California Network of Mental Health Clients

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October 20, 2009

Andrew Poat, Chair
Mental Health Services Oversight and Accountability Commission
1300 17th Street, Ste 1000
Sacramento, CA 95811

Re: Support of CFLC recommendations for improving the public comment process

Dear Chairman Poat,

The California Network of Mental Health Clients (CNMHC) strongly supports the Client and Family Leadership Committee (CFLC) recommendations for improving the effectiveness of public comment at MHSOAC meetings. These recommendations honor the Commission's statutory responsibility to include client and family perspectives as well as the client values of hope, personal empowerment, and respect articulated in the Mental Health Services Act (MHSA).

The MHSA calls for inclusion of mental clients and family members' perspectives in every action of the Mental Health Services Oversight and Accountability Commission (MHSOAC):

> *§ 5846 (c) The Commission shall ensure that the perspective and participation of members and others suffering from severe mental illness and their family members is a significant factor in all of its decisions and recommendations.*

In addition, the Act calls for local community program planning processes to be consistent with the recovery values that the client movement has long championed:

> *§ 5813.5 (d) Planning for services shall be consistent with the philosophy, principles, and practices of the Recovery Vision for mental health consumers:*
>
> > *(1) To promote concepts key to the recovery for individuals who have mental illness: hope, personal empowerment, respect, social connections, self-responsibility, and self-determination.*
> > *(2) To promote consumer-operated services as a way to support recovery.*
> > *(3) To reflect the cultural, ethnic and racial diversity of mental health consumers.*
> > *(4) To plan for each consumer's individual needs.*

Consistent with the Commission's statutory responsibility to always include clients' and family members' perspectives and to uphold a standard for local planning process that is consistent with client values, the CFLC's recommendations approach public comment from an inclusive, strengths-based perspective. The CNMHC wishes to recognize the hard work of CFLC Chairs Eduardo Vega and Darlene Prettyman, the CFLC members and staff to thoroughly address the issue of how best to improve public comment at Commission meetings. This was accomplished with two meetings featuring an in-depth examination of issues regarding many different aspects of the Commission's public comment process and an inclusive,

fruitful sharing of ideas for how to improve the process, complimented by some excellent staff research into the public comment processes in ten other state commissions.

The Network supports each of the Committee's recommendations, with the exception of Recommendation II (B), which we wish to amend as follows:

B. Time Allotted per Speaker for Public Comment

- A maximum of ~~two~~ three minutes per speaker
- If ten or more Comment Cards are received for a specific action item, in recognition of such a strong showing of stakeholders' interest, the facilitator~~, (at their discretion), can~~ may reduce the individual public comment ~~to one minute~~ to the extent needed in order to ensure that the meeting ends on time.

In addition to the Committee's many important recommendations to improve the process, we wish to add the following recommendations for the Commissioner's consideration:

When members of the public speak in a California threshold language (including American Sign Language) during public comment – whether or not the speakers have given the Commission enough notice to arrange for a live interpreter at the meeting – MHSOAC staff should give them instructions (translated into each California threshold language) on how to contact staff or consultants who will transcribe their public comment, so that the **speakers have the opportunity to review the transcription** for accuracy before it is published and translated into English.

Prior to a Commission meeting, members of the public should be able to **comment by phone** on an OAC voice mail, as the verbal equivalent of sending a written comment.

- During business hours, callers would be greeted by an MHSOAC staff person, outside of business hours by the voicemail system; either way, they could be quickly routed or easily navigate to the Commission's 24-hour, 7-day-per-week public comment voice mail.

- The voicemail system would route callers to the language of their choice from among the state's threshold languages, and a recorded voice in that language would inform callers that their message would be entered into the public record and prompt them for their name and contact information, noting that this information is optional and personal contact info would be kept confidential and used only to allow Commissioners or staff to contact the caller to follow up on their question or concern. Callers could leave a message up to five minutes in length; this message would be transcribed by a staff person.

- Messages in other languages would be transcribed in the original language and translated into English. Callers who leave public comment messages in a language other than English should be given instructions by the voice mail system to contact staff who are transcribing their comments in their language, so that the callers may review the transcription for accuracy before it is published and translated into English.

The facilitator's announcement at the beginning of each Commission meeting that public comment cards must be filled out and submitted prior to each action item is helpful, but by itself is not sufficient to allow people to know to fill out and submit a public comment card. This **announcement should be re-stated at the start of each action item, followed by a three-minute grace period** for people to fill out public comment cards.

As other stakeholders have noted, the OAC staff research on public comment procedures in other commissions shows us that five out of nine similar commissions allowed speakers 3-5 minutes, two did not specify a time limit, and only one allowed a maximum of 2-3 minutes. The CNMHC echoes their comments that the MHSOAC should model itself on the majority of these examples.

The CNMHC also supports the CFLC recommendation that two general public comment periods be held at each Commission meeting, one in the morning and one in the afternoon. As other stakeholders have observed, by the time the current public comment period takes place at the end of a meeting, many Commissioners have already left. Many clients and other community stakeholders take off time from their jobs and families, travel long distances and wait throughout the day to speak before the Commission; they deserve to be heard by all Commissioners in attendance.

Sincerely,

Delphine Brody
Director, Mental Health Services Act and Public Policy
California Network of Mental Health Clients

Cc: Larry Poaster, Vice Chair, MHSOAC
Beverly Whitcomb, Acting Executive Director, MHSOAC