



**Contra
Costa
County**

To: Board of Supervisors

From: FAMILY & HUMAN SERVICES COMMITTEE

Date: December 11, 2018

Subject: Behavioral Health Services Cumulative Evaluation Report on Contra Costa's Assisted Outpatient Treatment Program

RECOMMENDATION(S):

1. ACCEPT the cumulative evaluation report from the Health Services Department on the implementation of Laura's Law – Assisted Outpatient Treatment (AOT) program during the period February 2016 through June 2018, and
2. APPROVE and AUTHORIZE the extension of the program beyond the previously authorized three-year pilot period as part of Contra Costa Behavioral Health Services' ongoing service delivery for persons experiencing serious mental illness.

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **12/11/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: John Gioia, District I
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: December 11, 2018

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Warren Hayes (925)
957-2616

cc:

FISCAL IMPACT:

<u>Agency</u>	<u>Actual expenditures for FY 17/18:</u>	<u>Funding Source:</u>
CCBHS	\$1,812,919	Mental Health Services Act
County Counsel	32,379	County General Fund
Public Defender	56,250	County General Fund
Superior Court	<u>2,585</u>	County General Fund
	\$1,904,133	

Funds are budgeted for the CCBHS portion of the AOT Program for the balance of FY 2018/19, and MHSA revenue is expected to sustain the CCBHS portion of the program costs for the fiscal years 2020-23. The County had provided a one-time start-up allocation to the Superior Court; however, ongoing costs of the Superior Court will be borne by the Court

BACKGROUND:

The Assisted Outpatient Treatment Demonstration Project Act (AB 1421), known as Laura's Law, was signed into California law in 2002 and was authorized until January 1, 2017. Laura's Law is named after a 19 year-old woman who worked at a Nevada County mental health clinic. She was one of three individuals who died after a shooting by a psychotic individual who had not engaged in treatment.

AB 1421 allows court-ordered intensive outpatient treatment called Assisted Outpatient Treatment (AOT) for a clearly defined set of individuals that must meet specific criteria. AB 1421 also specifies which individuals may request the County Mental Health Director to file a petition with the superior court for a hearing to determine if a person should be court-ordered to receive the services specified under the law. The County Mental Health Director or his licensed designee is required to perform a clinical investigation and, if the request is confirmed, file a petition to the court for AOT.

If the court finds that the individual meets the statutory criteria, the recipient will be provided intensive community treatment services and supervision by a multidisciplinary team of mental health professionals with staff-to-client ratios of not more than 1 to 10. Treatment is to be client-directed and employ psychosocial rehabilitation and recovery principles. The law specifies various rights of the recipient as well as due process hearing rights.

If a person refuses treatment under AOT, treatment cannot be forced. The court orders a meeting with the treatment team to gain cooperation and can authorize a 72-hour hospitalization to gain cooperation. A Laura's Law petition does not allow for involuntary medication.

AB 1421 requires that a county Board of Supervisors adopt Laura's Law by resolution to

authorize the legislation within that county. AB 1421 also requires the Board of Supervisors to make a finding that no voluntary mental health program serving adults or children would be reduced as a result of implementation.

At its June 3, 2013 meeting, the Legislation Committee requested that this matter be referred to the Family and Human Services Committee (FHS) for consideration of whether to develop a program in the Behavioral Health Division of the Health Services Department that would implement assisted outpatient treatment options here in Contra Costa County. On July 9, 2013, the Board of Supervisors referred the matter to FHS for consideration. FHS received reports on the implementation of Laura's Law on October 16, 2013 and March 10, 2014, and on February 3, 2015, the Board of Supervisors adopted Resolution No. 2015/9 to direct the implementation of Assisted Outpatient Treatment (Laura's Law) for a three-year period and directed the Health Services Department (HSD) to develop a program design with stakeholder participation. The Board further authorized the Health Services Director to execute a contract with Resource Development Associates, Inc. to provide consultation and technical assistance with regard to the evaluation of the County's Assisted Outpatient Treatment (AOT) Program for persons with serious mental illness who demonstrate resistance to voluntarily participating in behavioral health treatment.

In February 2016, Laura's Law was implemented and the Department provided FHS with status reports on September 12 and December 12, 2016, and May 22 and September 25, 2017, at which FHS received and discussed the AOT Program reports for fiscal year 2016-17 as provided by the Health Service Department and Resource Development Associates. Contra Costa Behavioral Health Services was directed to coordinate with the Health, Housing and Homeless Services Division and develop a plan to maximize enrollment in Assertive Community Treatment (ACT) of persons who are eligible for the AOT Program and are homeless or at risk of homelessness. Mental Health Systems is the contract agency providing Assertive Community Treatment to fidelity.

On October 17, 2017 the Board of Supervisors accepted the Plan for Maximum Enrollment of Persons Eligible for the AOT Program, as well as the July, 2016 through June 30, 2017 evaluation report from Resource Development Associates.

Behavioral Health Services has implemented the aforementioned plan, and the program currently reports 70 individuals enrolled in Assertive Community Treatment (ACT) (target maximum enrollment = 75), with an additional 16 persons deemed eligible and receiving outreach and engagement services prior to enrollment for treatment. AOT Program staff now meet regularly with Health, Housing and Homeless Services Division staff to maximize coordination and enrollment for persons who meet AOT eligibility and are homeless. Mental Health Systems, the ACT provider, now has 20 housing units via master leasing arrangements in order to house enrollees in shared and scattered site housing units.

On November 2, 2018 Resource Development Associates presented their Cumulative

Evaluation Report to the Assisted Outpatient Treatment Workgroup and interested stakeholders for discussion and input regarding recommendations and next steps. Program improvements enacted to date were identified, as well as areas for consideration in the coming months. The Family and Human Services Committee, on December 3, 2018, received and accepted the Evaluation Report along with significant public dialogue generally supportive of the program, and recommends that the AOT Program be established as a permanent and ongoing County program.

ATTACHMENTS

Laura's Law AOT Evaluation Report Findings (9 pages)

Laura's Law AOT Evaluation Report (80 pages)