



Meeting Minutes  
August 27, 2009

California Institute for Mental Health  
Sequoia Room  
2125 19<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Sacramento, California

**1. Call to Order**

**Chair Poat** called the meeting to order at 10:42 a.m.

**2. Roll Call**

Commissioners in attendance: Andrew Poat, Chair. Richard Bray, Lou Correa, Beth Gould, Tom Greene, Patrick Henning, Howard Kahn, David Pating, Richard Van Horn, and Eduardo Vega.

Ten members were present and a quorum was established.

**3. Adoption of July 2009 Meeting Minutes**

**MOTION:** *Upon motion by Commissioner Henning, seconded by Commissioner Kahn, the Commission unanimously adopted the July 2009 Meeting Minutes.*

**4. PEI Statewide Projects**

**Commissioner Gould** provided some of the background that led to the recommendations, which were developed by the Services Committee and included input obtained from stakeholders and counties.

There was strong agreement that people wanted the three statewide project elements (for Student Mental Health, Stigma and Discrimination Reduction, and Suicide Prevention), first adopted in 2006, to continue. Some considerations were how to maintain the spirit of the projects and the tremendous amount of work already invested in them.

PEI Statewide Projects can provide a valuable infrastructure, implement Prevention and Early Intervention (PEI) on a larger scale; focus on learning and best practices; provide PEI for underserved populations; and offer valuable support for counties in other local efforts.

In May 2008, OAC approved Department of Mental Health (DMH) to design and implement the three statewide projects. DMH Information Notice 08-25 allocated \$160 million to counties for that purpose. The funds are available for four years. Subsequently, 19 counties have assigned funds to DMH for the projects.

**Commissioner Pating** stated the questions the Commission needs to consider today:

1. What should the Commission require counties to submit in order to receive the PEI Statewide Project funds for the three elements? In essence, how do we implement the projects?
2. What do we do with the three counties (Shasta, Nevada, San Joaquin) that have already submitted their project proposals?

The Committee developed three options for question number one:

Option 1: Given the limitation of dollars and the legal restrictions, do we still want to require county assignments to PEI Statewide Project funds to DMH or JPA? Assignment means that the monies must be assigned through one of these two entities. Option 1 would require legislative approval.

Option 2: Give up on the statewide initiative and require that local counties conform only to the existing PEI guidelines, as currently described. The money would revert to the county's "money pot" for their use. Commissioner Pating stated there was almost no interest in Option 2 during stakeholder discussions.

Option 3A: Require that the local, regional and/or multi-county projects (including statewide efforts) funded with PEI statewide project funds conform to the strategic direction identified in the three working papers of the California Strategic Plans for the three elements. Also, OAC would *require* collaboration with regards to implementing those goals, but would not have any mandates with regards to what entities were funded to maintain those goals. Option 3B requires the same goals, but would only *encourage* collaboration rather than requiring it.

Collaboration was not formally defined; Commissioner Pating stated his working definition is that it means two or more counties, and it should lead towards and facilitate the statewide goals. The partnered counties should be on the same page.

**Chair Poat** remarked that some well-tested statewide priorities that have emerged from the statewide process need to be evident in the county plans.

**Commissioner Henning** noted that it was difficult for him to see how the OAC can require collaboration with other counties but not require that the money stay with the state.

**Chair Poat** added that a key issue is establishing the concept that the counties need to show commitment to the spirit of the statewide objectives.

**Commissioner Gould** stated that Option 3A was the consensus recommendation of the Committee and the stakeholders. The JPA can be utilized as a funding mechanism, where OAC decides what the policy criteria is; however, the way the Mental Health Services Act (the Act) was written, the money has to go to the county. Option 3A provides a funding mechanism that allows the OAC to still maintain the ability to do the projects.

Of course, guidelines will be required on how all this will happen but there is a commitment that most counties want to do this and will utilize this Option.

**Chair Poat** noted that a clear pattern that has emerged from this process is that there is a lot of support for the ideas that have come out of the statewide planning.

**Commissioner Kahn** remarked that this seems a matter of measured level of effort; that the OAC is looking to see that there is a reasonable, roughly matched level of effort coming in from the various collaborators.

**Commissioner Van Horn** added that it should have the same goals and objectives so that basically what is being done is a statewide effort. Also, while the OAC cannot require, cannot mandate that money be placed into JPA, it can require that the counties function together, which may mean sharing money. What the OAC cannot require is that the money goes somewhere other than to these projects.

**Commissioner Pating** reported that although Option 3A had large support, it was not unanimous. He presented the minority opinion by reading highlights of a letter written to the Commission by Dr. Rocco Cheng. Dr. Cheng wrote that statewide projects should allow one-time allocation of financial resources in the areas that were crucial, and having a statewide infrastructure would allow counties to achieve cost savings. Traditionally underserved and unserved cultural groups have not been well-represented at the county level. For this reason he wanted to push for a statewide initiative.

Commissioners then turned to the second question – what to do about the three counties who have already submitted plans?

**Commissioner Pating** presented two options:

1. To review and approve the expenditure of the PEI plans for the three counties (Shasta, Nevada, San Joaquin) based on the general PEI requirements available at the time.
2. Not approve them and make them subject to the new requirements yet to be established.

The Service Committee unanimously recommended that the pending plans be approved (number 1 above); and stipulate that this applies only to the three counties.

The total expenditure for the three county plans would be approximately \$2 million.

The motions were then put forward for discussion (see below).

### **Public Comment**

- **Mr. Victor Ojakian** spoke in opposition to the motion. He stated that everyone is in agreement on statewide initiatives. The existing funds should be divided somehow amongst the three initiatives (elements) on the table. Some counties are unwilling to fund these projects and move forward. Much stronger methods should be used. When the Act passed it was a vote to transform mental health services in the state. He doesn't see that happening if these initiatives don't move forward.
- **Ms. Wiggys Sivertsen**, a Faculty Counselor for 43 years at San Jose State University, stated that now, more than at any time during all her years at the university, the needs of students are extensive. She expressed her concern at the opinion that this money doesn't belong to the universities, it belongs to the counties. She urged the Commission to make sure the money is available to all the university campuses so they can apply for it as other agencies within the county do.
- **Ms. Jenny Qian**, Orange County Health Care Agency PEI Coordinator, supported the proposed motion. She expressed the importance of allowing flexibility in the implementation of the projects to ensure that fairness is used and that guidelines are developed that support equity among counties regardless of their previous funding history with DMH.
- **Ms. Fran Edelstein**, Services Committee member, stated that there was strong support for the statewide projects and for the activities that only statewide projects can accomplish.

She proposed an amendment to Motion 1 that would give direction for the guidelines development from the Commission for uniquely statewide foundational activities to be a part of what the money is spent on. Also, insert a new Motion 2 that *“requires that projects include building sustainable system infrastructure, expand community capacity, create new knowledge, and develop needed resources as a statewide foundation for counties to build upon for long-lasting results.”* The Commission needs to give strong support to not only statewide efforts but to efforts that are uniquely statewide as we go forward with guideline development.

- **Ms. Stacie Hiramoto**, Racial and Ethnic Mental Health Disparities Coalition (REMHDCO) and Mental Health Association (MHA) clarified that, whatever takes place today, it was agreed at the Service Committee level that it does not set a precedent for the reducing disparities funds. She also supported Fran Edelstein's amendment to the Motion.

- **Ms. Dede Ranahan**, National Alliance on Mental Illness, California (NAMI-CA), also supported Fran Edelstein's amendment.
- **Mr. Brian Olowude**, Fresno City College and Mental Health and Wellness Association of California Community Colleges (MHWACCC) expressed support for the amendment in spirit but also expressed concerns that the Student Health Initiative remain protected. CCC students are in desperate need of more and better mental health services. We need to ensure that community colleges and universities maintain access to the funds and that the guidelines very specifically state that.
- **Ms. Kristee Haggins**, UC Davis Counseling and Psychological Services, spoke about the need for the Initiative statewide and the need to integrate the university systems within the application of funds. She reminded the Commission that the idea to use campus mental health centers was raised out of the tragic events of Virginia Tech.

The funding has been approved and sufficiently vetted with accolades twice by the OAC – and that was over two years ago. Campuses began forming ideas and plans for implementing the funding but are not able to do so without the funding. The funding plan has already been approved for use in college counseling centers and needs to be distributed as soon as possible. The funding will have a positive effect and the need is high.

- **Ms. Stephanie Welch**, California Mental Health Directors Association (CMHDA), stated that they have submitted a memo that demonstrates their support for Option 3A. They have recommitted themselves to statewide projects and the achievement of their goals and believe that they can facilitate statewide learning and statewide goals, as well as support linking counties together with similar needs. It is important to stay on the timeline and complete this process as soon as possible.
- **Mr. Marvin Southard**, Los Angeles County Mental Health Director, spoke in support of the motion and clarified that Los Angeles is fully committed to these projects in their full statewide capacity. They intend to use the resources allocated to them in the form the Commission had developed and are particularly interested in a quick implementation of the suicide prevention and stigma reduction issues. They believe they are ready now to move forward in a statewide manner upon approval of a process that makes the funds accessible.
- **Ms. Delphine Brody**, California Network of Mental Health Clients, stated her strong support for Fran Edelstein's amendment and Rocco Cheng's concerns regarding the need for statewide oversight and stakeholder input to the insured through a process that will make sure that underserved and unserved communities and clients have a voice in this process.
- **Ms. Pat Oetzel**, NAMI Shasta County, said her concern was that the Commission is changing the rules of assigning the dollars of MHSA PEI funds without the voters of the state of California knowing about it. It should have been better explained to the counties

that they had a right to keep their funds for their own projects and they did not have to reassign the funds back to the state. A statewide project should never have been put together without the funds already there.

- **Ms. Jennifer Clancy**, CIMH, responded to the minority opinion brought forth by Dr. Cheng, specifically regarding the idea that county or regional projects not providing statewide outcomes as they may have very different outcome measures. Significant infrastructure has been built. DMH has funded CIMH to build a regional learning collaborative, which exists to help implementation of MHSA, Full Service Partnerships (FSPs) and workforce development. Thus, an infrastructure already exists to ensure that regional projects can lead to statewide outcomes.
- **Mr. Mark Montgomery**, Shasta County Mental Health Director, reiterated their support for the statewide initiatives. The issue they had was not around the initiatives; rather, it was around the reassignment of dollars. They also believe that the local level folks' participation was often overlooked with the statewide participation.
- **Ms. Diana Clayton**, NAMI Shasta County President, stated their desire that the Shasta County funds be assigned today. They have spent a huge amount of hours working with mental health. Shasta County has one of the highest suicide rates and she hopes the motion will be approved today.

**Chair Poat** remarked that one of his goals for this year was to work out the process for funding of the statewide projects and he encouraged the Commission to move forward with the motions that have been put forward today and to build additional thoughts they have on the subject into the guideline process. There is good consensus around a good plan and let's get the money out into the community where it can make a difference.

In response to a question from **Commissioner Van Horn**, **Chair Poat** further clarified that he is suggesting that Ms. Edelstein's suggested amendment be discussed during the guidelines process rather than added to today's motion.

**Commissioner Kahn** suggested that not utilizing Option 1 today makes sense for now, but down the road, if the Commission finds it is not able to get the kind of statewide plan in place that it wants because it doesn't have the legislative authority, they may want to push the legislative approach at that time. If that becomes the case, what kind of timeframe are we looking at? **Chair Poat** responded that they want to fully explore the framework that's been established here. If the Commission can develop guidelines this year and get the money out the door, it will probably be at least a couple of years' time to accurately assess the situation and make adjustments at that time as needed.

**Commissioner Pating** stated that they heard estimates of six months to a year for legislation if they decide to go down that road. Also, the entities required to administer the resulting legislative outcome may take time. It's probably at least a year's time before anything can be rolled out.

**Commissioner Greene** suggested that the Commission return to this issue in a few months to ensure they are on target in terms of nudging the Legislature along if necessary.

**Commissioner Kahn** remarked on the importance of education being part of the process. They heard today from post-secondary education but not from secondary. The Commission should make sure that secondary education is also a part of the process.

**Commissioner Vega** hopes that the motions can be further clarified, especially regarding identifying “strategic direction.” He also encouraged the Commission to think about the Student Mental Health Initiative and the need to increase focus on that. **Commissioner Pating** echoed that need.

Chair Poat called for the vote. It was decided that all three Motions be voted on together. They passed unanimously by voice vote.

**MOTION:** *Upon motion by Commissioner Bray, seconded by Commissioner Greene, the Commission unanimously adopted the recommendation to require that local, regional and/or multi-county projects (including statewide efforts) funded with PEI statewide project funds conform to the strategic direction identified in the California Strategic Plans for Suicide Prevention and Stigma and Discrimination Reduction, and the concepts identified in the consensus document for the Student Mental Health Initiative, and require that there be collaboration with other counties.*

**MOTION:** *Upon motion by Commissioner Kahn, seconded by Commissioner Vega, the Commission unanimously approved the expenditure of PEI statewide project funds in Shasta, Nevada and San Joaquin Counties based on general PEI plan requirements available at the time of plan submission, and stipulated that this decision only applies to these three counties.*

**MOTION:** *Upon motion by Commissioner Bray, seconded by Commissioner Kahn, the Commission unanimously approved the proposed timeline for development and adoption of PEI Statewide Projects guidelines.*

**5. Recommendation from Mental Health Funding Committee on FY 2010-11 Planning Estimates**

**Commissioner Greene** gave the presentation. He clarified that planning estimates are a forward projection that provides an amount of money for the counties to plan to (in this case, a total of \$1.1 billion for FY 2010-2011). It is a projection of dollars that in effect becomes a commitment to the counties.

He noted that DMH is required to consult with MHSOAC, CMHDA, and the California Mental Health Planning Council (CMHPC) regarding development of planning estimates.

MHSOAC is also required to approve county programs for expenditures for PEI and Innovation.

He discussed the pros and cons of making the entire \$1.1 billion available to the counties and concluded with the proposed motions.

**Commissioner Kahn** remarked that it may be beneficial to keep some of the funding in reserve. Once the money is at the county level, there is pressure to spend it. If you don't have it, you can't spend it. **Commissioner Greene** responded that the imperative in the Act is to serve the people that are not being served now. Those who feel most sensitive to not being served are at the county level. Also, the state has not been a good partner, and this is cash – it is real dollars that can be used in a variety of useful and positive ways. As the oversight body, the OAC needs to ensure that, at the plan level, those funds are going the right way.

**Commissioner Van Horn** cited the real temptation associated with leaving the money at the state level, where there is a terrible tendency to take money. It's safer at the county level than at the state level. **Commissioner Correa** concurred, citing the \$7-14 billion deficit projection for the coming year.

**MOTION:** *Upon motion by Commissioner Bray, seconded by Commissioner Van Horn, the Commission unanimously adopted the proposed motion, as follows:*

*The Commission recommends that all available MHSA funds projected through the end of the Fiscal Year (FY) shall be made available to counties for the following FY; The Commission recommends the FY 10/11 statewide CSS planning estimate be \$783 million; and Commission approves that the FY 10/11 statewide planning estimate for PEI shall be \$216.2 million for PEI, and \$119.6 million for Innovation.*

## **6. MHSOAC Strategic Direction**

**Beverly Whitcomb**, Interim Executive Director, stated three items for Commission consideration:

1. To amend the rules of procedure to add the Operations Committee to Rule 5.1. The Operations Committee will not be authorized to take policy positions on behalf of the Commission.
2. The Operations Committee membership will be composed of either the Chair or Vice Chair of each standing (i.e. technical advisory) committee.
3. The MHSOAC Performance Dashboard will be utilized to provide a “snapshot” of ongoing MHSOAC activities, and be updated monthly.

**Commissioner Vega** expressed concerns about not having a family member representative on the Operations Committee membership per se. **Commissioner Kahn** suggested that language be added that clarifies that at least one member of each committee must be represented.

**MOTION:** *Upon motion by Commissioner Henning, seconded by Commissioner Kahn, the Commission unanimously amended the Rules of Procedure (Item 1 above) and clarified that the Operations Committee membership consists of the Chair or Vice Chair of each standing committee. (Item 2 above).*

## **7. PEI and Innovation (INN) Plan Approval**

**Ms. Ann Collentine**, staff Plan Review Supervisor, provided the status update. The following counties are recommended for PEI plan approval:

- Sutter-Yuba: proposed budget of \$1,350,300.

- Fresno: proposed budget of \$6,537,258.

- Los Angeles: proposed budget of \$121,661,559. Ms. Collentine remarked that the review team was very impressed with the county's 1,200-page plan proposal – its data analysis; the equal access to the different communities in Los Angeles; and the broad-based services. In addition, the county was very responsive to the questions raised by the team. Commissioner Henning echoed her comments.

### **Public Comment**

- **Mr. Southard**, LA County DMH, thanked the Commission for their consideration of the county's plan. He also stated that the process itself has proven to be transformative; more than 10,000 people participated in the plan development process. Stakeholders who had never before participated in the process were heard and their voices honored.
- **Dr. William Arroyo**, Los Angeles County, expressed his gratitude at being a member of the Committee that worked with the OAC in developing the guidelines for the counties and in developing their PEI component of the Act.

He also stressed that they are looking at outcomes – all selected programs have outcomes that will be tracked. This is new and different for them and they look forward to sharing that data with the Commission.

**Commissioner Pating** commented on the scale of the Los Angeles County plan and the potential it represents for the state. The county showed tremendous insight in building outcomes into the process up front. **Commissioner Kahn** added that evaluation has been a primary concern for him since he joined the Commission and this is a big step forward in helping with that.

**MOTION:** *Upon motion by Commissioner Henning, seconded by Commissioner Gould, the Commission unanimously approved the Los Angeles County PEI plan, with three abstentions (Vega, Kahn, Van Horn).*

**MOTION:** *Upon motion by Commissioner Henning, seconded by Commissioner Gould, the Commission unanimously approved the Sutter-Yuba and Fresno Counties PEI plans.*

**Ms. Collentine** noted that two PEI plans are currently in a “pending” status – Kern and Lake Counties. Also, two Innovation plans are in a “pending” status – Riverside and Trinity Counties. In addition, Monterey and San Diego Counties are coming soon, and the review team is working with a number of additional counties on technical assistance.

To date, the Commission has approved 43 plans and a total funding of \$276,997,463.

**8. Announce Committee for Selection of Executive Director**

**Chair Poat** remarked that the Commission is now advertising for the position of Executive Director. He encouraged those interested to complete their applications and submit them by the deadline, which is August 31.

The next step will be for a selection committee to interview for the position. He suggested the following Commissioners to serve on the selection committee: **Chair Poat, Vice Chair Poaster, Linford Gayle** (the immediate past Chair), **Mary Hayashi, Beth Gould, and Howard Kahn**. The first round of interviews will be on Wednesday, September 23.

He asked for other Commissioners who would be interested in participating on the selection committee – **Commissioners Van Horn and Pating** responded.

**9. Adjournment**

**Chair Poat** noted that the September 24<sup>th</sup> meeting is scheduled to be held in Santa Ana. He adjourned the meeting at 2:11 p.m.