

PREPARED BY: Quintero, Yeroshek

---

**AGENDA ITEM:** Prevention and Early Intervention (PEI)/Innovation (INN) Regulations Concepts and Principles

- ENCLOSURES:**
- Summary: PEI Concept for Regulations Discussion
  - PEI Regulations: Proposed Matrix
  - Summary: Innovation Concept for Regulations Discussion
  - Innovation Regulations: Proposed Matrix

**OTHER MATERIAL RELATED TO ITEM:** PowerPoint handout will be available at the meeting

---

**Issue:**

The Mental Health Services Oversight and Accountability Commission (MHSOAC) has been given authority for the first time to issue regulations for program and expenditure for Prevention and Early Intervention (PEI) and Innovative (INN) programs.

**Background:**

On June 26, 2013 Governor Brown signed into law Assembly Bill (AB) 82 which went into effect immediately. AB 82 gave the MHSOAC for the first time the mandate to adopt regulations for program and expenditure for PEI and INN programs. In addition to navigating the Administrative Procedure Act (APA) requirements this new statutory authority also requires an intensive stakeholder process to comply with the MHSOAC's statutory responsibility to ensure that the perspective and participation of diverse community members reflective of California populations, consumers and family are a significant factor in all the Commission's decisions.

A PEI/INN Regulations Workgroup (Workgroup) was formed comprised of three members from each of the five MHSOAC Committees: Client and Family Leadership Committee, Cultural and Linguistic Competence Committee, Evaluation Committee, Financial Oversight Committee, and Services Committee. The purpose of the Workgroup was: (1) to assist in developing overall principles for the drafting of the regulations; (2) to assist in determining what parts of the PEI and INN statute needed to be defined, specified, or implemented in regulations and provide suggestions for definitions and specifications; and (3) provide input on the draft proposed PEI and INN regulations. The Workgroup has met twice, first on August 12, 2013 to assist in the first two purposes and the second meeting on September 20, 2013 to review and provide input on the draft regulations. The Services Committee will then meet on October 11, 2013 to review the draft regulations.

PREPARED BY: Quintero, Yeroshek

---

**Background Continued:**

At the September 26, 2013 Commission meeting staff will present the broad framework and overall structure of the proposed draft regulations and how the regulations clarify and strengthen current law. At the October 24, 2013 Commission meeting the Commissioners will be presented with a first reading of the draft proposed regulations including recommendations from the Workgroup and Services Committee if different from staff recommendations. The second read and vote is scheduled for the November 21, 2013 Commission meeting. Once the Commission votes on the proposed draft regulations the official public regulation process under the APA begins.

The enclosed documents are provided as background information and were the materials used as discussion tools for the Workgroup to help determine what parts of the PEI and INN statute needed to be defined, specified, or implemented in regulations and provide suggestions for definitions and specifications.

In drafting the regulations, both Workgroup and staff are adhering to the following principles:

1. Regulations must be consistent with the APA that limits regulations to implementing, interpreting, or making specific the law enforced or administered by that state agency.
2. Regulations are directly based on the Mental Health Services Act.
3. Regulations are outcomes-focused.
4. Regulations are flexible: support county/community priorities and wisdom.