
AGENDA ITEM 3A

Action

December 18, 2014 Commission Meeting

**Proposed Prevention and Early Intervention (PEI) Regulations:
Responses to Public Comment on Selected Sections**

Summary: The Commission will consider comments from the public on changes made to proposed PEI regulations on August 28, 2014, September 30, 2014, and October 23, 2014.

The 45-day public comment period on the Mental Health Services Oversight and Accountability Commission (MHSOAC or Commission) proposed Prevention and Early Intervention (PEI) regulations closed at 5:00 p.m. on July 24, 2014. Due to the large volume of comments, staff presented the public comments and recommendations regarding changes to the Commission at three meetings. On August 28, 2014, the Commission voted on the responses to the public comments on proposed PEI regulations sections 3704 through 3740. At the September 30, 2014 meeting, the Commission voted on responses to the public comments on the proposed PEI regulations sections 3200.245, 3200.246, 3510.010, 3745, 3755, and 3755.010, and also on responses to public comments on issues not in any specific section of the regulations including the comments recommending that fifty-one percent of PEI funds be spent on services for children and youth. On October 23, 2014 the Commission voted on responses to the last of the public comments received during the 45-day public comment period on the proposed PEI regulations sections 3560, 3560.010, 3560.020, and 3750.

At all three meetings the Commission voted to modify the language of the original regulations. Each of these modifications resulted in separate 15-day public comment periods. At its December 18, 2014 meeting, the Commission will be presented with the comments received during these three additional public comment

periods. The Commission will also be presented with Staff's recommended responses to the public comments, including proposed modifications to the language and the rationale for the modifications.

The enclosed document, "Matrix of Public Comments with Staff's Recommended Responses" is structured to provide the information that the Office of Administrative Law (OAL) needs: public comment, the response (i.e. accept or reject the public comment), the action taken (i.e. proposed changes to the language in the proposed regulations), and rationale for the response. The matrix is divided into three sections: one each for the public comments in response to the changes that the Commission made at its August, September, and October 2014 meetings.

The MHSOAC will vote on whether to accept Staff's recommendations related to changes to proposed PEI regulations from all three 15-day comment periods: (1) reject some changes suggested by the public comments; and (2) accept some suggestions and modify the language of the proposed regulation sections.

Because the enclosed Matrix of Public Comments and Staff's Recommendations is a lengthy document, enclosed also is a document that shows just the staff-recommended changes to the proposed PEI regulations. For your convenience, enclosed also are (1) a copy of the original proposed PEI regulations that were approved by the Commission and published in June 2014 by OAL in the Notice Registry and (2) a copy of the proposed PEI regulations that includes all changes that the Commission made in August, September, and October 2014.

Enclosures: (1) Recommended Changes to Proposed PEI Regulations in response to public comments regarding changes made by the Commission in August, September, and October 2014; (2) Matrix of Public Comments with Staff's Recommended Responses; (3) Page Index for the Matrix of Public Comments; and (4) Index of Public Commenters; (5) Original Proposed PEI regulations as published in June 2014.

Handouts: PowerPoint handout will be made available at the meeting.

Recommended Action: Accept Staff's recommendations.

Presenters: Filomena Yeroshek, Chief Counsel; and Dr. Deborah Lee, Consulting Psychologist.

Motions:

(1) The Commission adopts Staff's suggested Changes to Proposed Prevention and Early Intervention Regulations; and

(2) The Commission adopts Staff's rejections of public comments to Proposed Prevention and Early Intervention Sections as set forth in the "Matrix of Public Comment with Staff's Suggested Responses."