



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: BOS District 3 &
District Attorney Office
Department No.: BOS (011) & DA (021)
For Agenda Of: September 2, 2014
Placement: Departmental
Estimated Tme: 1 hour
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s) Doreen Farr, 3rd District Supervisors, Board of Supervisors
568-2192 & Joyce Dudley, District Attorney - District Attorney's Office,
568-2306
Contact Info: Takashi Wada, MD, MPH, Interim Director
Alcohol, Drug and Mental Health Services, 681-5220

SUBJECT: Assisted Outpatient Treatment Services (Laura's Law)

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

- a) That the Board receive and file an informational presentation on Laura's Law;
- b) Direct the CEO's Office to work with affected departments, external partners and stakeholders to assess the feasibility of, and potential resource needs for, implementing Laura's Law in Santa Barbara County and to return within 6 months with those findings; or
- c) Take no action at this time; and
- d) Determine that these activities are not a project under the California Environmental Quality Act (CEQA) and are exempt from environmental review per CEQA Guideline Section 15378(b)(5), since they are a government activity that does not involve a commitment to a specific project that may result in a potentially significant effect on the environment.

Summary Text:

This item is on the agenda to (a) inform the Board and public about Laura's Law, which is a law allowing counties the option of court-ordered outpatient services for individuals with life-threatening mental illness involving repeated and recent hospitalizations/incarcerations or aggressive behavior and to (b) provide direction to the CEO's office to assess the feasibility and potential resource needs for implementing Laura's Law in Santa Barbara County. For people suffering from mental illness and who meet all of the criteria shown in Attachment A, a program for court-ordered assisted outpatient treatment

services could help to prevent deterioration that would be likely to result in a grave disability or serious harm to themselves or others.

Background:

In 2002, the California Legislature passed Laura's Law, named after Laura Wilcox, a victim of a Nevada County rampage shooting by a man with untreated schizophrenia. The law allows counties the option of court-ordered outpatient services for individuals with chronic and severe mental illness who meet specific criteria. Recipients of service must be ≥ 18 years old, be diagnosed with a mental illness, and considered unlikely to survive safely in the community without supervision, based on a clinical evaluation. They must also have a recent history of repeated hospitalizations or incarcerations related to their mental illness and/or have a history of violence to self or others. A list of the specific criteria, all of which must be met in order for an individual to be considered under Laura's Law, is included as Attachment A.

In California, Nevada County was the first county to implement Laura's Law and the county has won state and national awards for its program, with data to support significant improvements in outcomes as well as budget savings through decreased incarcerations and psychiatric hospitalizations. Orange, San Francisco, Yolo and Los Angeles counties have in the last year decided to implement Laura's Law.

Under Laura's Law, a county must formally opt into the law through a county Board of Supervisors' resolution. Santa Barbara County conducted an analysis of Laura's Law in 2003, with further discussion before the Mental Health Commission in 2010. Both assessments resulted in a decision not to recommend full implementation of Laura's Law in Santa Barbara County. There were concerns about the complexity of the law and how it would be enforced. The primary factor weighing against implementation was a lack of resources needed to comply with the Assisted Outpatient Treatment (AOT) requirements under the law. Since that time, however, ADMHS has implemented Assertive Community Treatment (ACT) Teams (with slots already designated for enhanced outreach and engagement, consistent with the clinical elements of Laura's Law), which could provide the AOT clinical components required under Laura's Law. In addition, with the Affordable Care Act, new grants obtained by ADMHS, as well as the program and service enhancements approved with the FY 14-15 ADMHS budget, the department now has considerable new revenue streams and program capacity in order to meet the AOT requirements. A comprehensive list of the required AOT services is included as Attachment B. Some legal issues about funding are shown at Attachment C.

Arguments for and against AOT, obtained from San Francisco County, are included as Attachment D. Within those arguments, it is important to note that AOT does not physically restrain an individual or involuntarily force individuals to take medications. Non-compliance; however, can result in a person being hospitalized. Counties now considering Laura's Law can draw from Nevada County's experiences in program development and implementation. A flow chart of how Nevada County's AOT program functions is included as Attachment E.

It is important to recognize that implementation of Laura's Law would also impact other county departments, such as County Counsel, Public Defender and the Sheriff's Department, as well as partner agencies such as the courts. These impacts would be detailed as part of the feasibility and resource needs assessment, along with more detailed analysis of projected annual case/work load.

Suggested Analysis:

Should the Board of Supervisors direct the County Executive Office to work with departments, external departments and stakeholder to assess the feasibility of implementation, key points of analysis would include but not be limited to an assessment of resources, capabilities and costs to address the criteria for AOT and related support services outlined in Attachment B (Welfare and Institutions Code section 5348) which includes;

- Community based multi-disciplinary mental health teams at appropriate ratios.
- Determination of approximate numbers to potentially be served at key points throughout the system
- Outreach programming
- Ability to meet the needs of the physically disabled, special needs and older adults
- Family and peer supports
- Rehabilitation and recovery
- Integrated psychiatric and psychological services with other services and provided in collaboration with service planning
- Young adults at risk of being homeless
- Needs of those with diverse cultural backgrounds
- Provision of housing supports (immediate, transitional and permanent)
- Designation of services coordinators to facilitate all aspects of service spectrum

In order to provide a comprehensive multiyear program implementation picture for decision making purposes, complimentary to the overall assessment of all mandatory components of the program, a flow analysis with review of impacts, costs and potential savings to impacted departments will occur. Finally a public outreach component is suggested for inclusion to gather public input regarding unique aspect of program implementation Santa Barbara County.

Laura's Law would provide the courts and mental health system an additional tool for treatment of those who may otherwise be non-compliant or resistant to care. Although it is impossible to know if Laura's Law could have impacted the recent tragic events in Santa Barbara County in Isla Vista and Goleta, closer monitoring and treatment of unstable and seriously mentally ill people may well serve to prevent another tragedy in the future. Nevada County's experience indicates that the mere presence of the Assisted Outpatient Treatment option increases participation in services by many who were previously resistant.

Performance Measure:

This item is for information purposes only.

Fiscal Analysis:

This item is for informational purposes only.

Special Instructions: Please send one (1) complete copy of the executed contract and one (1) minute order to:

Alcohol, Drug and Mental Health Services
Attn: Contracts
300 North San Antonio Road, Bldg. 3
Santa Barbara, CA 93110

Attachments: A – Criteria for Assisted Outpatient Treatment under Laura’s Law

2. B – Required Assisted Outpatient Treatment Services
3. C – Funding Issues
4. D – Summary of arguments for and against AOT
5. E – Flow chart of Nevada County AOT program

Authored by:

Takashi Wada, MD, MPH, Interim Director
Alcohol, Drug and Mental Health Services

cc: