

CARE ACT & SENATE BILL 43

Implementation Update

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WHAT IS THE COMMUNITY ASSISTANCE, RECOVERY AND EMPOWERMENT (CARE) ACT?



- Approved by Governor Newsom in fall of 2022, the CARE Act, also known as Community Assistance, Recovery and Empowerment (CARE) Court is a new framework to get people with untreated mental health and/or co-occurring disorders, the support and care they need. CARE Court is a VOLUNTARY OPTION to aid in providing support.
- Santa Barbara County launched CARE Act program as member of Cohort II Counties on December 1, 2024

CARE Act Update

- Data Update : 17 petitions filed, 5 dismissed, 7 pending agreements . Referral sources : 9- Public Guardian, 7- Family, 1- Department of State Hospitals (DSH)
- Majority of referrals have been clients stepping down from conservatorship versus individuals . This is different population than Cohort I Counties initially served in CARE
- State requires tracking of host of different data points, number of CARE agreements completed will be measure of initial success and graduations from program will hopefully begin at end of year 1.
- Through strong collaborations among county agencies, we have successfully launched a program that continues to show meaningful progress . The collective effort across departments has been the key to ongoing success .

CARE Act Update



- Example of Individual and Family Impacts
- Through strong collaborations among county agencies, we have successfully launched a program that continues to show meaningful progress . The collective effort across departments has been the key to ongoing success .

Overview of SB 43



- Signed into law by Governor Newsom in October, 2023.
- Most significant reform to the LPS Act since it was enacted in 1967.
- Significantly expands California's criteria for involuntary detention and conservatorship by creating a new set of eligibility criteria that are based solely on a person's mental health disorder and/or "severe" substance use disorder (SUD), if that disorder results in someone being unable to provide for their basic needs of food, clothing, shelter, personal safety or necessary medical care.
- Allows health records to be used as evidence in LPS conservatorship proceedings.
- Expands Grave Disability definition.
- Functionally, allows people to be placed on 5150's and other involuntary holds based on their "severe" SUD.

Grave Disability Pre/Post SB43

Elements of Grave Disability Definition	Old Definition	New Definition
Mental Health diagnosis is a basis for Grave Disability (“GD”)	✓	✓
Stand-alone Substance Use Disorder (“SUD”) is a basis for GD		✓
Co-occurring Mental Disorder and SUD is a basis for GD	✓	✓
Inability to provide for food, clothing, shelter is a basis for GD	✓	✓
Inability to provide for necessary medical care, likely to result in serious bodily injury, is a basis for GD		✓
Inability to provide for personal safety, to survive safely without involuntary detention or treatment, is a basis for GD		✓
Causation required between Mental Disorder/SUD and inability to provide for basic needs	✓	✓
Referral from psychiatrist/psychologist required for conservatorship petition	✓	✓
Constitutional rights/protections for patients subject to involuntary holds and conservatorships	✓	✓

Roadmap from 5150 to Conservatorship



Budget Impacts



- Public Guardian Fiscal Impact through the hiring of 3 new staff
- Behavioral Wellness has utilized existing resources (staff authorized to write 5150 evaluations)
- Further fiscal impact will be evaluated as the program progresses

SB 43 Program Updates

- Expanded physical space for Public Guardian's office expanded staffing (special thank you to the CEO 4th floor!)
- Policies and practices updated as required in SB 1238, for the involuntary treatment for persons with a severe substance use disorder at the Psychiatric Health Facility .
- Updated LPS 5150 training has occurred with all those currently authorized to conduct a 5150 evaluation and will continue ongoing .
- Training with Public Guardian's office on Severe Substance Use Disorders (SUD).



Program Updates (Cont)

- Training with Emergency Department Doctors at Cottage Hospital and Marian Hospital for those authorized to conduct 5150 evaluations .
- Training for Emergency Room nurses and social workers throughout the county, to support care provision in better understanding the evaluation process for those with SUDs.
- Specialized SUD training with the Psychiatric Health Facility, now designated to accept SUD only involuntary admissions .
- Ongoing presentations with stakeholders .



Implementation Timeline

Full and complete implementation will take time with evolution and growth expected. The goal is to bring more behavioral health crisis care into the local community.

Summer 2024

- Finalize & Operationalize Definitions of:
 - Severe SUD
 - Grave Disability (expanded def)
- Specific Guidance on Personal Safety & Accessing Medical Care in Regards to Grave Disability

Fall 2024

- Receive & Formalize Final State Guidance
- Begin Training Behavioral Wellness Staff & Public Guardians Office in SUD & Co-Occurring Disorders
- Refine the SB County 5150 Training

Winter/Spring 2025

- Roll Out New 5150 Training
- Secure Additional Office Space & Staffing for Public Guardian's Office
- Identification of Familiar/Possible Known SB43 Candidates

July 2025

Implementation Begins



Recommended Actions

1. Receive and file an update on the Community Assistance Recovery and Empowerment (CARE) Court Act that established CARE Court in Santa Barbara County effective December 1, 2024
2. Receive and file notice that a presentation of the Update on the Deferred Implementation of Senate Bill 43 (SB 43) which modifies Welfare and Institutions Code Section 5008 by expanding the definition of "Gravely Disabled" is moved from January 1, 2026 to now be implemented on July 1, 2025
3. Adopt and authorize the Chair to execute the attached resolution amending the implementation start date of SB 43 to July 1, 2025 to supersede Resolution 23- 290 adopted and authorized by the Board of Supervisors on December 12, 2023



THANK YOU

Input/Questions?



one
COUNTY
one
FUTURE

DEPARTMENT OF
BEHAVIORAL
WELLNESS
A SYSTEM OF CARE AND RECOVERY