



**Contra
Costa
County**

To: Board of Supervisors
From: FAMILY & HUMAN SERVICES COMMITTEE
Date: August 10, 2021

Subject: Assisted Outpatient Treatment Program (Laura's Law) Annual Cumulative Evaluation Report

RECOMMENDATION(S):

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 July 2019 through June 2020.

FISCAL IMPACT:

Funds are budgeted for the CCBHS portion of the AOT Program for FY 2021-22, and MHSA revenue is expected to sustain the CCBHS portion of the program costs for the fiscal years.

BACKGROUND:

The Assisted Outpatient Treatment Demonstration Project Act (AB 1421), known as Laura's Law, was signed into California law in 2002. 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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☒ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **08/10/2021** ☒ 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: August 10, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Marie Scannell

cc:

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.

BACKGROUND: (CONT'D)

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. 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.

In September 2021, AB 1976 was approved by the Legislature and signed by Governor Newsom. This statute eliminates the sunset date for AOT programs, and requires the implementation of AOT programs for all counties that have not already implemented Laura's Law effective July 1, 2021. This has converted AOT programs from an opt-in to an opt-out County program. The statute also expands the list of individuals allowed to petition the county behavioral health department for AOT services to include a superior court judge. The change in legislation has not impacted the County's AOT program, which exceeds the requirements set forth in the legislation.

The attached report and presentation, as approved by the Family and Human Services Committee at their July 26, 2021 meeting, from Resource Development Associates covers the 2019-2020 fiscal year. It also provides data included in the annual update required by the California Department of Health Care Services.

CONSEQUENCE OF NEGATIVE ACTION:

The report will not be received.

ATTACHMENTS

AOT Report

AOT Presentation