be opened. MOU entered into with Mendocino PRA for reciprocal PRA coverage.
- b. BAYPAC – No report.
- c. Central: Christina (Merced) – Merced opened a new SNF/Treatment program. Chris reports she hasn't had an office for the last 2 years. New director came on and now she has an office and computer. Has not done a hearing in the Emergency Department is the last 3 months or so. Fresno reports doing a lot of ED hearings and hired more advocates. Madera opened a 10-bed adult LPS unit. Stanislaus struggling with state forms submitted quarterly and struggling with short-staffing. Kings and Stockton do not participate in the regional meetings.
- d. South: Whitney Wilson (San Diego) – Merida retired from San Bernardino. New Chief PRA, Meriam Valdez, LMFT. Ann from Riverside is not able to attend the meetings. Whitney in the process of setting up a virtual meeting for the coalition. Tina Coates from Ventura reported issues with SmartCare, they have done 1 AB 2275 hearing so far. In San Diego there are no PHFs, previously hospital is building a PHF. They are doing a lot of AB 2275 hearing I the EDs and CSUs. They may get an LPS unit in a SNF.

IV. Standing Items

- a. Presidential Updates – Jean. She attended the CCMH call regarding MHSA funding recommendations of priorities. Discussion regarding funding for smaller counties. MHSA reform will have a huge impact on patient care. Likely ties into SB 326 (Eggman).
- b. Independent Living Association (ILA) Whitney reports approx. 70 member homes with oversight. ILA is reaching out to other homes to provide technical assistance. They have a website that is searchable. Has been a great success.

V. New Business

- a. Committee Membership – Richard. Nothing to report at this time.
- b. Board “Urgent Motion Procedure” to endorse/join collaborative legislative actions in a timely manner – Richard. Vote to sign onto a support letter was voted on and appeared to be passed but it was not finalized so Richard did not sign-on to the letter. Clarified that it was the Secretary's

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responsibility to keep track and inform the membership of the status. Secretary confirms that she has never declared when a motion passed or not, the President has made the declaration of a motion passing or not. Secretary will tally votes and inform the President and Vice President and either of them will reach out to the person who made the motion and inform them. Request to obtain a copy of the actual letter signed onto for record keeping. Lisa shares that urgent motions have a tight turnaround so it needs to be monitored closely.

VI. Statewide Business

- a. Legislation Committee – Richard clarifies the name of the committee is legislation committee not legislative committee.
- b. Review of New Proposed Legislation - Jim.
 - AB 1376 (Carrillo) Proposes to immunize ambulance services from criminal liability for transporting persons detained pursuant to LPS. Samuel Jain successfully negotiated with the AC Ambulance Assoc. and the bill author adding an amendment prohibiting the requirement that persons be on an involuntary hold as a precondition for transport.
 - SB 11 (Menjivar) Requirement to provide in-house MH counseling services for students on all CSU campuses. Amended on 4/10/23 and sent to the Health Committee on 4/26/23. Status: committee
 - SB 35 (Unberg) Would extend county implementation of CARE Act from 12/1/25 to 12/15/25. Clarification that 12/25/2025 is max end date. Sent to Senate Health on 4/19/2023. Sent to Senate Judiciary Committee 4/25/2023. Status: passed
 - SB 43 (Eggman) Would expand definition of GD & permit direct admission of hearsay evidence by expert fact witness of medical record documentation of specified MH practitioners & LCSWs. **CAMHPRA signed on to DRC opposition letter.** Status: passed
 - SB 45 (Roth) Would create the Acute Psychiatric Hospital Loan Fund for qualified cities & counties to build, renovate acute care psych hospitals, PHFs & psych units in GACHs. Sent to suspense file on 4/10/23. Status: committee
 - SB 63 (Ochoa Bogh) Would establish 2 new criminal justice programs grants: Homeless MH Court Grant Program &

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Transitioning Home Grant Program. Sent to Appropriations on 4/17/23 then to suspense. Status: likely dead.

- SB 65 (Ochoa Bogh) Would authorize DHCS to establish the Behavioral Health Continuum Infrastructure Program. Sent to appropriations 4/1/23 then to suspense. Status: committee
- SB 87 (Nguyen) Amends AB 2275 (2022/Wood-Stone) con'ship court/jury trial may be continued from 15 days to 20 days. Senate Judiciary Hearing pending. Status: committee
- SB 232 (Niello) Would significantly expand the definition of GD. CAMHPRA action: **3/29 BOD approved an urgent motion to sign on to DRC opposition letter.** No change.
- SB 326 (Eggman) Would amend the reimbursement process for MHSA services provided at the county level. Require counties to submit claims for reimbursement to DHCS under specific circumstances. Any legislative amendment to MHSA requires approval by 2/3 of both houses. Amended on 4/21/23 Sent to Senate Health 4/26/23.
- AB 429 (Haney) By 7/1/26 the CA Hlth & Human Svcs Agency (CHHSA) shall establish the CA Behavioral Health Outcomes & Accountability Review (CHB-OAR) to facilitate an accountability system that fosters continuous quality improvement to county and commercial (private) behavioral health services. To create the CHB-OAR, by 10/1/24, CHHSA shall convene a workgroup composed interested & impacted organizations including behavioral health advocates & consumers. Amended 4/13/23 sent to Senate Health 4/17/23
- AB 920 (Bryan) Would make "housing status", i.e., homelessness, as a protected class under CA discrimination law. **CAMHPRA signed on to a support letter.** Sent to Senate Judiciary 3/28/23 next to Senate Appropriations. Status: committee
- AB 1001 (Haney) Proposes DHCS adopt regs on standards to improve quality of behavioral health emergency services provided in GACHs. Sent to Senate Appropriations 4/13/23. Status: committee
- AB 1029 (Pellerin) Would add an optional space on the statutory Advanced Health Care Directive form for an individual to designate

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a separate MH agent for decision related to MH. Sent to Assembly 4/23/23. Status: passed

- AB 1316 (Irwin & Ward) Applies only to MediCal beneficiaries. Requires that persons receiving care & treatment for an “emergency psychiatric medical condition” receive all services necessary to stabilize the beneficiary regardless of duration of hospitalization or whether the person is vol or invol. Status: committee.

VII. Reports from Meetings/Other Advocacy Organizations

- a. California Coalition for Mental Health (CCMH): Jean reported about this during the Presidential Update section.
- b. California Office of Patients’ Rights (COPR): Daniel reports that Michele Mudgett resigned from COPR as she has moved out of state. Danielle is the interim Director and his position will not be back-filled. Bid for state hospitals was upcoming, Daniel had to step-up. COPR won the contract for the next 3 – 5 years. No back-up for Daniel until a new Director is hired. Jail based competency programs opening in multiple counties in collaboration with State Hospitals and county jails. Expect a group email for communication with COPR which will be monitored by a team at COPR.
- c. Disability Rights California (DRC): Richard reports that he is no longer on the DRC BOD. Samuel will be the representative in the future. Samuel reports that he works in the MH Practice Group in the litigation wing, a new position as a Policy Attorney (similar to Deb Roth). Planning a legislation update for PRAs possibly in October. SB 43, DRC put together an alternative proposal including provisions around strengthening crisis services, housing, full-service partnerships. SB 326, DRC submitted an advocacy letter with line amendments to the bill focusing on extending out the deadline and putting it on the November ballot vs. the March ballot. Due to such big changes to the MH system, more conversations need to take place. Formal letters due August 16th. Urgency clause included which allows them to ignore legislative deadlines. DRC is actively involved in litigation with Alameda County and Tuolumne County over their MH systems. Getting close to the end of the process with these counties. Excited about the settlement agreements with these counties. Will share when finalized.
- d. CAMHPRO: Richard reports they are understaffed and underfunded. Working on modernization. Concern that Care Court advocates are also pushing Psychiatric Advanced Care Directives to force clients into. Legislative sub-committee formed, asking for assistance on the mechanics of getting new legislation proposed.

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- e. California Behavioral Health Planning Council (CBHPC): Richard reports they met and Veronica Kelly of Orange County spoke about how they are implementing Care Court in their county. They are focused on civil liberties and rights with appeared contradictory. Some of the meeting was aired on radio and appeared in-print. Still working on jail advocacy and would like to ultimately propose legislation. Starting work on residential care facilities and how they could help with enhancing services. Next meeting in October.

VIII. Next Meeting, Adjourn

- a. Next meeting scheduled for Wednesday, October 11th, 2023 at 1 p.m. to 4 p.m.
- b. Richard makes a motion to adjourn the meeting and Dave seconded the motion, no further discussion, meeting adjourned.