SB 1136 (Steinberg)

(Amended April 16th)

Mental Health

SUMMARY

SB 1136 reflects a fine tuning of the Mental Health Services Act which is necessary to address issues regarding the restructuring of the public mental health system at both the local and State levels.

Its purpose is to:

- Strengthen the framework for Innovative Programs and Prevention and Early Intervention Projects;
- Invigorate the role of the independent Mental Health Services Oversight and Accountability Commission (MHS OAC);
- Refresh the Integrated three-year plan for local communities;
- Continue the State and county partnership through performance contracting;
- Establish a partnership for designing a strong, outcome-focused evaluation;
- Reflect the new responsibilities of State departments; and
- Clarify workforce development processes and the five-year plan.

It provides for local accountability and necessary State oversight of key programmatic and fiscal components of the Mental Health Services Act to ensure a balanced approach for expenditure of the funds, and to ensure a focus on consumer empowerment in designing services.

BACKGROUND

Approved by voters on November 2, 2004, Proposition 63, the Mental Health Services Act, applies a 1 percent tax on personal income in excess of $1 million. About $1 billion in revenues is generated annually. These annual revenues are devoted to reducing the long-term adverse impact of untreated mental illness by expanding mental health services and supports and monitoring progress towards statewide goals of serving children, transition age youth, adults, older adults and families with mental health needs.

The Mental Health Services Act addresses a broad continuum of prevention, early intervention and treatment service needs through systems of care and provides funding for necessary infrastructure.

California's community-based public mental health system is undergoing significant evolution due to transformative changes resulting from the Mental Health Services Act, pending implementation of 2011 Realignment of Medi-Cal Specialty Mental Health Services, and the restructuring of State administration which commenced through the enactment of AB 100, Statutes of 2011 and AB 102, Statutes of 2011.

THIS BILL

SB 1136 serves to address the dynamic changes occurring in the public mental health system as they pertain to the Mental Health Services Act. Key aspects are discussed below.

Innovative Programs. This bill clarifies the content of projects by reflecting guidelines adopted by the MHS OAC. Articulating these requirements in statute provides for transparency and accountability for all involved, including local constituencies, the counties and the State.

Prevention & Early Intervention (PEI) Programs. This bill provides for the Department of Health Care Services, in coordination with counties, to establish PEI Programs, and requires any revisions to these programs to be consistent with MHS OAC guidelines. These changes assist in facilitating a stronger partnership at both the State and local levels.

Integrated Three-Year Plans and Updates. This bill modifies the Integrated Plan approval process to ensure community participation, provide for Board of Supervisor approval, and oversight by the MHS OAC. It streamlines the expenditure of funds to ensure dollars are directed to needed services and supports. It requires both the Mental Health Director and County Auditor Controller to certify compliance with key cornerstones of the Act, including stakeholder participation, and non-supplantation requirements.

Mental Health Services Oversight Commission. This bill illuminates the ongoing role of the MHS OAC by:

- Continuing their oversight of the Innovative Programs and PEI projects;
- Requiring counties to provide their Integrated three-year plans and annual updates to the MHS OAC;
- Adding the MHS OAC as a joint partner in the establishment of performance outcomes and in the design of an evaluation plan;
- Continuing their authority to refer critical issues related to performance of a county mental health program to the DHCS; and
- Including the MHS OAC in the DHCS regulatory process by requiring coordination in these endeavors.

Expands Role of the California Mental Health Directors Association (CMHDA). This bill recognizes the integral role of counties in the implementation and success of the Mental Health Services Act and actively engages the CMDA in key decisions including the establishment of performance measures, design of a comprehensive joint plan, the methodology used for revenue allocations to the counties, and provisions of technical assistance.

Provides for Local Accountability. This bill provides for local accountability through the following key changes:

- Provides authority to Board of Supervisors to approve Integrated three-year plans and annual updates;
- Clarifies that Integrated three-year plans and annual updates are to follow designated local stakeholder processes; and
- Requires certification of compliance with key cornerstones of the Act.

Workforce Development and Five Year Plan. This bill identifies that the next five-year plan is due April 1, 2014 and designates the Office of Statewide Health Planning and Development (OSHPD) to lead this effort. It recognizes the role of the California Mental Health Planning Council in this endeavor and links the county needs assessment to this process.

Deputy Director Position. SB 1136 also requires the Governor or Director of Health Care Services to appoint a Deputy Director of Mental Health and Substance Use Disorder and requires this new position to be subject to Senate Rules confirmation. Funding for this position is in the Governor's proposed Budget for 2012-13.

Section 18 of Proposition 63. The changes proposed in SB 1136 are clarifying procedures and terms within the meaning of Section 18 of Proposition 63. Legislative Counsel has keyed SB 1136 as a majority vote measure to reflect their concurrence.

SUPPORT

- CA Council of Community Mental Health Agencies
- Disabilities Rights California
- Mental Health Association in California

(As of April 18th)

Sponsor

This is an author sponsored bill.

FOR MORE INFORMATION

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