

Proposed Changes to the Prevention and Early Intervention Regulations

The Mental Health Services Oversight and Accountability Commission (MHSOAC) at the July 23, 2015 Commission meeting voted to modify the proposed language of the section listed below that was the subject of the notices published on June 6, 2014 for a 45-day public comment period, on September 9, 2014 for a 15-day public comment period, on October 14, 2014 for a 15-day public comment period, on December 18, 2014 for a 15-day public comment period, and April 24, 2015 for a 15-day public comment period. The MHSOAC has illustrated changes to the original text in the following manner: (1) regulation language originally proposed in June 2014 is underlined; (2) additions to the language originally proposed and the subject of the above listed 15-day public comment periods are double-underlined; (3) deletions from the language that are the subject of the above listed 15-day public comment periods are shown in strikethrough using a “-”; (4) additions to the language that are the subject of this 15-day public comment period dated July 24, 2015 are shown in bold and italics; (5) deletions from the language that are the subject of this 15-day public comment period dated July 24, 2015 are shown in bold and double strikethrough using a “=”.

Article 7. Prevention and Early Intervention

Adopt Section 3701 as follows:

Section 3701. Definitions of Program.

- (a) “Prevention and Early Intervention regulations” means sections 3200.245 and 3200.246 of Article 2, sections 3510.010, 3560, 3560.010, and 3560.020 of Article 5, and Article 7.
- (b) ~~(a)~~ “Program” as used in the Prevention and Early Intervention regulations means a stand-alone organized and planned work, action or approach that evidence indicates is likely to bring about positive mental health outcomes either for individuals and families with or at risk of serious mental illness or for the mental health system. A program is a stand-alone, discreet unit of service delivery.
- (c) “Strategy” as used in the Prevention and Early Intervention regulations means a planned and specified method within a program intended to achieve a defined goal.
- (d) “Mental illness” and “mental disorder” as used in the Prevention and Early Intervention regulations means, a syndrome characterized by clinically significant disturbance in an individual’s cognition, emotion regulation, or behavior that reflects a dysfunction in the psychological or biological processes underlying mental functioning. Mental illness is usually associated with significant distress or disability in social, occupational, or other important activities. An expected or culturally approved response to a common stressor or loss, such as the death of a loved one, is not a

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mental illness. Socially variant behavior (e.g. political, religious, or sexual) and conflicts that are primarily between the individual and society are not mental illness unless the variance or conflict results from a dysfunction in the individual, as described above.

(e) "Serious mental illness," "serious mental disorder" and "severe mental illness" as used in the Prevention and Early Intervention regulations means, a mental illness that is severe in degree and persistent in duration, which may cause behavioral functioning which interferes substantially with the primary activities of daily living, and which may result in an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period of time. These mental illnesses include, but are not limited to, schizophrenia, bipolar disorder, post-traumatic stress disorder, as well as major affective disorders or other severely disabling mental disorders.

(f) ~~(1)~~ The definition in subdivision (d) ~~(e)~~ (a) includes, is applicable to serious emotional disturbance for individuals under the age of 18, ~~serious emotional disturbance, which is defined as a mental disorder as identified in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition,~~ other than a primary substance use disorder or developmental disorder, which results in behavior inappropriate to the individual's age according to expected developmental norms.

NOTE: Authority cited: Section 5846, Welfare and Institutions Code. Reference: Sections 5600.3, 5840, Welfare and Institutions Code.