

## Proposed Prevention and Early Intervention Regulations Sections 3700 through 3740

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Below are staff's recommended changes to proposed Prevention and Early Intervention (PEI) regulations Sections 3700 through 3740 in response to public comments received during the 45-day public comment period. The recommended added language is in underline text and deleted language is in strikethrough text. These proposed changes will be discussed at the August 28, 2014 Mental Health Services Oversight and Accountability Commission meeting.

### Article 7. Prevention and Early Intervention

**Adopt Section 3700 as follows:**

#### **Section 3700. Rule of General Application.**

- (a) The use of Prevention and Early Intervention funds shall be governed by the provisions specified in this Article and Articles 1 through 5, unless otherwise specified.

**Adopt Section 3701 as follows:**

#### **Section 3701. Definition of Program.**

- (a) "Program" as used in the Prevention and Early Intervention regulations means organized and planned work, action or approach that evidence indicates is likely to bring about 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.

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

**Adopt Section 3702 as follows:**

#### **Section 3702. Definition of Strategy.**

- (a) "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.

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

**Adopt Section 3705 as follows:**

#### **Section 3705. Prevention and Early Intervention Component General Requirements.**

- (a) The County shall include in its Prevention and Early Intervention Component:
- (1) At least one Early Intervention program as defined in Section 3710.
  - (2) At least one Outreach for Increasing Recognition of Early Signs of Mental Illness program or strategy as defined in Section 3715.
  - (3) At least one Prevention program as defined in Section 3720

**Comment [s1]:** This is a placeholder number. If the Commission adopts this definition the actual section number may be different.

**Comment [s2]:** This is a placeholder number. If the Commission adopts this definition the actual section number may be different.

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(A) Small counties are excluded from the requirements to offer a Prevention Program.

- (4) The strategies defined in Section 3735.
- (b) The County may include in its Prevention and Early Intervention Component:
  - ~~(1) One or more Prevention programs as defined in Section 3720.~~
  - (2) One or more Stigma and Discrimination reduction programs/~~approached~~ as defined in Section 3725.
  - (3) One or more Suicide Prevention programs/~~approaches~~ as defined in Section 3730.

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

### **Adopt Section 3710 as follows:**

#### **Section 3710. Early Intervention Program.**

- (a) The County shall offer at least one Early Intervention program as defined in this section.
- (b) "Early Intervention program" means treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes listed in Welfare and Institutions Code Section 5840, subdivision (d) that may result from untreated mental illness.
- (c) Early Intervention program services shall not exceed eighteen months, unless the individual receiving the service is identified as experiencing first onset of a serious mental illness or emotional disturbance with psychotic features, in which case early intervention services shall not exceed four years.
  - (1) For purpose of this section, "serious mental illness or emotional disturbance with psychotic features" means, Schizophrenia spectrum and other psychotic disorders include schizophrenia, other psychotic disorders, and schizotypal (personality) disorder). They are defined by abnormalities in one or more of the following five domains: delusions, hallucinations, disorganized thinking (speech), grossly disorganized or abnormal motor behavior (including catatonia), and negative symptoms.
- (d) Early Intervention program services may include services to parents, caregivers, and other family members of the person with early onset of a mental illness, as applicable.
- ~~(e) Early Intervention program may include efforts to prevent relapse in an individual with early onset of a mental illness.~~
- (f) A County may combine an Early Intervention Program with a Prevention Program, as long as the requirements in Section 3710 and Section 3720 are met
- (g) The County shall include all of the strategies in each Early Intervention program as referenced in Section 3735

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

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### **Adopt Section 3715 as follows:**

#### **Section 3715. Outreach for Increasing Recognition of Early Signs of Mental Illness.**

- (a) The County shall offer at least one Outreach for Increasing Recognition of Early Signs of Mental Illness program or strategy, defined as an element within a program, that provides outreach to potential responders as defined in this section.
- (b) "Outreach" is a process of engaging, encouraging, educating, and/or training, and learning from potential responders about ways to recognize and respond effectively to early signs of potentially severe and disabling mental illness.
- (c) "Potential responders" include, but are not limited to, families, employers, primary health care providers, visiting nurses, school personnel, community service providers, peer providers, cultural brokers, law enforcement personnel, emergency medical service providers, people who provide services to individuals who are homeless, family law practitioners such as mediators, child protective services, leaders of faith-based organizations, and others in a position to identify early signs of potentially severe and disabling mental illness, provide support, and/or refer individuals who need treatment or other mental health services.
- (d) Outreach for Increasing Recognition of Early Signs of Mental Illness may include reaching out to individuals with signs and symptoms of a mental illness, so they can recognize and respond to their own symptoms.
- (e) Outreach for Increasing Recognition of Early ~~Signs~~ Signs of Mental Illness may be a stand-alone program, a strategy within a Prevention program, a strategy within an Early Intervention program, a strategy within another program funded by Prevention and Early Intervention funds, or a combination thereof.
- (f) An Outreach program may be provided through other Mental Health Services Act components as long as it meets all of the requirements in this section
- (g) The County shall include all of the strategies in each Outreach for Increasing Recognition of Early Signs of Mental Illness program as referenced in Section 3735

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

### **Adopt Section 3720 as follows:**

#### **Section 3720. Prevention Program.**

- (a) The County ~~may~~ shall offer one or more Prevention Programs as defined in this section.
- (b) "Prevention Program" means a set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors. The goal of this program is to bring about mental health including reduction of the applicable negative outcomes listed in Welfare and Institutions Code Section 5840, subdivision (d) as a result of untreated mental illness for individuals and members of groups or populations whose risk of developing a serious mental illness is

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significantly higher than average and, as applicable, their parents, caregivers, and other family members.

- (c) “Risk factors for mental illness” means conditions or experiences that are associated with a higher than average risk of developing a potentially serious mental illness. Kinds of risk factors include, but are not limited to, biological including family history and neurological, behavioral, social/economic, and environmental.
- (1) Examples of risk factors include, but are not limited to, a serious chronic medical condition, adverse childhood experiences, experience of severe trauma, ongoing stress, exposure to drugs or toxins including in the womb, poverty, family conflict or domestic violence, experiences of racism and social inequality, prolonged isolation, having a previous mental illness, a previous suicide attempt, or having a family member with a serious mental illness.
- (d) Prevention program services may include relapse prevention for individuals in recovery from a serious mental illness.
- (e) Prevention programs may include universal prevention efforts as defined below if there is evidence to suggest that the universal prevention effort is likely to bring about mental health and related functional outcomes for individuals and members of groups or populations whose risk of developing a serious mental illness is significantly higher than average.
- (1) Universal prevention efforts means efforts that target using effective practices that engage individuals population that has who have not been identified on the basis of risk in order to bring about MHSA outcomes for individuals who are at greater than average risk of developing a potentially serious mental illness.
- (f) The County shall include all of the strategies in each Prevention program as referenced in Section 3735

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

### **Adopt Section 3725 as follows:**

#### **Section 3725. Stigma and Discrimination Reduction Program/Approaches.**

- (a) The County may offer one or more Stigma and Discrimination Reduction Programs/~~Approaches~~ as defined in this section.
- (b) “Stigma and Discrimination Reduction Programs/~~Approaches~~” means the County’s direct activities to reduce negative feelings, attitudes, beliefs, perceptions, stereotypes and/or discrimination related to being diagnosed with a mental illness, having a mental illness, or to seeking mental health services and to increase acceptance, dignity, inclusion, and equity for individuals with mental illness, and members of their families.
- (1) Examples of Stigma and Discrimination Reduction Programs/~~Approaches~~ include, but are not limited to, social marketing campaigns, speakers’ bureaus and other direct-contact approaches, targeted education and training, anti-stigma advocacy, web-based campaigns, efforts to combat multiple stigmas that have been shown to discourage individuals from seeking mental health

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services that have an impact on mental illness, and efforts to encourage self-acceptance for individuals with a mental illness.

(2) Stigma and discrimination programs shall include approaches that are culturally congruent with the values of the populations for whom changes in attitudes, knowledge, and behavior are intended

(c) The County shall include all of the strategies in each Stigma and Discrimination Reduction program as referenced in Section 3735

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

### **Adopt Section 3730 as follows:**

#### **Section 3730. Suicide Prevention Programs and Approaches.**

- (a) The County may offer one or more Suicide Prevention Programs/~~Approaches~~ as defined in this section.
- (b) Suicide Prevention Programs/~~Approaches~~ means organized activities that the County undertakes to prevent suicide as a consequence of mental illness. This category of programs does not focus on or have intended outcomes for specific individuals at risk of or with serious mental illness.
- (1) Suicide prevention activities that aim to reduce suicidality for specific individuals at risk of or with early onset of a potentially serious mental illness can be a focus of a Prevention program pursuant to Section 3720 or a focus of an Early Intervention program pursuant to Section 3710.
- (c) Suicide Prevention programs ~~and approaches~~ pursuant to this section include, but are not limited to, public and targeted information campaigns, suicide prevention networks, capacity building programs, culturally specific approaches, survivor-informed models, screening programs, suicide prevention hotlines or web-based suicide prevention resources, and training and education.
- (d) The County shall include all of the strategies in each Suicide Prevention program as referenced in Section 3735

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

### **Adopt Section 3735 as follows:**

#### **Section 3735. Prevention and Early Intervention Strategies.**

- (a) The County shall include all of the following strategies as part of each program listed in Sections 3710 through 3730 of Article 7:
- (1) Be designed and implemented to help create Access and Linkage to Treatment.

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- (A) "Access and Linkage to Treatment" means connecting children with severe mental illness, as defined in Welfare and Institutions Code Section 5600.3, and adults and seniors with severe mental illness, as defined in Welfare and Institutions Code Section 5600.3, as early in the onset of these conditions as practicable, to medically necessary care and treatment, including but not limited to care provided by county mental health programs.
- (B) ~~A County has the option to offer, in addition, a program to Increase Access and Linkage to Treatment. Access and Linkage to Treatment can be a stand-alone program, an element of a Prevention program or an element of an Early Intervention program, or a combination thereof.~~
- (2) Be designed, implemented, and promoted in ways that Improve Timely Access to Mental Health Services for Individuals and/or Families from Underserved Populations.
- (A) "Improving Timely Access to Services for Underserved Populations" means to increase the extent to which an individual or family from an underserved population as defined in Title 9 California Code of Regulations Section 3200.300 who needs mental health services because of risk or presence of a mental illness receives appropriate services as early in the onset as practicable, through program features such as accessibility, cultural and language appropriateness, transportation, family focus, hours available, and cost of services.
- (B) Programs shall provide services in convenient, accessible, acceptable, culturally appropriate settings such as primary healthcare, schools, family resource centers, community-based organizations, places of worship, shelters, and public settings unless a mental health setting enhances access to quality services and outcomes for underserved populations.
- (C) A County has the option, in addition, to offer a program to Improve Timely Access to Services for Underserved Populations.
- (3) Be designed, implemented, and promoted using Strategies that are Non-Stigmatizing and Non-Discriminatory
- (A) "Strategies that are Non-Stigmatizing and Non-Discriminatory" means promoting, designing, and implementing programs in ways that reduce and circumvent stigma, including self-stigma, and discrimination related to being diagnosed with a mental illness, having a mental illness or seeking mental health services, and make services accessible, welcoming, and positive.
- (B) Non-Stigmatizing and Non-Discriminatory approaches include, but are not limited to, using positive, factual messages and approaches with a focus on recovery, wellness, and resilience; use of culturally appropriate language, practices, and concepts; efforts to acknowledge and combat multiple social stigmas that affect attitudes about mental illness and/or about seeking mental health services, including but not limited to race and sexual preference; co-locating mental health services with other life resources; promoting positive attitudes and understanding of recovery among mental health providers; inclusion and welcoming of family members; and employment of peers in a range of roles.

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

**Adopt Section 3740 as follows:**

**Section 3740. Effective Methods.**

- (a) For each program and each strategy in Article 7, the County shall use effective methods likely to bring about intended outcomes, based on one of the following standards, or a combination of the following standards:
- (1) Evidence-based practice standard: Evidence-based practice means activities for which there is scientific evidence consistently showing improved mental health outcomes for the intended population, including, but not limited to, scientific peer-reviewed research using randomized clinical trials.
  - (2) Promising practice standard: Promising practice means programs and activities for which there is research demonstrating effectiveness, including strong quantitative and qualitative data showing positive outcomes, but the research does not meet the standards used to establish evidence-based practices and does not have enough research or replication to support generalizable positive public health outcomes.
  - (3) Community and or practice-based evidence standard: Community and or practice-based evidence means a set of practices that communities have used and determined to yield positive results by community consensus over time, which may or may not have been measured empirically. Community and or practice-defined evidence takes a number of factors into consideration, including worldview and historical and social contexts of a given population or community, which are culturally rooted.

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