

X INFORMATION

TAB SECTION: 3

___ ACTION REQUIRED

DATE OF MEETING: 03/28/13

PREPARED BY: Best

DATE MATERIAL PREPARED: 03/05/13

AGENDA ITEM: Presentation on Proposed Changes to Civil Commitment Statutes

ENCLOSURES: • PowerPoint: Lanterman-Petris-Short Act Involuntary Commitment Laws (LPS) Modernization

OTHER MATERIAL RELATED TO ITEM: None

Presentation:

Sheree Kruckenberg, Vice President, California Hospital Association will provide an overview of the proposed changes to the California Civil Commitment Statutes.

Background:

The Lanterman-Petris-Short (LPS) Act is a California law governing involuntary civil commitment for psychiatric treatment. It was named for its co-authors: Assemblyman Frank Lanterman (R) Senator Nicholas C. Petris (D) and Senator Alan Short (D). The bill was signed into law in 1967 by then Governor Ronald Reagan. The Act went into full effect on July 1, 1972.

The goal of the LPS Act was to end inappropriate lifetime commitment of people with mental illness and firmly establish the right to due process in the commitment process while significantly reducing state institutional expense.

Many things have changed in the nearly fifty years since the law was written. Additionally, the Act itself has been amended numerous times over the years, transforming the Act into an expensive, contentious law that is difficult to administer. There is a lack of clarity with some of the provisions, resulting in frequent misinterpretation and inconsistent application of the law from county to county.

As a result, the LPS Reform Task Force was formed and in 1999 wrote a report entitled, "A New Vision for Mental Health Treatment Laws." The report included several recommendations for revisions to the LPS Act. More recently, the LPS Reform Task Force II convened to refine the 1999 recommendations, to review California's system of involuntary psychiatric treatment and to identify what is working and what is not. In March 2012, a report resulted from this task force entitled, "Separate and Not Equal: The Case for Updating California's Mental Health Treatment Law." The recommendations from this report will be presented at the March 28, 2013 Commission Meeting.