

CARE Court Legislation Update

Board of
Supervisors
Presentation

October 11, 2022



SANTA BARBARA COUNTY
DEPARTMENT OF
Behavioral Wellness
A System of Care and Recovery

What is CARE Court?

- Established by Senate Bill 1338 (Umberg)
- Community, Assistance, Recovery, and Empowerment (CARE) Act
- Realization of Governor Brown's commitment to ensuring that those California residents most severely impacted by a serious and persistent mental health condition receive the services they need, as well as the support they need to maximize the benefit of those services in their lives



CARE Court Components

- New civil court that receives and manages petitions for participation
- Court to convene no less than every 60 days to receive regular updates on Respondent/Participant progress
- Process for family members, roommates, health professionals, first responders, public guardian, among others to refer individuals for participation
- This civil court to provide counsel to all referred unless they have retained their own counsel
- County behavioral health responsible to do initial assessments for participation; as well as ongoing treatment services for duration of participation
- Court to hire “Supporters” whose role is to assist Respondents/Participants to navigate both court and mental health system; and to assist Respondent/Participant in decision-making



Who is Eligible for CARE Court?

- CARE is NOT for everyone experiencing homelessness or mental illness; CARE focuses on people with schizophrenia spectrum or other psychotic disorders
- Additionally must meet other criteria, but not as restrictive as Laura's Law--specifically, persons need not have LE history nor long-term mental health crises and/or treatment history
- While most eligible individuals will likely be Medi-Cal recipients, type of or lack of insurance is not a qualifying consideration



CARE Court Provisions

- Assessment for final qualification within 14 days of Respondent's first court appearance
- Within 14 days from established qualification, CARE Plan Agreement participation determined or full clinical evaluation to set a CARE Plan Agreement
- First progress hearing 60 days after CARE Plan established and every 60 days for 1 year
- At end of 1 year, Participant graduates or can be extended 1 more year
- Lack of compliance with Plan may result in court-ordered medication, however, medication cannot be forced
- Ongoing lack of compliance or lack of progress at year 1 or 2 may result in further evaluation for guardianship



Housing is a Major CARE Court Consideration

Without a stable and safe place to Recovery is not sustainable

Respondents served by CARE will need a diverse range of housing, including clinically enhanced interim or bridge housing, licensed adult and senior care facilities, supportive housing, or housing with family and friends

CARE Court legislation relies on major housing investments in recent years through MHSA, Project Roomkey, and DHCS among others to provide necessary options for housing Respondents/Participants

Specific county behavioral health clinical programming under MHSA, known as full-service partnerships, provide some housing assistance funds and are expected to be utilized for CARE Court Plan services



CARE Court Timeline

- Implementation to begin October 1, 2023 with an initial cohort of 8 counties: Glenn, Orange, Riverside, San Diego, Stanislaus, and Tuolumne and the City and County of San Francisco
- The remaining counties to commence no later than December 1, 2024; possibility of extension to December 1, 2025 if needed
- Counties not in compliance with CARE requirements may face fines



CARE Court Funding

- Existing funding sources for CARE-related services and supports including MHSAs and Realignment funds are identified as primary resources for the county behavioral health components
- Most respondents in CARE will be Medi-Cal beneficiaries or eligible for Medi-Cal
- CARE requires that a health plan reimburse the county for eligible behavioral health care costs
- Funding for additional counsel, court supporters and TA for courts to set up systems is available
- Additional funds to support costs and CARE Court success will be identified via discussions between 2nd cohort counties between now and 2024



The Work Ahead: Now until 12/1/2024

- Preparation and planning starting now is key to successful implementation in 2024
- SBC Department's Involved: BWell, Public Defender, Probation, Public Guardian's Office
- Focusing independently and collectively on the target population identified for CARE Court participation
- Assessing staffing, needed training, best practice protocols and establishing robust communication pathways is focus

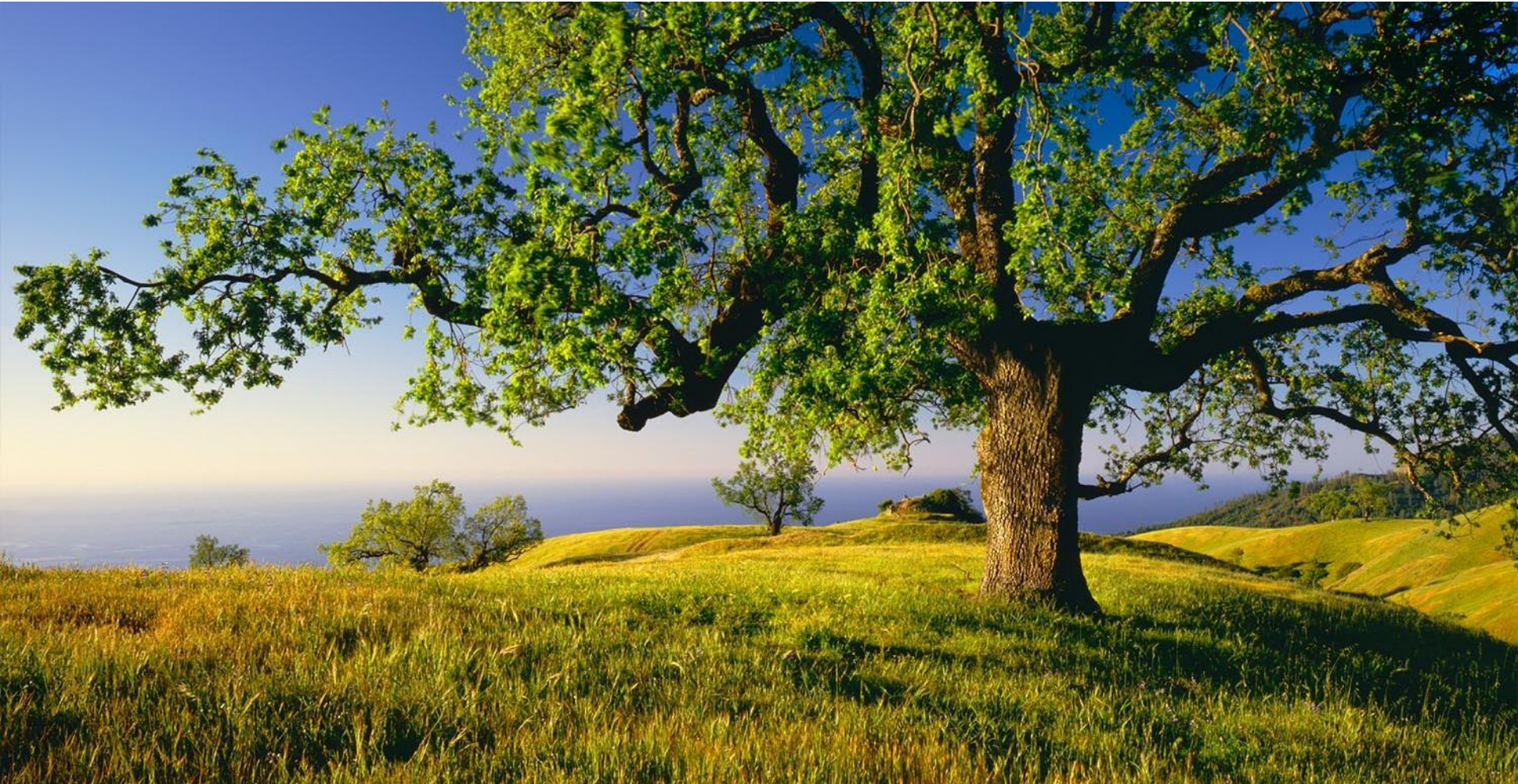


The Work Ahead (continued)

- Additionally, stakeholder communication to educate and inform community about CARE Court, to gather information as to current challenges/gaps in service/access delays and/or barriers is needed
- Finally, development of broad range of housing options including permanent, affordable, sustainable housing solutions for transition following the 1 or 2 year CARE Court process need to be created and maintained



QUESTIONS



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