

Mental Health Services Oversight and Accountability Commission

Legislative Report April 2008

The MHSOAC currently does not have a formal legislative program in which to track and take positions on legislation affecting mental health. This activity is in development for next year when we will have additional staff to manage this program.

Brief summaries of two bills affecting mental health, with significant implications for the MHSA, follow:

SB 1606 (Yee)

Sponsor: California Psychiatric Association

Status: 4/9/08 -- Passed out of Senate Health Committee (11-0);
re-referred to Senate Judiciary Committee

SB 1606 adds Section 5349.3 to the Welfare and Institutions Code (WIC) to require the State Department of Mental Health to conduct a study to determine if a need exists for increased eligibility for Assisted Outpatient Treatment (AOT) services. The study would identify individuals whose mental health needs are not being met through voluntary treatment services and are unable to receive AOT services. The findings of this study would be reported to the Legislature and Governor by January 1, 2010.

SB 1606 was substantially amended from its original version. The previous version of this bill would have made significant changes to Laura's Law. It would have changed the standard for voluntary services provided as a condition of making assisted outpatient treatment services available and expanded the eligibility criteria. The previous version of the bill would have also made changes to the LPS Act, including expanding the initial, renewable 6-month hold, when a person has been deemed dangerous to others, to one year.

AB 3083 (Salas, Beall, Carter, Lieu, Wolk)

Sponsor: Assembly Committee on Veterans Affairs

Status: Amended on 4/10/08; re-referred to Assembly Committee on Health; hearing set for 4/15/08

AB 3803 amends WIC Sections 5600.3, 5806, 5807, 5848; adds WIC Section 5815. The bill would do the following:

- Require counties to assist veterans in accessing federal services
- Include post-traumatic stress disorder in the definition of "serious mental disorder"

- Specifically require that veterans be included in the group of local stakeholders who assist in developing the counties' MHSA plans.
- Require the State Department of Health Care Services, in conjunction with the State Department of Mental Health, to seek all available federal funds for mental health services of veterans. These funds would be deposited in the Mental Health Services Fund for distribution to the counties to maximize services provided to, and eligibility of, veterans for medically necessary care.

AB 3083 was substantially amended from its original version. The previous version of the bill would have increased the MHSOAC to 17 members by adding a governor-appointed representative from a state, local, or community veterans' service organization. In addition, the previous version of the bill would have required the counties' 3-year MHSA plans to account specifically for services to veterans.