



STATE OF CALIFORNIA  
EDMUND G. BROWN JR., Governor



RICHARD VAN HORN  
Chair

June 12, 2014

DAVID PATING, M.D.  
Vice Chair

All County Mental Health Directors  
All County MHSA Coordinators

KHATERA ASLAMI  
Commissioner

Dear County Director,

WILLIAM BROWN  
Sheriff  
Commissioner

I am writing this letter to inform counties of a change to the instructions in the Mental Health Services Oversight and Accountability Commission August 3, 2012 letter regarding MHSOAC approval of Innovation Programs.

JOHN BOYD, Psy.D.  
Commissioner

The August 3<sup>rd</sup>, 2012 letter states that a proposed change to a Pre-AB 100 or a Post-AB 100 Innovation Program that expands the amount of funding does not require MHSOAC approval if it meets all of the following criteria: (a) continues the same primary purpose(s), and (b) continues the same learning goal(s).

JOHN BUCK  
Commissioner

VICTOR G. CARRION, M.D.  
Commissioner

As a result of the amendment made by AB 1467 in June of 2013 to Welfare and Institutions Code Section 5830(e), the Commission is revising the above-stated directions that were in the August 3<sup>rd</sup> letter. AB 1467 amended subdivision (e) by substituting the word, "receive" with the word, "expend." With the amendment, subdivision (e) now reads as follows:

LOU CORREA  
Senator  
Commissioner

(e) County mental health programs shall expend funds for their innovation programs upon approval by the Mental Health Services Oversight and Accountability Commission.

DAVID GORDON  
Commissioner

PAUL KEITH, M.D.  
Commissioner

As a consequence of this amendment, an expenditure of funds for Innovation Programs requires MHSOAC approval. Therefore, a Pre-AB 100 or a Post-AB 100 Innovation Program, as defined in the August 3, 2012 letter, which deliberately expands the total amount of funding that had previously been approved for the entire duration of the Innovation Program, requires the MHSOAC approval even if the program continues the same primary purpose(s) and the same learning goal(s). Funding increases for a particular fiscal year that result from annual MHSA fluctuations or any other reason are not subject to this approval process as long as the total expenditures for the entire Innovation Program do not increase above the amount approved. The MHSOAC is committed to processing the requests for approval of funds for the previously approved Innovation Programs as expeditiously as possible.

BONNIE LOWENTHAL  
Assemblymember  
Commissioner

LEEANNE MALLEL  
Commissioner

RALPH NELSON, M.D.  
Commissioner

LARRY POASTER, PhD  
Commissioner

TINA WOOTON  
Commissioner

All other instructions in the August 3, 2012 are unchanged. I have attached a copy of the August 3, 2013 letter for your convenience.

SHERRI GAUGER  
Interim Executive Director

If you have any questions or concerns, please contact Jose Oseguera, Chief of Committee Operations, at (916) 445-8722.

Best regards,

SHERRI GAUGER  
Interim Executive Director  
Mental Health Services  
Oversight and Accountability Commission



August 3, 2012

LARRY POASTER, PhD  
Chair

RICHARD VAN HORN  
Vice Chair

SHERRI GAUGER  
Executive Director

All County Mental Health Directors  
All County MHSA Coordinators

Dear County Director or MHSA Coordinator,

I am writing this letter to inform counties of a change related to Innovation Programs that is in effect after the Governor signed the 2012-13 Budget Act and Assembly Bill (AB) 1467.

As you may already know, AB 1467, enacted on June 27, 2012, amended Welfare and Institutions Code Section 5830(e) so that county mental health programs shall expend funds for their Innovation Programs upon approval by the Mental Health Services Oversight and Accountability Commission (MHSOAC). As a consequence, please note that the MHSOAC now has the responsibility for Innovation Program approval. To assist counties with program preparation, we attached an Innovation Review Tool, which has been revised to reflect current law. The MHSOAC is committed to making the review and approval process as smooth as possible and will actively provide technical assistance and support to guide counties through approval. For those counties anticipating submitting an Innovation Program, the MHSOAC invites you to contact us if we can assist you in any way.

**A. Definitions**

Pre-AB 100 Innovation Programs: Innovation Programs that were approved by the MHSOAC before the enactment of AB 100 on March 24, 2011 are referred to as "Pre-AB 100 Innovation Programs."

Post-AB 100 Innovation Programs: Innovation Programs that were adopted locally after passage of AB 100 on March 24, 2011 and on or before June 27, 2012 are referred to as "Post-AB 100 Innovation Programs." These Innovations did not require MHSOAC approval.

Post-AB 1467 Innovation Programs: Innovation Programs that were approved by the County Board of Supervisors on or after June 27, 2012 when AB 1467 became law are referred to as "Post-AB 1467 Innovation Programs." These programs require MHSOAC approval.

**B. Innovation Programs Not Requiring MHSOAC Approval**

In an effort to ensure programs are not interrupted, Pre-AB 100 and Post-AB 100 Innovation Programs do not need MHSOAC approval.

We request that you send the MHSOAC a copy of your Post-AB 100 Innovation Program(s) so the Commission will have a copy of Innovation Programs for each county to support

future Commission evaluations and the completion of future Innovation Trends Reports. Please find a copy of the 2012 Innovation Trends Report, which offers a broad view of counties' remarkable innovative efforts throughout the state.

**C. Innovation Programs Requiring MHSOAC Approval**

Innovation Programs that were approved by the County Board of Supervisors on or after June 27, 2012 when AB 1467 became law (Post-AB 1467) require MHSOAC approval before the county can expend Mental Health Services Funds for these programs.

**D. Proposed Changes to Current Innovation Programs**

A proposed change to a Pre-AB 100 or a Post-AB 100 Innovation Program that expands or reduces the amount of funding does not require MHSOAC approval if it meets all of the following criteria:

- a) continues the same primary purpose(s)
- b) continues the same learning goal(s)

Existing Innovation programs proposed to be expanded or reduced are considered to be previously approved if the above listed criteria are met. A proposed change to a Pre-AB 100 or a Post-AB 100 Innovation Program that does not meet all of the criteria listed above is considered a new Innovation Program and requires MHSOAC approval.

Pursuant to Welfare and Institutions Code Section 5847(b) all Innovation Programs that are part of a three year program and expenditure plan or annual update, whether or not they require MHSOAC approval, are required to be submitted to the MHSOAC within 30 days after adoption by the County Board of Supervisors.

New or updated programs that need to be submitted to the MHSOAC may be emailed to [MHSOAC@mhsoc.ca.gov](mailto:MHSOAC@mhsoc.ca.gov). If you have any questions or concerns, please contact Jose Oseguera, Chief of Committee Operations, at (916) 445-8722.

Implementing the current statute may create unforeseen questions. Working together and having open communication will ease the transition into the new fiscal year. My team and I look forward to the continued working relationship.

Best regards,

*Original signed by Aaron Carruthers for,*

SHERRI GAUGER  
Executive Director  
Mental Health Services Oversight and Accountability Commission

Enclosures