

California Code of Regulations

Title 9. Rehabilitative and Developmental Services

Division 1. Department of Mental Health

Chapter 14. Mental Health Services Act

Article 2. DEFINITIONS

(1) Adopt Section 3200.251 as follows:

Section 3200.251. Prevention and Early Intervention.

“Prevention and Early Intervention” means the component of the Three-Year Program and Expenditure Plan that consists of programs to (1) prevent serious mental illness/emotional disturbance by promoting mental health, reducing mental health risk factors and/or building the resilience of individuals, and/or (2) intervene to address a mental health problem early in its emergence.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5840 and 5847, Welfare and Institutions Code.

(2) Adopt Section 3200.259 as follows:

Section 3200.259. Selective Prevention Activity.

“Selective Prevention Activity” means a prevention activity within a PEI program that targets individuals or a subgroup whose risk of developing mental illness is significantly higher than average, such as older adults who have lost a spouse or young children whose mothers have postpartum depression.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5840 and 5847, Welfare and Institutions Code.

(3) Adopt Section 3200.305 as follows:

Section 3200.305. Universal Prevention Activity.

“Universal Prevention Activity” means a prevention activity within a PEI program that targets the general public, or a population group that has not been identified on the basis of individual risk, such as an activity that educates school-aged children and youth on mental illnesses.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference:

Sections 5840 and 5847, Welfare and Institutions Code.

Article 3. GENERAL REQUIREMENTS

(4) Amend Section 3310 as follows:

Section 3310. The Three-Year Program and Expenditure Plan.

(a) no change

(b) Three-Year Program and Expenditure Plans shall address each of the following components:

(1) Community Services and Supports, as defined in section 3200.080, for:

(A) Children and Youth, as defined in §section 3200.030.

(B) Transition Age Youth, as defined in §section 3200.280.

(C) Adults, as defined in §section 3200.010.

(D) Older Adults, as defined in §section 3200.230.

(2) no change

(3) Workforce Education and Training, as defined in section 3200.320.

(4) Prevention and Early Intervention, as defined in section 3200.251.

(5) no change

(c) no change

(d) The County shall develop the Three-Year Program and Expenditure Plans and updates in collaboration with stakeholders, through the Community Program Planning ~~P~~process, as specified in ~~S~~section 3300 and the component-specific requirements contained in Articles 6 through 10, as applicable.

(1) County programs and/or services shall only be funded if the Community Program Planning ~~P~~process set forth in these regulations was followed.

(e) The Three-Year Program and Expenditure Plans and updates shall include:

(1) A statement explaining how the requirements of ~~s~~Section 3300 were met.

(2) A summary of stakeholder input received during the Community Program Planning process.

(f) As part of the Three-Year Program and Expenditure Plans or updates, the County shall submit documentation of the local review process, as required by ~~s~~Section 3315.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference:
Sections 5830, 5846, 5847, 5848(c), and 5897(a), Welfare and Institutions Code.

Article 5. REPORTING REQUIREMENTS

(5) Adopt Section 3515 as follows:

Section 3515. Local Outcome Evaluation of a Prevention and Early Intervention Program Report.

(a) No later than December 31 following the end of the fiscal year for which the County received Prevention and Early Intervention (PEI) funds, the County shall submit to the Department a Local Outcome Evaluation of a PEI Program Report that identifies:

(1) The name of the PEI program and the reason the program was selected for evaluation.

(2) The following information for the selected program:

(A) Intended and actual outcomes for individuals and families served and for the local service delivery system.

(B) Number of individuals served by age group, gender, race/ethnicity/culture and language spoken.

(C) Number of individuals in each Priority Population served.

(D) Total unduplicated number of individuals served.

(E) Any documented outcomes.

(3) Strategies utilized to increase the cultural and linguistic competence of the PEI program.

(b) The Local Outcome Evaluation of a PEI Program Report shall specify the methodology used to:

(1) Analyze objectives.

(2) Collect and analyze data.

(3) Measure outcomes.

(4) Incorporate cultural and linguistic competence into the evaluation design.

(c) The County shall disseminate the Local Outcome Evaluation of a PEI Program Report to interested stakeholders and specify in the Report the methods of dissemination.

(d) Counties with fewer than 100,000 residents are not required to submit a Local Outcome Evaluation of a PEI Program Report.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5813.5, 5848 and 5892, Welfare and Institutions Code; Section 3 of the MHSA.

(6) Adopt Section 3570 as follows:

Section 3570. Prevention and Early Intervention Program Accountability and Evaluation Report.

(a) No later than December 31 of the fiscal year for which the County received Prevention and Early Intervention (PEI) funds, the County shall submit to the Department a PEI Program Accountability and Evaluation Report that identifies the following information for each PEI program:

(1) The population that received services, identified by demographics including but not limited to age, gender, race/ethnicity, cultural population and primary language spoken.

(2) The problems and needs addressed.

(3) The services provided, including type of service, such as educational sessions, screening, peer support and group counseling.

(4) Successes and challenges in implementation.

(5) Funding source, indicating total dollar amounts for PEI funds, other MHSA funds, other mental health funds and non-mental health funds.

(b) The County shall disseminate the PEI Program Accountability and Evaluation Report to interested stakeholders and specify in the report the methods of dissemination.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5813.5, 5848 and 5892, Welfare and Institutions Code: Section 3 of the MHSA.

Article 9. PREVENTION AND EARLY INTERVENTION.

(7) Adopt Section 3900 as follows:

Section 3900. Rule of General Application.

Prevention and Early Intervention, as defined in section 3200.251, shall be governed by the provisions specified in this Article and in Articles 1-5, unless otherwise specified.

(8) Adopt Section 3900.1 as follows:

Section 3900.1. Prevention and Early Intervention Community Program Planning Process.

(a) In addition to the requirements in section 3300, the Prevention and Early Intervention (PEI) Community Program Planning process shall include:

(1) Outreach to stakeholders, as defined in section 3200.270, to create an inclusive planning process.

(2) Focused outreach to the following individuals and groups:

(A) Individuals at risk of serious mental illness and/or serious emotional disturbance and their family members.

(B) Members of the PEI Priority Populations as specified in section 3905.

(C) Representatives of health and social services, law enforcement, and education.

(D) Clients who have received, or are receiving, PEI services, if any.

(E) If outreach required in (2) above does not result in participation of individuals and groups specified in (A) through (D), the PEI component of the County's Three-Year Program and Expenditure Plan shall include a written explanation of the outreach activities used to target these individuals and/or groups and the reason(s) they did not participate, if known.

(3) An assessment of the capacity and strengths of the community including but not limited to:

(A) The strengths and limitations of the County, service providers, community-based organizations and faith-based organizations that affect their ability to meet the needs of the Priority Population(s) to be served by the PEI programs in the County's Plan or update.

(4) Identification of the Priority Population(s) to be served, selected from the list in section 3905.

(5) Identification of the Key Community Mental Health Need(s), selected from the list in section 3910.

(6) Identification of measurable outcomes for PEI programs and expected impact of PEI programs on systems, such as mental health, education, health, juvenile justice and community systems specific to racial, ethnic, and cultural groups.

(7) Development of accountability, evaluation, and improvement activities for PEI programs.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5840 and 5848, Welfare and Institutions Code.

(9) Adopt Section 3905 as follows:

Section 3905. Prevention and Early Intervention Priority Populations.

(a) The following are Priority Populations for Prevention and Early Intervention programs:

(1) Racial/ethnic populations and other unserved/underserved cultural populations, including lesbian/gay/bisexual/transgender populations.

(2) Individuals experiencing onset of a serious mental illness or severe emotional disturbance, as defined in the Diagnostic and Statistical Manual of Mental Disorders.

(3) Children and youth and transition age youth in stressed families such as families affected by unemployment, homelessness, substance abuse, violence, depression or other mental illness, absence of care-giving adults, or out-of-home placement.

(4) Individuals exposed to traumatic events or prolonged traumatic conditions, including but not limited to grief, loss, and isolation.

(5) Children and youth and transition age youth at risk of school failure.

(6) Children and youth and transition age youth at risk of or experiencing involvement in the juvenile justice system.

(7) Individuals experiencing co-occurring substance abuse issues.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Section 5840, Welfare and Institutions Code; Sections 2 and 3 of the MHSA.

(10) Adopt Section 3910 as follows:

Section 3910. Prevention and Early Intervention Key Community Mental Health Needs.

(a) The following are Key Community Mental Health Needs for Prevention and Early Intervention programs:

(1) Prevention or reduction of emotional and behavioral health problems among at-risk children and youth and transition age youth.

(2) Prevention or reduction of disparities in access to mental health services.

(3) Prevention or reduction of the psychosocial impact of trauma.

(4) Prevention or reduction of stigma and discrimination against people with serious mental illness/emotional disturbance and/or those seeking mental health services.

(5) Prevention or reduction of suicide through measures such as increased awareness of the signs of suicide risk and actions to prevent suicide.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Section 5840, Welfare and Institutions Code; Sections 2 and 3 of the MHSA.

(11) Adopt Section 3920 as follows:

Section 3920. General Prevention and Early Intervention Requirements.

(a) The County shall use Prevention and Early Intervention (PEI) funds to implement one or more prevention and/or programs.

(b) Prevention programs shall be designed to reduce risk factors or stressors and build protective factors and skills prior to the diagnosis of a mental illness and shall include one or both of the following:

(1) Universal prevention activities, as defined in section 3200.305.

(2) Selective prevention activities, as defined in section 3200.259.

(c) Early Intervention programs shall target individuals exhibiting signs of a potential mental health problem, and/or their families, to address the individual's mental health problem early in its emergence.

(1) Services shall not exceed one year, unless the individual receiving the service is identified as experiencing first onset of serious mental illness with psychotic features, as defined in the Diagnostic and Statistical Manual of Mental Disorders criteria for a psychotic disorder, in which case, an intervention shall not exceed five years.

(d) PEI programs shall target, but not be limited to, clients or individuals who are unserved/underserved.

(e) PEI programs shall serve one or more of the PEI Priority Population(s) selected as a result of the Community Program Planning process.

(1) A PEI program developed in coordination with a State-administered program such as Suicide Prevention or Stigma and Discrimination Reduction is not required to address a Priority Population, but shall address an unserved/underserved population.

(f) PEI programs shall identify outcomes related to one or more Key Community Mental Health Need(s) selected as a result of the Community Program Planning process.

(g) PEI programs shall serve individuals and populations in non-traditional mental health settings such as primary healthcare clinics, schools, and family resource centers; unless a traditional mental health setting enhances access to quality services and outcomes for unserved/underserved populations.

(h) The PEI component shall serve all age groups in one or more programs.

(1) At least 51 percent (51%) of the total PEI funds received by the County in a fiscal year shall be used to serve individuals who are under 25 years of age.

(i) Small counties, as defined in section 3200.260, are exempt from (h) and (h)(1) above.

(j) PEI programs shall be designed to reduce disparities in services by doing one or more of the following:

(1) Providing culturally and linguistically competent services.

(2) Facilitating access to services.

(3) Improving outcomes for participants, including those who are currently unserved or underserved by the mental health system.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5813.5, 5840 and 5848, Welfare and Institutions Code; Sections 2 and 3 of the MHSA.

(12) Adopt Section 3930 as follows:

Section 3930. Allowable Costs and Expenditures.

(a) In addition to section 3400, the following requirements shall apply to Prevention and Early Intervention (PEI).

(b) PEI funds may be used for services or costs related to PEI programs, such as:

(1) Personnel, including mental health professionals, paraprofessionals and community liaisons.

(2) Operating costs including educational materials and curricula, equipment, supplies, travel and facilities rental.

(c) PEI funds may be used to expand a non-MHSA program by adding PEI services.

(1) These services shall be identified as part of a PEI program work plan in the PEI component of the Three-Year Program and Expenditure Plan.

(d) PEI funds may not be used for the following:

(1) Individualized treatment, recovery, and support services for those who have been diagnosed with a serious mental illness or serious emotional disturbance, unless the client or individual has been identified by a provider as experiencing first onset of serious mental illness/emotional disturbance.

(2) Housing.

(3) Non-PEI-related technology activities.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference:
Sections 5840 and 5892, Welfare and Institutions Code.

(13) Adopt Section 3940 as follows:

Section 3940. Prevention and Early Intervention Component of the Three-Year Program and Expenditure Plan.

(a) The Prevention and Early Intervention (PEI) component of the Three-Year Program and Expenditure Plan shall include the following:

(1) A description of how the County met the requirements of section 3900.1, Prevention and Early Intervention Community Program Planning process.

(2) The Priority Population(s) selected for PEI programs from the list specified in section 3905.

(A) For each Priority Population, the County shall include information about how this population was selected, including input obtained during the Community Program Planning process and data and analysis that support the County's selection.

(3) The Key Community Mental Health Need(s) selected for PEI programs from the list specified in section 3910.

(A) For each Key Community Mental Health Need, the County shall describe how it was selected, including input obtained during the Community Program Planning process and data and analysis that support the County's selection.

(4) A work plan, as described in section 3945, for each program.

(5) A description of the PEI program(s) to be evaluated in the Local Outcome Evaluation of a PEI Program Report, unless the County is exempt per section 3515, subdivision

(d). The description shall include the following information:

(A) How the PEI program(s) was selected for local evaluation.

(B) Expected program outcomes, including individual/family and program/system outcomes, as applicable.

(C) How achievement of the program outcomes will be measured.

(D) How data will be collected and analyzed

(E) How the program(s) and the evaluation will incorporate cultural competence, as cultural competence is defined in section 3200.100.

(F) How the report will be disseminated to interested parties.

(G) If a program adapts an existing program, the procedure that will be used to ensure consistency with the original program.

(6) A description of the coordination between the PEI component of the Three-Year Program and Expenditure Plan and the other components described in section 3310, subdivision (b), including proposed use of funds from other components to support a PEI program with items such as facilities, emergency medical record fields for PEI data, workforce development and referrals to services provided through other components of the Plan.

(7) A description of expected outcomes for the PEI programs in the County's Plan or update.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5840, 5847, 5848 and 5892, Welfare and Institutions Code.

(14) Adopt Section 3945 as follows:

Section 3945. Work Plans for Prevention and Early Intervention Programs.

(a) To request Prevention and Early Intervention (PEI) funds, the County shall submit one or more work plans.

(b) For new PEI programs, the work plan shall include:

(1) A description of how the program supports one or more of the Priority Population(s) selected by the County through the Community Program Planning process.

(2) A description of how the program supports one or more of the Key Community Mental Health Need(s) selected by the County through the Community Program Planning process.

(3) The total number of unduplicated individuals to be served and the number of individuals and/or families to be served in each PEI program.

(4) The number of individuals to be served by age group.

(5) The racial, ethnic and cultural population(s) to be served.

(6) The type of service, prevention and/or early intervention, to be provided to each individual and/or family.

(7) The program setting(s).

(A) If the setting is a traditional mental health setting, the County shall explain why it was selected over a non-traditional mental health setting and explain how the setting complies with section 3920, subdivision (g).

(8) A description of how individuals or clients who are identified as needing assessment or treatment for serious mental illness or serious emotional disturbance that is beyond the scope of a PEI program will be linked to County services, a primary care provider or another appropriate mental health services provider.

(9) A description of how the PEI program will connect individuals, clients and family members with non-mental health services, including those services provided by community agencies that are not traditionally considered mental health, such as violence prevention and substance abuse treatment.

(10) A description of collaborations with community-based organizations, such as schools, primary care, and ethnic organizations, indicating the roles and activities of each collaborating organization, including the role of each collaborating organization in service delivery.

(11) Identification of the potential impact of the program upon systems such as mental health, education, health and juvenile justice, and upon community systems that are specific to racial, ethnic and cultural groups.

(12) A statement describing how the program is consistent with the General Standards in section 3320.

(c) For previously approved PEI programs, the work plan shall include:

(1) The number of individuals and/or families to be served.

(2) The type of service, prevention and/or early intervention, to be provided to each individual and/or family.

(d) The budget detail for all PEI work plans shall indicate the amount of funds to be spent on each age group.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5813.5, 5840 and 5847, Welfare and Institutions Code.

(15) Adopt Section 3950 as follows:

Section 3950. Accountability, Evaluation and Improvement Activities.

(a) The County shall participate in the Department's accountability, evaluation and improvement activities for the Prevention and Early Intervention (PEI) component as follows:

(1) Submit the PEI Program Accountability and Evaluation Report as required in section 3570 and the Local Outcome Evaluation of a PEI Program Report as required in section 3515, unless exempt per section 3515, subdivision (g).

(2) Participate in on-site reviews conducted by the Department.

(3) Complete surveys conducted by the Department.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5813.5, 5848 and 5892, Welfare and Institutions Code; Section 3 of the MHSA.