



February 23, 2015

To: Mr. Kevin Hoffman, MHSOAC
From: *Dr.* Jaime Casillas, Chief Civil Rights Investigator, LULAC California
Subj: County of Ventura response to LULAC investigation
Copies: Stacie Hiramoto, Elaine Crandall, Barry Fisher, Dave Rodriguez, Michael Powers

Our organization received a copy of the County of Ventura's Behavioral Health (VCBH) agency written response to our investigative report. In addition, we received a copy of the report that your office prepared for members of the Mental Health Services Oversight and Accountability Commission.

Mr. Hoffman, our interpretation of the VCBH written response to our investigation, in our mind, represents (a) what the previous VCBH administration had to say about the matter; please be reminded that at the present time we have in place a relatively new Health Care Agency Director, Barry Fisher, and a new Behavioral Health Director, Elaine Crandall. In addition, (b) it is our view that the content of the rebuttal was not based in reality and represents the requirement that County administrators hold the line in terms of performing their due diligence of doing and saying whatever it takes to preserve and protect their area of responsibility. In effect, you have to agree that there is probably not a single county agency in this state or across the nation that would have ever embraced the embarrassing and pathetic description of malperformance that was included in our report. We stand by our findings and we believe that any intelligent, honest person or organization prepared to re-trace our steps would make the same conclusions that we made. We are not concerned about what was stated in the rebuttal and the political posturing that County administrators are required to take when dealing with public relations requirements. More importantly, we are interested in the VCBH's response to our recommendations which thus far has been very encouraging. Senior county VCBH staff has made a seemingly genuine commitment towards implementing the recommendations that we included in our report. Most notably, they have agreed to establish a Disparities Reduction Committee that will include membership of stakeholders from the Latino/a community. This committee will be integrated into the already existent structure of the VCBH committee process and will have as its main charge that of advocating and helping to reduce disparities.

In your briefing report to members of the oversight commission, you (or others from your office) stated the following:

“To be clear, based solely on reading the LULAC report, there is no way to determine or analyze whether various findings and observations in the report about service and fiscal

disparities to the Latino/a community in Ventura County are accurate. As such, what follows is a summary of the observations and findings as described in the LULAC report.”

We fully understand the need for VCBH administrators to avert any claim or admittance to the findings that we listed in our report but our organization is puzzled as to the apparent aversion on the part of your office. When you state that “there is no way to determine or analyze whether various findings and observations in the report about service and fiscal disparities to the Latino/a community are accurate,” our interpretation of what was stated is that you and Commissioners to not have access to the APS Healthcare reports for the past six years or that you do not have access to data regarding the penetration rate in Ventura County of any other county. To be clear, LULAC based its findings on what was stated in said reports and what was reported to us by VCBH administrative staff. Therefore, when it is stated that there is no way to verify what we reported, the logical conclusion is that MHSOAC does not have the capacity to access the same information that was provided to LULAC. Surely your office has access to the performance data of behavioral health agencies across the state. In the spirit of your view that the findings in our report cannot be verified as accurate, I would like to, in turn, offer a more realistic viewpoint: consistent with the perspective of the Little Hoover Commission, county agencies cannot prove that they have measurable results to account for the hundreds of millions of dollars that they squander or mismanage every year and they are allowed to do so because oversight bodies, like the MHSOAC, are irresponsive or lack the capacity to hold counties accountable.

In summary, the VCBH rebuttal, in unison with the statement that I quoted from your report, give credence to the position of the Little Hoover Commission in its January 27, 2015 report in which it characterizes the nature of the County BH agencies and MHSOAC as follows:

“In this review, the Commission learned that funding provided by Proposition 63 – now more than \$1 billion annually and representing about 25 percent of California’s overall mental health spending – continues to evade effective evaluation due to antiquated state technology and overlapping and sometimes unaccountable bureaucracies. The Legislature appropriately empowered the Mental Health Services Oversight and Accountability Commission by making it independent, but it still lacks teeth and shares oversight responsibilities for the act with the Department of Health Care Services. The Legislature should expand the authority of the oversight commission. Specifically, it should have the authority to conduct up-front reviews of the more controversial preventive programs funded by the act and be empowered to impose sanctions if counties misspend funds from the act or fail to file timely reports with the state.”

As LULAC stated to you and others, our organization is moving forward with a restrained but moderate measure of new found optimism that the new administration at VCBH will make a good faith effort to address the recommendations that were included in our report. In a recent meeting with Mr. Crandall and Mr. Fisher, there was displayed what we considered to be a genuine attempt on their part to respect the findings of LULAC and to establish a process of shared governance that will now include direct representation from the Latino/a community that has thus far not had a place at the table with the previous VCBH administration.