



**Contra
Costa
County**

To: Board of Supervisors
From: FAMILY & HUMAN SERVICES COMMITTEE
Date: December 10, 2019

Subject: Annual Report to the California Department of Health Care Services on Contra Costa's Assisted Outpatient Treatment Program

RECOMMENDATION(S):

ACCEPT the Annual Report of the Assisted Outpatient Treatment Program for the period January 1 through December 31, 2018.

FISCAL IMPACT:

None, as funds are authorized and budgeted for the AOT Program for the balance of FY 2019/20, and MHSA revenue is expected to sustain the CCBHS portion of the program costs.

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.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☒ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **12/10/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V 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 10, 2019

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

Contact: Julie DiMaggio Enea
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By: Stephanie Mello, Deputy

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.

BACKGROUND: (CONT'D)

> 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.

On February 3, 2015 the Contra Costa 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.

On September 25, 2017 the Family and Human Services Committee 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.

On December 3, 2018 the Family and Human Services Committee accepted the Behavioral Health Services Cumulative Evaluation Report on Contra Costa's Assisted Outpatient Treatment Program and recommended to the Board of Supervisors (and was subsequently adopted) that the AOT Program be extended beyond its three year pilot period and incorporated as part of Behavioral Health Services' ongoing service delivery.

On April 26, 2019 the annual report for the California Department of Health Care Services (reporting period: January 1 – December 31, 2018) was presented and discussed at the AOT Workgroup Meeting. Community members were in attendance and had the opportunity to question and comment upon the report results, as well as receive an update from Behavioral Health, the contract service provider, Mental Health Systems, and representatives of the court and public defender's office. On October 7, 2019, that report was shared with the Family and Human Services Committee.

The report's Summary of Findings highlighted the following:

- A high degree of collaboration exists between CCBHS and Mental Health Systems to identify and engage eligible consumers in Assertive Community Treatment (ACT) services.
- The County's AOT program connected the majority of referred individuals to the appropriate level of mental health services, including ACT.
- A majority of consumers experienced benefits from participating in the program.
- The implementation of the new health care billing system (ShareCare) caused limitations on the availability of quality of service data.

During 2018, 200 individuals received services and the current caseload, at 75, is full. Most referrals came from family members and more than 80% of the individuals had co-occurring disorders -- usually drug abuse and mental illness. The program outcomes were positive, seeing a decline in crisis episodes, hospitalizations, incarceration, and homelessness, and an increase in patient satisfaction as evidenced through patient surveys. The "front door" model implemented by the County has been deemed very successful, helping families to better navigate the array of available services and be directed to the most appropriate level of care for their family member. However, more step down, e.g. Assertive Community Treatment (ACT), programming is needed. We also recommend that eligibility for AOT be broadened, if possible, to serve more people.

The attached report is provided to the Board for informational purposes.

ATTACHMENTS

Contra Costa County Assisted Outpatient Treatment (AOT) 2018 Annual Report for the California Department of Health Care Services