

**Matrix of Public Comments with Staff's Recommended Responses**  
**Innovative Project Proposed Regulations**  
**15-Day Public Comment Period Phase II (12/18/14 – 1/6/15)**  
**Presented at January 22, 2015 MHSOAC Meeting**

15-Day Notice from December 18, 2014 – January 6, 2015 (Phase II)					
Section #	Comment Author	Comment Summary	Response	Action	Rationale
3580.010(a) (4)(E)(i)-(vii)	Commenter #11	<p><b><u>Comment 11.02</u></b>            For consistency of language, I recommend under “Sexual orientation” the following change:</p> <ul style="list-style-type: none"> <li>• Sexual orientation               <ul style="list-style-type: none"> <li>○ Gay or Lesbian</li> <li>○ Heterosexual or Straight</li> <li>○ Bisexual</li> <li>○ Questioning</li> <li>○ Queer</li> <li>○ Questioning or unsure of sexual orientation</li> <li>○ Another sexual orientation</li> <li>○ Number of respondents who declined to answer the question</li> </ul> </li> </ul> <p>This change is consistent with the category “Questioning or unsure of gender identity” under “Current gender identity.” This wording also offers more clarity than the simply using the term “Questioning.”</p>	Reject	Retain existing language with no change	<p>Staff agrees with the comment and believes that the suggested change would strengthen and clarify reporting requirements and is consistent with the language currently used for individuals who are unsure of their gender identity, as the comment points out.</p> <p>However, staff’s perspective is that the suggested change is not sufficiently critical to require the MHSOAC to make the change at this time, which would trigger a new 15-day review process and potentially delay final approval of the Innovative Project (INN) proposed regulations. Staff anticipates that the Office of Administrative Law will request various changes to clarify proposed INN regulations. At that time in addition to responding to Office of Administrative law recommendations, staff will recommend that the Commission make the change suggested by this comment. This approach preserves the public comment processes – both opportunity for written comments and responses as well as comment at future MHSOAC meetings – and provides the best opportunity to complete INN regulations by the one-year Office of Administrative Law deadline.</p>
3580.010(a) (4)(F)(i)(a)	Commenter #9	<p><b><u>Comment 9.04</u></b>            The aggregation of blind, deaf/hard of hearing/speech impaired together</p>	Reject	Retain exiting language with no change.	Staff agrees with the comment and believes that the suggested change would strengthen and clarify reporting requirements

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		<p>is not appropriate. Deaf/hard of hearing should be disaggregated due to the unique needs of this population of more than 100,000. The need for outreach to the Deaf/hard of hearing community, the degree of success anti-stigma programs have with this community and the demand for services for this community cannot be adequately measured unless they are disaggregated. Relying on written communication with this community is problematic since the estimated reading level among Deaf/hard of hearing persons is 4th grade level and most publications are written at the 7th grade level or above. I was given an estimate of up to 35% of the culturally Deaf community experiences significant mental health challenges yet receive almost no treatment since culturally and language appropriate services are not available. This community also experiences significant substance abuse challenges like the general population. The need to reduce suffering in this community is stark and deserves as much attention as the care given to identify, quantify and reach other minority populations in the State. In addition to this community there is a growing pool of older Americans who are deafened (deafness acquired after early</p>			<p>However, staff's perspective is that the suggested change is not sufficiently critical to require the MHSOAC to make the change at this time, which would trigger a new 15-day review process and potentially delay final approval of the INN regulations. Staff anticipates that the Office of Administrative Law will request various changes to clarify proposed INN regulations. At that time in addition to responding to Office of Administrative law recommendations, staff will recommend that the Commission make the change suggested by this comment. This approach preserves the public comment processes – both opportunity for written comments and responses as well as comment at future MHSOAC meetings – and provides the best opportunity to complete INN regulations by the one-year Office of Administrative Law deadline.</p> <p>It should be noted that staff disagrees with the statement that “Failure to disaggregate these individuals means that they are invisible, uncounted, unserved.” Proposed regulations’ reporting categories serve the purpose of providing statewide information about individuals served by INN programs. The absence of statewide reporting requirements does not limit counties from reporting information in additional categories and certainly does not in any way suggest that groups not specified in statewide reporting categories are not priorities for service. Administrative requirements such as reporting require county resources; there is a compelling need to balance priority of</p>

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		<p>childhood) who will add to the number of deaf/hard of hearing persons who need mental health services in the coming years.</p> <p>The blind, numbering upwards of 700,000 in California, also merit disaggregation, again due to their unique service and outreach needs. There is a growing population of elderly blind individuals at risk of mental illness due to the onset of blindness.</p> <p>Failure to disaggregate these individuals means that they are invisible, uncounted, unserved.</p>			<p>resources for delivering services and also resources for reporting information about the use and impact of those services.</p>
<p>3580.010 (a)(4)(H)(ii) (a)-(f)</p>	<p>Commenter #11</p>	<p><b><u>Comment 11.03</u></b> For consistency of language, I recommend under “Current gender identity” the following addition:</p> <ul style="list-style-type: none"> <li>• Current gender identity                             <ul style="list-style-type: none"> <li>○ Male</li> <li>○ Female</li> <li>○ Transgender</li> <li>○ Genderqueer</li> <li>○ Questioning or unsure of gender identity</li> <li>○ <b>Another gender identity</b></li> <li>○ Number of respondents who declined to answer the question</li> </ul> </li> </ul> <p>This addition is consistent with the category “Another sexual orientation” under “Sexual</p>	<p>Reject</p>	<p>Retain existing language with no change.</p>	<p>Staff agrees with the comment and believes that the suggested change would strengthen and clarify reporting requirements</p> <p>However, staff’s perspective is that the suggested change is not sufficiently critical to require the MHSOAC to make the change at this time, which would trigger a new 15-day review process and potentially delay final approval of the INN regulations. Staff anticipates that the Office of Administrative Law will request various changes to clarify proposed INN regulations. At that time in addition to responding to Office of Administrative law recommendations, staff will recommend that the Commission make the change suggested by this comment. This approach preserves the public comment processes – both opportunity for written comments and responses as well as</p>

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		orientation.” In addition, the inclusion of this category under “Current gender identity” is as culturally relevant and important as it is for “sexual orientation.”			comment at future MHSOAC meetings – and provides the best opportunity to complete INN regulations by the one-year Office of Administrative Law deadline.
No Specified Section	Commenter #11	<p><b>Comment 11.01</b>                      During the MHSOAC meeting on 12/18/14, there were two amendments to both the PEI and the Innovations regulations regarding sexual orientation and gender identity categories. First, I would like to give my wholehearted support to the addition of sexual orientation and gender identity to the demographic data sections of both regulations. I commend the Commissioners for passing the regulations with the inclusion of these two amendments.</p> <p>There was much discussion and many “moving parts” as these amendments were being crafted. I believe there may have been some unintentional oversight in the recommendations for both the sexual orientation and gender identity categories in terms of consistency of language.</p>	No specific action suggested	N/A	N/A
No Specified Section	Commenter #12	<p><b>Comment 12.01</b>                      20150103MHSOAC: Summary                      If I only could recommend three (3) items they would be:</p>	Reject	Retain existing language with no change	1. The principal goal of the Innovation component is to develop, test, and evaluate new or changed mental health practices that the County can then adopt and recommend to other counties. In most instances that evaluation will

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		<p>1. Collect financial information that could prove a project delivered 1. a Best Practice</p> <p>2. Include in the Regulations the need for cost/benefit analyses as with CSS and PEI</p> <p>3. Include financial Kill Criteria for Projects due to financial shortfalls</p> <p>Original Language - No Deletions - No Tweaks Only Additions (Pages 6 &amp; 7)</p> <p>We promote anything that proves financial Best Practices in Project Delivery</p> <p>We researched pre-existing Standards, Guidelines, CCR, etc We request to Link to the MHSOAC's Inventory of Financial Assessments Used with INN Projects We considered – Project Cost Assessment for a Target Audience: MHSOAC – Financial Oversight Committee</p> <p>Eliminating Financial &amp; Accounting Elements In general accounting elements that can contribute in determining if a project is financially a Best Practice. In this purpose MSG consulted with David N. Fein (CPA).</p>			<p>include financial information; however Innovative Projects vary greatly and it is best left to the individual County to determine what information to collect in making this determination. Collecting and reporting basic budget information is a requirement of all Innovative Projects (3510.020).</p> <p>2. While a cost/benefit analysis is very frequently an important part of assessing the viability of an Innovative Project, this purpose is best served by technical assistance rather than regulations. The resources referenced in the comment are potentially very useful sources of technical assistance for counties, with varying applicability depending on the specific Innovative Project. Because of the broad range of counties' Innovative Projects, requiring a cost/benefit analysis – much less mandating specific methods of cost/benefit analysis – is not appropriate in all instances.</p> <p>3. There is no need for a “kill criteria.” Innovative Projects are necessarily and per MHSA and proposed INN Regulations' requirements, time-limited. A critical part of each county's responsibility for its Innovative Projects is to determine which to continue – in whole or in part – without Innovation funds, based on the results of the evaluation and other considerations specific to each individual county. While counties, with stakeholder input, might choose to terminate an Innovative Project before its intended end</p>

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		<p>The following table includes our findings.</p> <p>Yes = Recommended: NR = Not Recommended: DA = Doesn't Apply: NA = Not Addressed</p> <p>“Guidelines for Expenditures” – Considerations and Suggestions - Part of County Profiling</p> <p>Item#, Element/Assessment, CPA, MSG on Best Practice</p> <p>01, Auditing, Yes                      02, Balance Sheets, Yes                      03, <b>Cost-benefit analyses</b>, Difficult, See Detail                      04, Deliverable Cost Sheet, NA                      05, Explain Spending, Yes                      06, Financial accounting, DA                      07, General Ledger, DA                      08, Management accounting, DA                      09, Profit &amp; Loss (P&amp;L), DA                      10, Project Management – Cost Management Tools, NA                      11, Revenue and Expenditure Report, Yes</p> <p>20150103MHSOAC - Action Item:                      We here at MSG need to investigate further on Best Practices such as:</p> <ul style="list-style-type: none"> <li>-</li> <li>• Best Practices in Regulating</li> </ul>			<p>date, this decision could be based on a number of factors related to the in-process evaluation and does not require and would not benefit from inflexible financial “kill criteria.”</p>

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		<ul style="list-style-type: none"> <li>• Best Practices in Project Cost Management</li> <li>• Best Practices in money management and cost management</li> <li>• Best Practice Assessment and Proofs for Best Practices</li> </ul> <p>Reasoning – Routes to Best Practices Basically the MHSAs Innovations Component is designed to investigate promising practices. To be successful an Innovation Project must meet the criteria for an Evidence Based then Best Practice. Any financial tool that stands as evidence of a projects success might be considered for assimilation into and/or accommodation about the MHSOAC's Innovations Regulations.</p> <p>Item#03: Cost-benefit analyses Cost-benefit analyses were dictated for other MHSAs Components such as CSS. For example, the FSPs were/are encouraged to deliver cost-benefit analyses. If analysis is not included in the Regulations the counties will have the tendency not to spend money for Innovation cost-benefit studies. This is one of the reasons we specify elsewhere that the counties not pick up any of the Round 1 projects.</p>			

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		<p>[Insert link – Best Practices &amp; Continuation]  <a href="http://ktork46.blogspot.com/p/accountability-mhsa-innovations.html#!/p/accountability-mhsainnovations.html">http://ktork46.blogspot.com/p/accountability-mhsa-innovations.html#!/p/accountability-mhsainnovations.html</a></p> <p>That before cost-benefit and other financial assessments can be paid for and delivered on; all projects might best be banked as practice. Locally it does not appear that any of our Round 1 Projects qualify as Best Practices.</p> <p>Terms and Phrases (Taken from elsewhere in MHSAs literature)</p> <p>-</p> <ul style="list-style-type: none"> <li>• [FSP] Cost/Benefit Analysis - [FSP] Cost/Offset Analysis</li> <li>• Analysis of Costs/Activities for all components</li> <li>• Analysis of MHSAs Expenditures</li> <li>• Cost Effective &amp; Cost Efficient</li> <li>• More than just Per Person Costs</li> </ul> <p>Project Management – Cost Management Process                      Expense Form(s) &amp; Expense Register(s)</p> <p>Recommendations for Future Evaluations</p> <p>Sample Questions to Answer</p>			

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		Which payable(s) really make a difference? For example, Social Worker versus Paraprofessional - Or - Cash versus Consumer stipends  See Summary on Page 1			