



## YOLO COUNTY DEPARTMENT OF HEALTH SERVICES

### LOCAL MENTAL HEALTH BOARD

137 N. Cottonwood Street, Suite 2500  
Woodland CA 95695  
Office – 530-666-8516  
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## MEETING MINUTES

**Monday, June 23, 2014 7:00 PM – 9:00 PM**

137 N. Cottonwood, Woodland, CA 95695 – Bauer Building  
Thomson / Walker Conference Room

**Members Present:** Brad Anderson; Richard Bellows; Davis Campbell; Robert Canning, Vice-Chair; Martha Guerrero; June Forbes; Nicki King; Supervisor Jim Provenza; Robert Schelen, Chair; Janlee Wong; Tawny Yambrovich

**Members Excused:** Bret Bandley; Michael Hebda; James Glica-Hernandez; Caren Livingstone; Supervisor Don Saylor; Tom Waltz;

**Staff Present:** Jill Cook, Director  
Mark Bryan, Assistant Director,  
Karen Larsen, Mental Health Director / Alcohol & Drug Administrator  
Makayle Neuvert, Administrative Assistant  
Steve Rea, Assistant Deputy to Don Saylor

**Community Members:** Sadie Shen; Sally Mandujan

**Others/Guests:** Lisa Baker, Yolo Housing Authority  
Stephan Daus, Mercy Housing

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- 1. Call to Order and Introductions** – The June 23, 2014 meeting of the Local Mental Health Board (LMHB) was called to order at 7:07 PM. Introductions were made.
  - 2. Public Comment** – None.
  - 3. Approval of Agenda** – One modification was suggested and approved, moving the Yolo Housing Authority (YHA) update ahead of the Mental Health Director's report.  
**Motion:** Davis, **Second:** Martha, **Discussion:** None, **Vote:** Passes unanimously
  - 4. Approval of Minutes from May 27, 2014** – **Motion:** Martha, **Second:** Davis, **Discussion:** None, **Vote:** Passes unanimously
  - 5. Announcements and Correspondence**
    - In the interest of reducing the carbon footprint, members will be asked to declare a preference for electronic only or printed meeting materials. Details on the WiFi access at each meeting location will also be shared.
    - June Forbes announced that NAMI has begun a new family support group at Woodland Memorial Hospital on the 2<sup>nd</sup> and 4<sup>th</sup> Sundays of each month. Look on website for details <http://www.namiyolo.org/support.html>.
    - Lisa Baker of the Yolo Housing Authority: The project based waiting list is opening soon and for the first time since 2011. Docents and site are being solicited.
  - 6. Board of Supervisors Report** – Supervisor Provenza provided the BOS report for the group. He highlighted the recent BOS decision to make the Laura's Law/Assisted Outpatient Treatment (AOT) pilot project permanent in Yolo County.
    - Bob noted that the recent Davis Enterprise editorial which lent support to AOT included some incorrect information about the law. He has requested the opportunity to write an op-ed to clarify

**LOCAL MENTAL HEALTH BOARD – MEETING MINUTES**  
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that it is not a forced medication program and invited interested Board members to contact him to review his response to the paper.

- In response to a request for clarification, additional details were shared on the process for court ordering individuals to the AOT program and how one referred individual was deemed by the court as not meeting criteria.

**8. Yolo County Housing Authority MHSA Housing Update** – After a brief introduction of the mission, purpose, and structure of the Yolo Housing Authority, Lisa Baker of Yolo County Housing was joined by Stephan Daues of Mercy Housing in sharing with the Board a presentation on the “Cottonwood Beamer Development with MHSA component”

Questions / Comments from the Board:

- Housing availability for mental health consumers was specifically discussed including locations in Davis, Woodland, Esparto, Knights Landing, Yolo and elsewhere.
- The details on Project Based Vouchers (housing vouchers formerly known as section 8) or temporary housing for those in immediate need were discussed. The YHA offers about 1,600 vouchers and about 1,000 rental units. With a very large waiting list though, it is estimated that 17% of the population is either in the program or on the waiting list. Sequestration has impacted funding and vouchers.
- Board members were invited to reviews the [YHA Annual Calendar](#) which lists milestones and activities and is available online.
- The YHA was invited to come back in the near future to do a more detailed presentation on the services and resources they offer. Handouts showing the steps in the past years made toward meeting demand was requested.
- Supervisor Provenza shared positive comments about the creation and sharing of the timeline which demonstrates the forward momentum of the project.

**7. Department Report**

- a. Mental Health Director’s Report – Karen Larsen shared a list of updates with the Board members as an attachment to the agenda. Each update is listed below, prefaced by “MHD Report:” and followed by any additional discussion that occurred during the meeting.

- Grand Jury Report:

MHD Report: *The link (<http://www.yolocounty.org/home/showdocument?id=25977>) to the report was sent to LMHB along with our department’s response. We don’t disagree with any of the findings and are actively working to resolve all of the issues.*

Discussion: Related to this topic, the LMHB op-ed requiring Crisis Intervention Training (CIT) for law enforcement was updated to include the details of the grand jury report. The possible correlation to the decrease in mental health services staffing and the increase in law enforcement interactions was noted.

- Assisted Outpatient Treatment:

MHD Report: *On Tuesday, June 10, Bob Schelen accompanied Karen to the Board of Supervisors’ meeting to support the integration of Assisted Outpatient Treatment (AOT), “Laura’s Law” as an ongoing and permanent program of our department, ending the pilot phase. John Buck, of Turning Point, was also present. There was discussion on whether or not to continue this program as a pilot until more data could be gathered. In the end, the Board voted 4-1 to support the department’s recommendation. AOT is now a permanent program with 5 slots funded through Medi-Cal and MHSA.*

Discussion: The approved MHSA plan included a call for a permanent AOT program. Questions and concerns were raised about the availability of resources for individuals who choose to engage and therefore discontinue the AOT program. Karen reiterated that

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AOT is not intended to be permanent but rather a transitional step to voluntary engagement.

- Community Based Crisis Response and Companion Grants:

MHD Report: *Turning Point Community Programs has agreed to contract with the department for the Community Based Crisis Response program funded through SB82. We are finalizing contract negotiations and will be meeting with Turning Point and several interested parties from law enforcement, cities, and LMHB to strategize around implementation and important considerations in the start-up. Additionally, the county has approved the purchase of the vans associated with the companion grant and we should have them purchased and modified by September or October.*

Discussion: None

- Inter-Governmental Transfer Proposal:

MHD Report: *Unfortunately, at the last minute, the state changed their interpretation of the existing policy regarding IGT funding distribution. This change in interpretation meant a reduction in the amount of Yolo County funds from \$1.7 million to less than \$300,000. Needless to say, we are back at the drawing table trying to make decisions based on the new interpretation that will benefit the people we serve.*

Discussion: Funding for two case managers or Mental Health Specialist positions will still be available; one to support individuals struggling with substance use disorders and the other to focus on providing outreach linkage services to people experiencing homelessness. In the Public Health division a Public Health Nurse will be added to support vulnerable populations. This new unit will support the elderly population and others, potentially mental health areas as well. The IGT funding interpretation and potential policy changes down the road was discussed including the impacts on Yolo and the other counties.

- Requests for Proposals / Contracts:

MHD Report: *CommuniCare Health Centers and Yolo County Care Continuum have both been chosen as vendors for the Innovation funding issued through Mental Health Services Act (MHSA). CommuniCare will be providing community based integrated services for Spanish speaking individuals and families throughout Yolo County. Yolo Community Care Continuum will be providing housing support to individuals experiencing homelessness and struggling with mental health issues. The department will be issuing two additional RFPs in the next month for services that we have previously contracted out.*

Discussion: LIFT grant details were shared.

- Evidence Based Practices / Outcome Measures:

MHD Report: *On June 9th, the department brought in a consultant to do Logic Modeling with our mental health providers (adult and children's) with the goal of identifying the types of outcomes we want to be tracking for the individuals we serve. The next steps will be to take the logic models created and cross reference with available outcome tools to identify the tool that will best meet our needs.*

Discussion: The recent meetings yielded positive results.

- Department Strategic Plan:

MHD Report: *The Strategic Plan has been shared with our staff and contract providers. The Management Team is working through a GANTT chart to determine timelines and staff leads for each of the action items.*

Discussion: Karen noted that feedback is still being collected but, in general, staff feedback has been positive.

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- Homelessness:

MHD Report: *On May 28, the Yolo Leaders Forum focused on homelessness with speakers from Housing California and local providers. County leaders heard about innovative programs nationwide in addressing homelessness. On June 19, Karen attended the 10 year plan commission meeting. Additionally, Karen will be attending a National conference on homelessness in Washington DC at the end of July with two members of the Board of Supervisors, Joan Planell from DESS and other county staff. West Sacramento issued an RFP for a homeless coordinator for West Sacramento and both of our LIFT programs will be serving individuals experiencing homelessness and struggling with mental illness.*

Discussion: Tracey Dickinson of the CAO's office may be a good addition to the meeting that Lisa Baker will re-join to jointly share details on Yolo County housing and homeless issues.

- Housing Update:

MHD Report: *We are happy to have Lisa Baker from Yolo Housing Authority and Stephen Daus from Mercy Housing attending this month's LMHB meeting to discuss progress on the housing project. YCCC is in the process of acquiring 4 additional SHP beds through HUD which will add to our housing slots.*

Discussion: None

- Veteran's Court:

MHD Report: *On May 22, Karen attended a meeting regarding the feasibility of starting a Veteran's Court locally. The court would function similar to mental health court with the goal of getting veterans the services they need, including mental health, and keeping them out of custody, if appropriate. We are still in the discussion and data evaluation stage of this process.*

Discussion: These innovative models are expanding statewide. Our county is still looking into the feasibility and need based on our veteran population.

- Adult System of Care:

MHD Report: *June 13, was Joanie Turner's last day of employment with Yolo County. After more than 25 years, this is a huge loss for our department. We are actively recruiting for this position. Additionally, we transferred a clinician from our Children's system to adult to accommodate staff shortages and increased demand for services. Karen is working closely with staff from all levels to fix our "front door" and ensure timely access and a true orientation.*

Discussion: A primary goal is fixing the "front door" or the orientation process to offer better access to care, and being smarter with how we provide assessments. It was clarified that the staffing reorganizations are a result of the effort to balance staff based on service demands more so than funding streams.

- Proposed 14/15 positions:

MHD Report: *On June 17, the Board of Supervisor officially adopted our department's proposal to add 9 additional positions. These positions are as follows: Clinical Supervisor, Mental Health Specialist, RN Supervisor, Community Health Assistant, Clinician II (QI), Staff Nurse (QI), Program Coordinator, Contract Analyst, and added Physician and deleted Practitioner (see attachment for further detail)*

Discussion: None

- Department Re-organization:

MHD Report: *Effective July 1, 2014, our department will be re-organizing (see attached organizational chart) to better meet the needs of the people we serve, our staff, and to reflect our integrated department. Our department will be referred to as the Department*

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*of Health Services rather than two separate names (Health and Alcohol, Drug and Mental Health). Reporting structure changes proposed to take effect July 1:*

- *Mark Bryan will assume responsibility for all fiscal and operations activities throughout the department including data administration*
- *Karen Larsen will assume oversight of ADMH Quality Management functions*
- *Joan Beesley will become the manager for all Wellness Center activities, staffing and oversight*
- *ADMH Youth Prevention Services (Friday Night Live) will be integrated within the current Public Health Promotion, Education and Prevention division. Steve Jensen will lead this division.*
- *Transition Age Youth services will be moved into the Children's System of Care with oversight provided by Theresa Smith.*

Discussion: This is the beginning and changes will likely continue toward more integrated services. The HHS planning continues and will present a plan to the BOS in January 2015.

- Hospitalization and Crisis Residential Trends:

MHD Report: *Please see attached reports for inpatient psychiatric hospitalization utilization and crisis residential utilization. As discussed, both are trending upwards and we are taking a multi-pronged approach to intervening in these trends.*

Discussion: Trends and projections show increases and obviate need for the CBCR program and new staff. A trend line was requested for the next update on the hospitalizations graph.

- b. Health & Human Services Integration Update – Jill Cook shared that a comprehensive update was present to the BOS on June 10<sup>th</sup> highlighting the recently created mission vision and values and the HHS Resource Guide listing the programs and services across the three departments. Workgroups organized by population continue to meet and plan. HHS surveys have been collected and gratitude was shared for the advisory board responses.

### 9. Chair Report – Bob Schelen

- a. The Legislative Report handouts were shared by Martha and recommendations were discussed. The Board accepted the legislative report and suggested the items be added to the next agenda for action. Jill invited Martha to send her the report to in turn send to the county (Alex) for review at the BOS level.
  - Questions were posed about the Brown Act requirements related to taking action on items listed on the agenda and how they must be noticed. County Counsel will be contacted for clarification and Bob will also check with his legislative council at the State.
  - Board member Nicki shared concerns on the CMHDA shift and the appropriate use and collection of data, specifically in the raw census information related to poverty, ethnicity and disparities.
  - Despite NAMI support of the Murphy Bill, June does not support the bill.
- b. Metric Plan Report: None
- c. Jail Construction Report: No progress yet but the subcommittee expects to meet in the near future.
- d. Crisis Intervention Training (CIT) Update: The op-ed has been submitted to the Davis Enterprise and the Daily Democrat. Individual letters to BOS will also be sent individual asking for 100% CIT participation from law enforcement in Yolo County.

**10. Adjournment** – The meeting was adjourned at 9:25 PM

**11. Next Meeting Date and Location** – Monday, July 28, 2014, 7:00 PM – 9:00 PM in the Community Conference Room at 600 A Street, Davis, CA 95616





# Cottonwood Beamer Development

*With MHSA Component*

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# Introduction

Mercy and New Hope Community Development Corporation (an entity of YCH) are proposing the development of affordable housing with an MHSA component that will provide permanent affordable housing for full service clients within a broader community of residents at the old Petersen Clinic site.

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# Background- Location, location, location

- At the time of development of the Helen Thomson Homes, YCH and the County's ADMH recognized the need to create additional, non-transitional affordable housing that would provide a more permanent, stable environment for these clients.
  - ADMH felt that, ideally, these units would be close to existing services to facilitate individual success.
  - YCH and ADMH looked at properties near ADMH, DESS and Public Health. Ultimately, 1 of the proposed parcels is now the site of Communicare and the 2nd is a solar farm.
  - Once Communicare relocated to their new site (March 2014), it has left the Petersen Clinic site open for development.
    - This is a good site because of proximity to services, while being close to an existing residential community.
-

# Additional Considerations

When looking at affordable housing options, YCH and New Hope take several things into consideration. For this project, the following were considered:

- **Doing and Acquisition/Rehabilitation project** - not feasible in that there is very little multi-family product for sale. Any properties would need extensive rehabilitation for which there would be insufficient funds. Finally, most properties are either occupied by existing tenants or need significant rehabilitation.
- **Locating in another community versus locating at present site in Woodland**
  - Woodland has several advantages: county owned site; site is well positioned for financing; YCH/New Hope has more units for mental health clients in Davis than in Woodland (Cesar Chavez, Eleanor Roosevelt for senior disabled, PBV at Homestead). No easily obtainable and/or affordable land in Davis or West Sacramento

# Additional Considerations, cont.

Looking at short term solutions versus long term - one popular solution mentioned is often a voucher type rental subsidy. This can, indeed, be successful and many mental health consumers use the Housing Choice Voucher program. However, there are also drawbacks. They include:

- **Temporary nature when there is no ongoing funding source.** Housing Vouchers have been around for so long because the federal government funds them annually.
  - **Expense.** Vouchers aren't cheap. It would cost approximately \$2.1 million to house 18 persons for 15 years at the current rate. Inflation and market rates would significantly reduce that level. Since 2008, due to a number of factors (market downturns, cuts in benefit income and rising rents), subsidies have increased approximately 64%. A 64% increase would translate to a housing cost of between \$3 and \$3.5 million over the same period of time.
  - **Participating Landlords.** It is sometimes hard to get a landlord to participate. This can be because for many reasons: better rents privately, less perceived difficulty. When rents are high, it is very challenging for families to find housing. Sometimes, it can take 10 voucher holders to lease a single unit when market conditions are favorable.
-

# Considerations and Timing

**Market studies.** YCH and New Hope combined offer almost 1,000 rental units and another 1,600 voucher rentals. YCH does not offer single room vouchers because there is insufficient housing stock, but it is also true that there is no market for studio rentals.

**YCH offers one single room occupancy property,** which is owned by the City of Davis. That property is consistently difficult to fill and households do not stay in place for a long period of time. The marketability of the property has been a long term issue for it, independent of who owns it or manages it.

So...

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# Scope of Proposed Project

- Reuse of the Petersen Clinic site.
  - Development of up to 2 phases of rental units.
  - MHSA component to be included in the 1st phase.
  - Financing to be provided from multiple sources, including tax credits.
  - Property to be up to 50% special needs populations of which MHSA would be approximately 65% of that total.
    - Other special needs have not yet been identified, but could include veterans
-





# Scope, cont.





# Timeline

A lot of milestones have already occurred. They include:

- a. market and timing studies - real estate, existing product, valuations
- b. selection of development partner - issuance of Request for Qualifications/Proposals, interviews, references

c. fleshing out the initial concept, looking at the site, getting preliminary ideas of what the site needs and what kind of project can fit there

d. going through the nature of partnership and how Mercy/New Hope along with the County can get the best project.

Now, on to the next set of milestones



# Timeline, cont.

- May to June: Mercy - New Hope MOU
  - June to July: Initial site control by County to Mercy-New Hope: Exclusive Negotiating Agreement (ENA), (New Hope has approved the initial ENA);
  - July: Predevelopment Funding commitment;
  - May to October: Conceptual Program Design Development;
  - September 2014: Site Control Agreement that satisfies Lender requirements;
  - November 2014: City Entitlement Commitments;
  - March 2015: City Entitlement Approvals;
  - March 2015: Other funding commitments;
  - November 2014 to January 2015: CalHFA MHSA funding application;
  - March to June: Finalize complete package;
  - July 2015: Submit 9% Tax Credit Application;
  - September 2015: Tax Credit Award with 180 day requirement to start construction;
  - February to March 2017: Construction End;
  - April 2017: 100% occupancy
-

# Budget

## Capital Finance Plan - Sources and Uses

PROJECT NAME: Besmer Clinic Site  
 FINANCE TYPE: 9% TC  
 ADDRESS: 180 W. Besmer, Woodland  
 HOUSING TYPE: Family/MHSA/SN  
 COUNTY: Yolo  
 SPONSOR: YCHUMERCY HOUSING CALIFORNIA

SOURCES OF FUNDS	Amount	Per Unit	% of IDC	Maximum/Notes
Conventional Mortgage	330,141	6,603	0%	No net operating income to support hard debt
Tax Credit Equity	10,778,704	215,574	2%	Calculated on non-MHSA cash flow
CalHFA/County MHSA Cap	2,000,000	40,000	80%	maximum eligible equity based on 2014 regs and pricing
MHSA COSR	0	0	15%	Bricks and mortar portion
Yolo County Land Donation	435,600	8,712	0%	CalHFA-held portion not shown - \$1 million
Other potential sources:			3%	Need appraisal for leveraging if donated
FHLB AHP			0%	Up to \$10k per unit, once per year application in April
State HOME			0%	Very competitive, City would have to apply, once per year in July
City CDBG			0%	For land, infrastructure, maybe demo costs
Prop 41 Vets bond			100%	Uncertain program, to be issued Fall 2014
<b>TOTAL SOURCES</b>	<b>\$ 13,544,444</b>	<b>\$ 270,889</b>	<b>100%</b>	
<b>USES OF FUNDS</b>				
Acquisition	470,600	9,412	3.5%	Must show cost if donation to work as leverage
Hard Costs	6,975,162	139,503	51.5%	130/psf for direct construction, no demo, federal state prevailing wages
Architectural	416,743	8,335	3.1%	
Engineering	100,000	2,000	0.7%	
Const. Int and Fees	718,527	14,371	5.3%	
MHSA COSR			0.0%	CalHFA held portion not shown here - \$1 million
Legal	50,000	1,000	0.4%	
Reserves	682,541	13,651	5.0%	
Contingencies	849,566	16,991	6.3%	
Other Costs	1,781,304	35,626	13.1%	
Developer Costs	1,400,000	28,000	10.3%	
Syndication	100,000	2,000	0.7%	
<b>TOTAL USES</b>	<b>13,544,445</b>	<b>270,889</b>	<b>100.0%</b>	
<b>SURPLUS/GAP</b>	<b>\$ (0)</b>	<b>\$ (0)</b>	<b>(0)</b>	

# Questions?

Lisa Baker  
Yolo County Housing and New  
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phone: 530-669-2219  
main number: 530-662-5428  
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June 19, 2014

TO: Yolo County Local Mental Health Board Members  
FROM: Leg Subcommittee  
RE: Leg and State Budget Update

Attached is the side-by-side comparison to review the H.R. 3717 (Murphy) and H.R. 4574 (Barber). The comparison reviews positive aspects and concerns of both bills. The Legislation Committee recommends that the Board of Supervisors instruct the CAO and the Director of YCADMH to support bi-partisan legislation that contains provisions to strengthen and enhance the community mental health system for residents of the County.

In response to the LMHB's inquiry regarding Congresswomen Matsui's bill, H.R. 1263, the Excellence in Mental Health Act, this bill was signed into law by President Obama on April 1, 2014.

Below are State legislative proposals the Legislation Committee has reviewed and recommend that the LMHB request the Board of Supervisors a support position for SB 1161. Attached is a letter in support for SB 1161. In addition for your information is a letter requesting an oppose unless amended by CMHDA for AB 2679. AB 2102 was also discussed at our last meeting and the LMHB may consider supporting this bill as well.

SB 1161 (Beall) Drug Medi-Cal: Would require the State Department of Health Care Services to seek a specified waiver of the IMD exclusion under Drug Medi-Cal to provide short-term residential treatment in facilities with a bed capacity in excess of 16 beds and short-term inpatient medical detoxification in a hospital setting.

**Status: Assembly Committee on Appropriations pending hearing date**

**Bill Language:** [http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb\\_1151-1200/sb\\_1161\\_bill\\_20140429\\_amended\\_sen\\_v96.pdf](http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_1151-1200/sb_1161_bill_20140429_amended_sen_v96.pdf)

AB 2679 (Logue) County mental health services: Baseline Reports. The Bronzan-McCorquodale Act requires counties to annually report data on specified performance measures to local mental health advisory boards and to the Director of Health Care Services. The act requires the director to annually make this county performance data available to the Legislature, as specified. This bill would additionally require the director to annually post the county performance data described above on the department's Internet Web site.

**Status: Set for hearing in Senate Health Committee 6/25/2014**

**Bill Language:** [http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab\\_2651-2700/ab\\_2679\\_bill\\_20140617\\_amended\\_sen\\_v96.pdf](http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_2651-2700/ab_2679_bill_20140617_amended_sen_v96.pdf)

AB 2102 (Ting) Licensees – Data Collection: Would require the Board of Registered Nursing, the Physician Assistant Board, the Respiratory Care Board of California, and Board of Vocational Nursing and Psychiatric Technicians of the State of California to collect and report specific demographic data relating to its licensees, subject to a licensee's discretion to report his or her race or ethnicity, to Office of Statewide Health Planning and Development. The bill would require to collect this data at least biennially at times of both issuing an initial license or issuing a renewal license.

**Status: Set for hearing in the Senate Bus. Prof. and Econ Dev. 6/23/14**

**Bill Language:** [http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab\\_2101-2150/ab\\_2102\\_bill\\_20140602\\_amended\\_sen\\_v96.pdf](http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_2101-2150/ab_2102_bill_20140602_amended_sen_v96.pdf)

Also attached is a State Budget Update provided by the California State Association of Counties. The budget will be approved by the Governor on June 20, 2014. Key provisions to fund mental health treatment were approved by the Governor.







**Legislature Approves 2014-15 Budget  
June 16, 2014**

June 16, 2014

TO: CSAC Board of Directors  
County Administrative Officers  
CSAC Corporate Associates

FROM: Matt Cate, CSAC Executive Director  
DeAnn Baker, CSAC Director of Legislative Affairs

RE: **The 2014-15 Budget, Passed by the Legislature**

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**Overview**

The Legislature approved a \$108 billion spending plan last night, meeting its constitutional deadline to send a budget to the Governor for the fourth year in a row. The plan was not without controversy and, as of this writing, there still remain a few trailer bills to pass before the budget package is completed, including a fireworks tax measure and seismic assessments for rental property insurance policies. This Bulletin wraps up the issues of county interest in the budget package sent to the Governor yesterday. We will do another Budget Action Bulletin after the Governor takes action on the budget later this month.

**Government Finance and Operations**

**Mandate Payments.** The Budget Conference Committee approved a \$100 million payment to local agencies for pre-2004 mandate claims, which total about \$900 million. The county share of this payment is about \$73 million. Furthermore, they approved budget language that would direct up to an additional \$800 million if state revenues come in above the Administration's revenue estimates. That determination will be made in next year's May Revision.

Governor Brown had previously planned to pay all of the \$900 million debt in 2015-16 and 2016-17, but after CSAC requested at least a small down payment in the budget year, the Governor included \$100 million his May Revision. While the Legislature at first seemed reluctant to include any money for mandate repayment in the budget, the conference committee agreement approved last night goes even further by promising additional funds if revenues beat expectations.



# BUDGET ACTION BULLETIN

CALIFORNIA STATE ASSOCIATION OF COUNTIES

Our estimated county-by-county breakdown of the \$73 million is as follows:

County	Net Balance	Proportion	Share of \$73 Million
Alameda	\$21,980,392	3.99%	\$2,910,663
Amador	1,025,428	0.19%	135,788
Butte	3,382,769	0.61%	447,949
Calaveras	371,917	0.07%	49,250
Colusa	84,133	0.02%	11,141
Contra Costa	12,236,901	2.22%	1,620,421
Del Norte	318,037	0.06%	42,115
El Dorado	3,349,724	0.61%	443,573
Fresno	11,066,800	2.01%	1,465,475
Glenn	310,134	0.06%	41,068
Humboldt	1,325,134	0.24%	175,475
Imperial	1,468,902	0.27%	194,513
Inyo	442,951	0.08%	58,656
Kern	9,188,125	1.67%	1,216,700
Kings	1,514,652	0.27%	200,572
Lake	719,138	0.13%	95,229
Lassen	263,404	0.05%	34,880
Los Angeles	125,904,793	22.84%	16,672,423
Madera	781,654	0.14%	103,507
Marin	10,851,935	1.97%	1,437,023
Mariposa	398,742	0.07%	52,802
Mendocino	2,645,612	0.48%	350,334
Merced	1,836,573	0.33%	243,201
Modoc	132,811	0.02%	17,587
Mono	258,317	0.05%	34,207
Monterey	12,566,130	2.28%	1,664,018
Napa	4,530,206	0.82%	599,894
Nevada	1,474,596	0.27%	195,267
Orange	56,046,182	10.17%	7,421,684
Placer	9,784,555	1.77%	1,295,679
Plumas	269,192	0.05%	35,647
Riverside	38,123,346	6.92%	5,048,327
Sacramento	20,853,119	3.78%	2,761,388
San Benito	649,504	0.12%	86,008
San Bernardino	20,853,119	3.78%	2,761,388

# ACTION

CALIFORNIA STATE ASSOCIATION OF COUNTIES



# BUDGET ACTION BULLETIN

CALIFORNIA STATE ASSOCIATION OF COUNTIES

San Diego	34,084,880	6.18%	4,513,550
San Francisco	24,282,381	4.40%	3,215,494
San Joaquin	5,602,900	1.02%	741,941
San Luis Obispo	4,913,591	0.89%	650,662
San Mateo	12,845,062	2.33%	1,700,954
Santa Barbara	7,401,403	1.34%	980,100
Santa Clara	30,410,457	5.52%	4,026,979
Santa Cruz	5,046,649	0.92%	668,282
Shasta	2,177,876	0.40%	288,396
Sierra	27,128	0.00%	3,592
Siskiyou	1,861,555	0.34%	246,509
Solano	7,918,877	1.44%	1,048,625
Sonoma	6,926,845	1.26%	917,259
Stanislaus	6,160,458	1.12%	815,773
Sutter	1,720,988	0.31%	227,895
Tehama	1,598,861	0.29%	211,723
Trinity	152,984	0.03%	20,258
Tulare	2,147,182	0.39%	284,332
Tuolumne	1,049,811	0.19%	139,017
Ventura	16,969,905	3.08%	2,247,170
Yolo	3,222,163	0.58%	426,682
Yuba	657,057	0.12%	87,008
<b>Total</b>	<b>\$551,272,600</b>	<b>100.00%</b>	<b>\$73,000,000</b>

Please note that these are just **estimates**. We anticipate additional information on allocations from the Department of Finance in the coming weeks.

**Mandate Suspensions.** The approved budget includes suspension of election mandates in the budget year. This means that certain aspects of elections, such as maintaining a permanent vote-by-mail list and checking signatures on provisional ballots before counting them, are optional and therefore not reimbursable.

Funding the mandates would have required the state to pay counties between \$60 million and \$90 million for actions already performed but not reimbursed. Only the Legislature, acting through the Budget Bill, has the power to fund or suspend state mandates. The agreement requires a study on other ways to pay for mandated programs.

The budget also continues to suspend all mandates suspended in the current year.

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The Conference Committee rejected the Governor's proposal to suspend the Local Agency Ethics Mandate, which requires ethics training for local officials, so those actions will continue to be required and funded.

**Extension of the Property Tax Exemption for Solar Projects.** As part of the budget deal, the Legislature approved an eight-year extension of a property tax exemption for commercial and residential solar energy systems in SB 871. The current exemption is not set to expire until 2017.

While the state should feel free to provide tax incentives for renewable energy goals, counties think they ought to do so with state revenue, not local revenue, unless the state provides a reimbursement. Counties support the state's renewable energy goals, but property taxes are the primary source of funding for local programs and for many state programs that counties are required to provide.

A proposal to extend this tax break, which, when voters approved it, was only intended to provide a tax benefit to homeowners and not for-profit, utility-scale energy projects, should be considered through the legislative process, allowing stakeholders to debate the policy.

**Stranded Supplemental Property Tax Revenues.** SB 854, the state and local government trailer bill, authorizes county auditors, in the circumstance where all K-12 school districts are basic aid districts, to allocate the schools' share of supplemental property tax revenue to all other taxing entities in a proportionate manner. This would be the case for both positive and negative supplemental property taxes. Counties will recall that some counties were not able to allocate these supplemental property tax revenues and had accumulated funds in a county trust account.

**Insufficient ERAF.** The budget includes funding for three counties (Alpine, Amador, and San Mateo) and the cities therein that currently find themselves with insufficient ERAF revenues to offset their costs associated with the Triple Flip and VLF Swap. The total amount appropriated for this purpose is \$12.7 million.

**State-County Assessors' Partnership Agreement Program.** SB 854, the general government trailer bill, includes \$7.5 million for a pilot program to provide nine county assessors' offices with grant funds to enhance local property assessment efforts. Counties should note that while the program continues to contain a maintenance of effort requirement and a dollar-for-dollar match requirement, language is also included to authorize counties to include the cost of the match and the grant in their property tax administrative fee calculation.

**ACTION**





## **Administration of Justice**

The 2014-15 state budget enacts a comprehensive package of investments and expanded authority that will strengthen counties' ability to carry out new public safety responsibilities transferred in 2011, among other local priorities. CSAC, in collaboration with our public safety partners, took an active leadership role in advocating on issues of significance to counties. With one exception, the budget enacts CSAC's identified public safety priorities.

**Jail Construction Program.** The public safety trailer bill (AB 1468) authorizes an additional \$500 million in state lease revenue bond capacity to be dedicated to local jail construction, with an emphasis on expanded programming and treatment space. The relevant provisions – beginning with new Government Code Section 15820.93 – make a number of additional specifications regarding the process that will govern the construction project application process, which contemplates the development a new Request for Proposal. A ten percent match – with a waiver process available for those counties with a population of less than 200,000 – would be required, as has been the case in previous construction programs. Further, the Board of State and Community Corrections (BSCC) is vested with the authority to develop funding and scoring criteria, with the following key provisions:

- AB 900 and SB 1022 award history may be considered;
- Applicant counties must document the percentage of pre-trial jail inmates between January and December 2013 and describe their risk-assessment based pretrial release program;
- Preference will be granted to counties that can demonstrate readiness to proceed by (1) providing proof of available matching funds and (2) documenting compliance with CEQA, as specified; and,
- Consideration also shall be given to counties seeking to replace outdated or unsafe housing capacity.

Finally, the provisions set forth a number of legislative findings and declarations that, among other things, cite the need for a long-term statewide strategy for managing jail population. For technical reasons only, the provisions related to the jail construction program will be taken up and re-enacted in a separate bill later this week due to the fact that bond requirements necessitate that the legislative authority be contained within a stand-alone measure.

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**Split Sentence Presumption.** The public safety trailer bill (AB 1468) also contains language amending Penal Code Section 1170(h) to establish the presumption of a split sentence, unless the court finds that in the interests of justice such a sentence is not appropriate. The changes would be effective beginning January 1, 2015. The Judicial Council is required to adopt rules of court by January 2015 outlining the intent of the split sentencing presumption.

**SB 678 Funding.** The budget provides for \$125 million in SB 678 funding in 2014-15, using the new distribution methodology as revised in SB 105 of 2013.

**Cap on Long-Term Jail Sentences.** Despite the inclusion of a proposal in the Governor's January budget to establish a bright-line cap of ten years on felony jail sentences authorized under AB 109 (2011), the Legislature did not act on the proposal, and the language is not part of the budget agreement. It is our understanding that there will be additional discussion on this important issue over the legislative break this summer. CSAC continues to advocate for this change and will participate actively in future work on this issue.

**Trial Court Security in New Facilities.** The budget includes a \$1 million appropriation and a mechanism by which counties may seek funding to address increased levels of service following activation of a new court facility. Proposition 30 requires the state to provide annual funding for newly required activities (after October 9, 2011) that have the overall effect of increasing county costs in a realigned program. Recognizing that new court facilities built by the state and occupied on or after October 9, 2011 may impose additional court security responsibilities, the main budget bill (SB 852) appropriates \$1 million and establishes a process (contained in the public safety trailer bill (AB 1468) for evaluating changed service requirements in new facilities.

As outlined in new Government Code Section 69927, counties seeking funding to cover costs associated with the activation of a new courthouse must submit information to permit the Department of Finance to evaluate a variety of relevant factors including, among others, changes in court security associated with facility consolidation, square footage accessible to the public, types of cases being heard, the number of holding cells, and other design considerations. The section also specifies that any funds authorized for this purpose shall be used exclusively for sheriff-provided court security services and excludes payment of any general county administrative costs. Approved requests will be funded on an ongoing basis, subject to an annual budget appropriation, and would be adjusted annually by the same rate applicable to the 2011 Realignment court security subaccount.

In addition to the language outlining the process in the public safety trailer bill, the main budget bill contains a number of provisions that further define the use and purpose of the supplemental trial court security funds. It specifically calls out the counties of Calaveras and San Benito for the 2014-15 allocation; provides for application from other qualifying counties; establishes a per-

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staff reimbursement cap of \$100,000; and sets a March 1, 2015 deadline for 2014-15 applications.

**CCP Planning Grants.** The budget (SB 852) contains an additional one-year appropriation to fund grants that support the work of local Community Corrections Partnerships (CCP) in their AB 109 implementation efforts. As in previous years, counties receive a fixed amount (\$100,000; \$150,000; or \$200,000 – depending on county size), for a statewide amount of \$7.9 million. Receipt of the planning grants is conditioned upon a county’s submission of report to the state by December 15, 2014, regarding local implementation efforts, as specified.

**Federal Court Order Impact.** Consistent with the Governor’s May Revision proposal, the budget addresses activities associated with the federal court’s final order of February 10, 2014, which dictates the means and timing by which the state must meet the 137.5 percent prison population threshold. A key element of the state’s plan to reduce prison population is the application of enhanced credit earning for non-violent, non-sexual second strikers (increasing from 20 to 30 percent). Many of these prison inmates, under the provisions of 2011 public safety realignment, would be released onto Post Release Community Supervision (PRCS), a responsibility of county probation departments. The federal court order does not change who is eligible for PRCS; it only changes when the population a county would otherwise be supervising arrives in its jurisdiction. The budget provides for \$11.3 million to be allocated directly to probation departments to mitigate the increment of workload associated with the PRCS offenders benefiting from the accelerated credit earning. Statewide, the average daily population impact is projected to be 216 in 2013-14 and 819 in 2014-15.

**Recidivism Reduction Fund.** In September 2013, the Governor and the Legislature arrived at a negotiated agreement on how to manage the state’s compliance with the federal court order regarding prison overcrowding. SB 105 codified the elements of that agreement, which included a specification that any unexpended portion of the \$315 million authorized for in- and out-of-state beds would be dedicated to a Recidivism Reduction Fund, if certain conditions were met. The total amount available for Recidivism Reduction Fund Investment in 2014-15 is just over \$90 million. The budget compromise would dedicate those resources to a wide array of priorities, reflecting a blend of Administration, Senate and Assembly ideas, as detailed below.

#### **Local Recidivism Reduction Grants - Board of State and Community Corrections**

- **Mentally Ill Offenders Crime Reduction Grants** – \$18 million in one-time competitive grant program with funding allocated to counties in the first year and available for expenditure for three years. Program details are set forth in section 32 of the public safety trailer bill.

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- **Community Recidivism Reduction Grants** – \$8 million in one-time funding for each county to provide small grants to nongovernmental entities engaged in a broad-scope of recidivism reduction efforts in the community. *(See additional details below.)*
- **Grants to Cities with the highest rates of Serious Crimes** – \$2 million funding to provide three grants of equal amounts to the cities with the highest rates of murder, rape, and robbery.

## State Recidivism Reduction Efforts - Department of Corrections and Rehabilitation (CDCR)

- **Community Reentry Facilities** – \$20 million to house inmates prior to release in community facilities, which could also serve as transitional housing and intermediate sanctions for probationers. Additional details on the structure of these programs will follow in the coming weeks.
- **Substance Use Disorder Treatment Expansion in Prisons** – \$12 million to expand treatment to all non-reentry hub prisons over a two-year period.
- **Cognitive Behavioral Treatment at Contracted Facilities** – \$4 million for rehabilitative programming at in-state contract facilities, similar to programming at reentry hubs.
- **Case Managers at Parolee Outpatient Clinics** – \$2.5 million to fund a three-year pilot program will include case management social workers assisting parolee participants in managing basic needs, including housing, job training, medical and mental health care.
- **Grants to Community Colleges for Inmate Education** – \$2 million to provide coursework geared toward improving inmates' ability to find employment upon release.
- **California Leadership Academy Planning Grant** – \$865,000 to develop a plan for a facility with specialized programming aimed at reducing recidivism for 18 to 25 year old male inmates.
- **Independent Evaluation of Integrated Services for Mentally Ill Parolees Program** – One-time funding of \$0.5 million to contract with an independent entity to do an evaluation of the program's effectiveness in reducing recidivism.

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- **Innovative Programming Grants** – One-time funding of \$2.5 million to expand non-profit programs that have demonstrated success and focus on offender responsibility and restorative justice principles to prisons with fewer volunteer programs available. (\$0.5 million in General Fund and \$2 million in CDCR Inmate Welfare Fund)
- **Cal-ID Expansion** – Expands the current ID program at the reentry hubs to all prisons to prepare inmates for release. (\$2.175 million in CDCR Inmate Welfare Fund).

### Other Initiatives

- **Court Programs** – **\$15 million** in one-time competitive grants for operation of programs known to reduce recidivism and enhance public safety, such as collaborative courts, and pretrial and risk assessment programs. (See additional details below.)
- **Social Innovation Bonds** – Subject to future legislation, **\$5 million** dedicated to facilitate the use of social innovation financing for recidivism reduction programs, such as housing for former felons.
- **Workforce Investment Boards** – **\$1 million** in one-time competitive grant program for workforce training and job development to serve the reentry population.

**Community Recidivism Reduction Grants.** Counties should review in particular the provisions enacted in Section 21 of the public safety trailer bill (AB 1468), which outline local responsibilities associated with the Community Recidivism Reduction Grants. Boards of supervisors, in collaboration with the local Community Corrections Partnership, will be required to administer a competitive grant program for local nongovernmental entities that provide community recidivism and crime reduction services, as described.

Counties are being asked to review grant applications and pass through funds to successful applicants; counties would be permitted to retain five percent of the funds allocated to a county to cover administrative costs. Awards to service providers are capped on a per-entity basis depending on county size: \$100,000 maximum grant in a county with a population over 4 million; \$50,000 maximum grant in a county with a population between 700,000 and 3,999,999; \$25,000 maximum grant in a county with a population between 400,000 and 699,999; and \$10,000 maximum grant in a county with a population of less than 400,000. The State Controller's Office will apportion the \$8 million to counties as follows:

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County	Amount of Total Pass-Through Grant
Alameda	\$250,000
Alpine	\$10,000
Amador	\$10,000
Butte	\$50,000
Calaveras	\$10,000
Colusa	\$10,000
Contra Costa	\$250,000
Del Norte	\$10,000
El Dorado	\$50,000
Fresno	\$250,000
Glenn	\$10,000
Humboldt	\$50,000
Imperial	\$50,000
Inyo	\$10,000
Kern	\$250,000
Kings	\$50,000
Lake	\$25,000
Lassen	\$10,000
Los Angeles	\$1,600,000
Madera	\$50,000
Marin	\$50,000
Mariposa	\$10,000
Mendocino	\$25,000
Merced	\$50,000
Modoc	\$10,000
Mono	\$10,000
Monterey	\$100,000
Napa	\$50,000
Nevada	\$25,000
Orange	\$500,000
Placer	\$50,000
Plumas	\$10,000
Riverside	\$500,000
Sacramento	\$250,000
San Benito	\$25,000
San Bernardino	\$500,000

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County	Amount of Total Pass-Through Grant
San Diego	\$500,000
San Francisco	\$250,000
San Joaquin	\$250,000
San Luis Obispo	\$50,000
San Mateo	\$250,000
Santa Barbara	\$100,000
Santa Clara	\$500,000
Santa Cruz	\$50,000
Shasta	\$50,000
Sierra	\$10,000
Siskiyou	\$10,000
Solano	\$100,000
Sonoma	\$100,000
Stanislaus	\$100,000
Sutter	\$25,000
Tehama	\$25,000
Trinity	\$10,000
Tulare	\$100,000
Tuolumne	\$25,000
Ventura	\$250,000
Yolo	\$50,000
Yuba	\$25,000

There are a variety of potential uses for the funds, but qualifying nongovernmental entities must have a demonstrated history of providing recidivism and crime reduction services, as specified. Boards of supervisors must establish minimum requirements and funding criteria and must transmit to BSCC data collected by the service providers as required in the bill. Funds for these programs will be available for four years and any unencumbered after that period will revert to the General Fund. Further, any funds not granted to a service provider one year after allocation to a county also are subject to immediate General Fund reversion.

Collaborative Courts/Pre-Trial Programs/Risk and Needs Assessments. The main budget bill appropriates \$15 million in new General Fund resources through the judicial branch budget to a variety of allowable uses. These include “the establishment or ongoing operation and staffing of programs known to reduce recidivism and enhance public safety, including collaborative courts that serve moderate and high-risk adult criminal offenders, pretrial programs, and the use of risk and needs assessment instruments at sentencing of felony offenders subject to local

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supervision.” The Judicial Council will administer the competitive grant program, and participating courts must submit a joint application on behalf of the county and other participating partners. A focus on practices and programs that address the needs of the mentally ill and drug addicted populations. Details on reporting requirements also are outlined.

**Other Realignment Clean-up and Public Safety Provisions.** The public safety trailer bill (AB 1468) contains a range of other provisions of interest to counties, summarized below:

- For consistency purposes, previous supplantation references within specified law enforcement programs funded under 2011 Realignment (e.g., COPS, JJCPA, rural and small county sheriffs, Juvenile Reentry Fund) are amended to mirror the supplantation language in Proposition 30.
- Modeled after SB 1266 (Liu, 2010), which created an alternative custody program for female state prison inmates, the public safety trailer bill enacts language to grant counties the authority to run local alternative custody programs for men and women.
- To coordinate and modernize juvenile justice data collection, the trailer bill establishes a Juvenile Justice Data Workgroup within the Board of State and Community Corrections, with specified representatives, charged with developing a comprehensive plan for data collection and reporting by county agencies.
- Other technical and/or corrective provisions to the 2011 Realignment fiscal structure, including (1) Clarification that the per-juvenile minimum allocation for Juvenile Reentry Grants no longer applies; (2) A change to the specific data reporting from the Department of Justice regarding juvenile felony court dispositions to those of the previous calendar year for purposes of calculating counties’ Youthful Offender Block Grant allocations; and (3) A correction to the specified county shares of the High Technology Theft Apprehension and Prosecution Program distribution to ensure the formula allocates exactly 100 percent.

**Judicial Branch Funding.** The budget augments the judicial branch budget by \$223 million, which includes the following elements:

- \$86.3 million for trial court operations
- \$42.8 million to cover increases in trial court employee health and retirement expenses

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- \$2.24 to cover rent increases for the state-level entities
- \$5 million for state-level employee costs
- \$30.9 million towards the projected fee revenue shortfall
- \$40 million from the General Fund (one-time) to offset the Immediate and Critical Needs Account (ICNA) ongoing transfer of \$50 million. (This one-time funding will not automatically be included in the FY 2015-16 budget, and is earmarked for court construction, not for court operations.)

**Municipal Law Enforcement Grants.** The budget increases the 2014-15 investment in municipal law enforcement services by \$12.5 million, bringing the grant program for local law enforcement activities to \$40 million. The increment of new funding in is to be dedicated to targeted police training. As in previous years, the Board of State and Community Corrections will have an administrative role in allocating the funds to identified municipalities that will serve as the fiduciary agent within each county.

### **Agriculture, Environment and Natural Resources**

The final 2014-15 state budget passed by the Legislature includes a number of proposals for the funding of environmental protection and natural resources programs. However, traditional funding sources to counties, such as Williamson Act Subvention payments, Fish and Wildlife Payment in Lieu of Taxes and funding for the State and County Fairs Network remain unfunded.

**California Beverage Container Recycling and Litter Reduction Act (Bottle Bill).** The final budget bill, SB 852 does not include any reforms to the Beverage Container Recycling and Litter Reduction Act (Bottle Bill) as proposed in the Governor's January Budget. Of particular concern to counties was the restructuring of the city/county payment and the elimination of the curbside supplemental payment. Currently counties receive a minimum of \$10,000 per year for programs associated with the Bottle Bill. CSAC expects that the Legislature will attempt to address the Bottle Bill's solvency issues before the end of the legislative session.

**State Water Resources Control Board (State Water Board).** The Budget Bill allocates \$1.8 million from the Waste Discharge Permit Fund (WDPF) for a coordinated effort with the Department of Fish and Wildlife (DFW) to improve enforcement, and mitigate the impacts of marijuana cultivation on water quality. Consistent with the Governor's January proposed budget, SB 852 also transfers the state Drinking Water Program from the Department of Public Health to the State Water Resources Control Board (State Water Board) as of July 1, 2014.

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The Resources Budget Trailer Bill, SB 861, provides statutory cleanup related to hydraulic fracturing regulations at the State Water Board including specifying that regulations finalized on or before January 1, 2015, become effective July 1, 2015, and makes technical changes to the authority of the Board related to area-specific ground water monitoring programs.

**Delta Protection Commission/Delta Stewardship Council.** Consistent with the Governor's January proposed budget, the Budget Bill includes \$1.4 million in funding for the Delta Protection Commission and \$17 million for the Delta Stewardship Council.

**Department of Fish and Wildlife.** The Budget Bill authorizes \$500,000 annually through July 1, 2017 from the Waste Discharge Permit Fund (WDPF), \$500,000 from the General Fund, and \$500,000 from the Timber Regulation and Forest Restoration Fund (TRFRF) for a program to address the environmental issues and resource impacts associated with marijuana cultivation.

SB 861, the Resources Budget Trailer Bill, authorizes the imposition of various civil penalties for a violation of specified provisions of the Fish and Game Code in connection with the production or cultivation of a controlled substance on land that the person owns, leases, or otherwise uses or occupies with the consent of the landowner.

**Department of Forestry and Fire Protection (CAL FIRE).** The Final Budget Bill includes \$607 million in General Fund revenue, principally used for baseline fire suppression activities. Regarding the State Responsibility Areas (SRA) fee, the Budget Bill includes a one-year, \$10 million local grant program funded from the fee proceeds.

## **Health Budget Issues**

There are two trailer bills pertaining to health budget items – SB 857 and SB 870.

**Medi-Cal.** The budget provides \$437 million GF for costs related to implementation of the Affordable Care Act.

The budget increases Medi-Cal eligibility to 138 percent of FPL for pregnant women and establishes a wrap program for women between 139 and 213 percent FPL that allows women to choose to have both Covered California coverage and Medi-Cal as a wrap to pay their premiums and co-pays and to cover services not covered by the Covered California Plan. The proposal saves \$16.5 million GF.

**Medi-Cal Provider Reimbursement Rates.** The budget includes forgiveness of certain retroactive payment reductions. Exemptions include physicians/clinics, certain drugs that are

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typically high-cost and used to treat serious conditions, dental, intermediate care facilities for the developmentally disabled and medical transportation. The budget does not grant prospective fee-for-service rate increases. SB 870 includes language to ensure DHCS monitors access and utilization of Medi-Cal services and to use this information to evaluate current reimbursement levels and make changes as the department finds appropriate.

The budget includes a rate adjustment for Programs for All-Inclusive Care for the Elderly (PACE), which has a cost of \$3.6 million in total, \$1.8 million General Fund and would increase the rates from 90 to 95 percent. The details are included in SB 870.

The budget includes the diversion \$724.9 million from county health realignment funds for CalWORKs costs, per AB 85 (Chapter 24, Statutes of 2013). In January, this estimate was \$900 million.

SB 857 includes trailer bill language that establishes a new payment structure for the Martin Luther King, Jr. Community Hospital to allow it to reopen in 2015.

The budget includes \$2 million (\$1 million General Fund) for county administrative costs associated with semi-annual progress reports that are new requirements under the *Katie A. v. Bonta* settlement agreement. The settlement agreement was entered into by the state in 2012 to improve mental health and supportive services for children and youth in, or at imminent risk of placement in, foster care in California.

The budget eliminates the Managed Risk Medical Insurance Board (MRMIB) and transfers its programs to the Department of Health Care Services (DHCS) effective January 1, 2015.

SB 857 suspends the Cost of Living Adjustment for the county administration of Medi-Cal eligibility for 2014-15.

SB 857 provides the Department of Managed Health Care with authority to enforce federal mental health parity rules and conforms to federal rules to impose these requirements on large group products.

SB 857 also specifies that funds allocated as part of the Department of Public Health's tuberculosis control subvention grant to local jurisdictions be used to support certain tuberculosis control activities.

**Public Health.** The budget includes \$4 million GF for the Black Infant Health program and \$3 million GF for HIV demonstration projects. SB 870 establishes public health demonstration projects for innovative, evidence-based approaches to provide outreach, HIV and Hepatitis C

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screenings and linkages to, and retention in, quality health care for underserved individuals at high-risk for HIV infection.

**Department of State Hospitals.** The Public Safety Budget Trailer Bill (AB 1468) contains several changes in policy for the Department of State Hospitals (DSH), including:

- Adds public or private community-based locked residential treatment facilities with secure perimeters as an option for placing mentally incompetent defendants and requires that DSH pay for these placements;
- Establishes a Patient Management Unit (PMU) to provide centralized oversight and management of patient admissions;
- Allows DSH to evaluate each patient before placement in the DSH system and requires medical records to follow the patient.

The budget includes an increase of 100 Incompetent to Stand Trial beds in state hospitals and up to 55 restoration of competency beds in county jails.

**Mental Health.** The budget reestablishes the Mentally Ill Offender Crime Reduction (MIOCR) program to provide grants to local communities to support investments in intervention, assessment and treatment of mentally ill individuals. The specific provisions are included in AB 1468 and include requiring MIOCR grants to be disbursed on a competitive basis to counties that expand or establish a continuum of timely and effective responses to reduce crime and criminal justice costs related to mentally ill offenders. The measure also establishes minimum requirements for funding criteria and procedures for awarding grants.

## **Human Services Budget Issues**

SB 855 contains the main trailer bill provisions for human services programs.

**CalWORKs Grant Payments.** Increases the maximum aid grant amounts to be provided under the CalWORKs program by 5 percent as of April 1, 2015.

**Housing and Homeless Support.** This bill specifies that families receiving CalWORKs benefits when homelessness or housing instability is a barrier to self-sufficiency or child well-being, are eligible for specified housing supports, including financial assistance and housing stabilization and relocation, in counties that opt to participate in providing these supports, and to the extent that funding for this purpose is provided in the annual Budget Act. The bill requires the State Department of Social Services (DSS), in consultation with the County Welfare Directors Association of California, to develop criteria by which counties may opt to participate in

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providing housing supports to eligible recipients. The budget provides \$20 million for this purpose.

**Temporary Assistance Program.** The bill delays the commencement date of the Temporary Assistance Program (TAP) from October 1, 2014, to October 1, 2016.

**CalWORKs and CalFresh Benefits for Former Drug Felons.** Counties are pleased to see a long-sought policy change to allow a small population who has been convicted of a drug-related felony after 1997 and who meet all current eligibility requirements – including compliance with local probation or state parole requirements – to be eligible for CalWORKs and CalFresh nutrition assistance services. The budget provides \$10.6 million GF for this policy change. CSAC strongly supported Senator Loni Hancock's SB 1029, which would have enacted this change through the legislative process.

### **Child Welfare Services**

**Commercially Sexually Exploited Children.** SB 855 establishes the Commercially Sexually Exploited Children Program to be administered by the State Department of Social Services in order to adequately serve children who have been sexually exploited and would require the Department, in consultation with the County Welfare Directors Association of California, to develop an allocation methodology to distribute funding. The budget provides \$5 million in 2014-15, growing to \$14 million in 2015-16.

SB 855 authorizes the use of these funds by counties electing to participate in the program for prevention and intervention activities and services to children who are victims, or at risk of becoming victims, of commercial sexual exploitation. The measure requires DSS to contract for training for county children's services workers to identify, intervene, and provide case management services to children who are victims of commercial sexual exploitation, and for the training of foster caregivers for the prevention and identification of potential victims. SB 855 also require each county that elects to receive funds, to develop an interagency protocol to be utilized in serving sexually exploited children who have been adjudged to be a dependent child of the juvenile court.

**Foster Care Payments to Relative Care Givers.** SB 855 provides \$30 million to establish the Approved Relative Caregiver Funding Option Program. The Approved Relative Caregiver Funding Option Program allows counties to opt-in by October 2014. The program will start January 1, 2015 and would pay an approved relative caregiver a per child, per month rate, equal to the base rate paid to foster care providers for an federally eligible AFDC-FC child. Counties have the ability opt-out of the program, and must provide 120-day notice to the Department of Social Services and must provide at least 90 days' prior written notice to the approved relative

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caregiver or caregivers, informing them that his or her payment will be reduced and the starting date of the reeducation.

In addition, the bill would appropriate \$30 million General Fund for the 2015 calendar year and for each calendar year thereafter for these purposes. The base appropriation is adjusted by California Necessities Index annually. If this appropriation is insufficient to fully fund the base caseload of approved relative caregivers, the bill provides for the appropriation of additional funds necessary to fully fund that base caseload, and requires the calendar year appropriation amount beginning with the 2016 calendar year to be increased by the same amount of additional funds and along with the total calendar year appropriation, and be adjusted by the CNI.

**CalFresh County Administration Match Waiver.** SB 855 extends counties' eligibility to receive the full allocation for CalFresh administration without paying the county's share of the nonfederal costs above the 1996-1997 expenditure requirement to the budget year. The bill would also reduce the amount of the waiver throughout subsequent fiscal years and would eliminate the waiver by the 2018-19 fiscal year.

**State Utility Assistance Subsidy.** The budget includes \$10.5 million General Fund in 2014-15 to continue providing an energy assistance subsidy to CalFresh recipients. This proposal comes in response to recent changes in federal law that reduced eligibility levels for up to 320,000 households in California. SB 855, effective July 1, 2014, creates the State Utility Assistance Subsidy (SUAS), a state-funded energy assistance program, and requires the Department of Community Services and Development to delegate authority over the program to the State Department of Social Services.

**Modified Categorical Eligibility.** SB 855 raises the federal poverty level to the federally allowable maximum amount of 200 percent FPL for CalFresh, and also requires DSS to establish, design, and implement a program of categorical eligibility for CalFresh recipients. The bill provides that the Director of DSS can only establish the program of categorical eligibility with appropriate federal authorization, and if implementation would not result in the loss of federal financial participation.

**Drought.** Drought Emergency and State Emergency Food Assistance Programs. The budget authorizes up to \$20 million GF to provide emergency food relief to drought impacted communities.

**In-Home Supportive Services (IHSS).** The budget allows for the payment of overtime to IHSS providers, pursuant to new federal overtime rules. The budget provides for \$66 million GF in 2014-15 and \$237 million GF in 2015-16 to provide for the Fair Labor Standards Act final rule,

**ACTION**





set to implement January 1, 2015. SB 855 provides guidance regarding the oversight of the overtime. The measure defines a workweek and provides that a single provider cannot work more than 66 hours in a workweek – reduced by the seven percent across the board cut to 61 hours. Currently, the maximum amount of hours a consumer can receive per month is 264.

The budget leaves in place the seven percent across-the-board reductions to IHSS approved hours.

**Adult Protective Services (APS).** The budget includes \$150,000 GF for 1 position at DSS to provide leadership on statewide APS policy, support county APS programs and serve as a liaison with the federal government.

## **Housing, Land Use and Transportation**

**Early Repayment of the HUTA Loan to Counties.** The Legislature adopted the budget conference committee’s compromise on the early repayment of the Highway User Tax Account (HUTA) loan. CSAC supported the proposal, in recognition of the important role that the local street and road system plays in statewide mobility. Recall that the Governor proposed to allocate \$100 million of the \$337 million loan repayment to counties and cities. After months of budget subcommittee hearings, meetings with members and staff and of course direct contact to legislators from county supervisors and staff, the budget directs \$242 million in addition to next year’s gas tax revenues to counties and cities for road maintenance. The addition funds come from a combination of the HUTA loan repayment and State Highway Account funds.

CSAC also advocated for the use of the fuel tax swap formula (Streets and Highways Code §2103), which allocates funds to counties based 75% on maintained miles and 25% on registered vehicles. CSAC has confirmed that the \$100 million in HUTA loan repayment funds will be apportioned via the base gas tax formulas (Streets and Highways Code §2104 - §2107) while the \$142 million in State Highway Account funds will be apportioned via the fuel tax swap formula. Overall, counties will receive approximately \$71 million in additional local streets and roads funding in FY 14-15 over the Governor’s proposed budget—\$121 million more than gas tax revenues alone would have provided. The chart below represents a county-by-county estimate of the total \$121 million.

# ACTION





# BUDGET ACTION BULLETIN

CALIFORNIA STATE ASSOCIATION OF COUNTIES

COUNTY	Governor's January Budget \$50 M to Counties	Budget Conference Compromise Additional \$71 M to Counties	FY 2014-15 Budget Total Allocation \$121 M to Counties
Alameda	\$ 1,874,534	\$ 2,256,016	\$ 4,130,551
Alpine	\$ 12,406	\$ 41,695	\$ 54,102
Amador	\$ 108,546	\$ 201,485	\$ 310,031
Butte	\$ 421,555	\$ 728,222	\$ 1,149,777
Calaveras	\$ 154,482	\$ 306,595	\$ 461,076
Colusa	\$ 65,786	\$ 240,322	\$ 306,108
Contra Costa	\$ 1,481,498	\$ 1,755,789	\$ 3,237,287
Del Norte	\$ 43,559	\$ 125,747	\$ 169,306
El Dorado	\$ 430,088	\$ 651,200	\$ 1,081,289
Fresno	\$ 1,347,785	\$ 2,191,989	\$ 3,539,774
Glenn	\$ 79,603	\$ 291,961	\$ 371,564
Humboldt	\$ 304,603	\$ 573,288	\$ 877,891
Imperial	\$ 282,742	\$ 975,437	\$ 1,258,179
Inyo	\$ 87,980	\$ 351,629	\$ 439,609
Kern	\$ 1,400,891	\$ 2,083,458	\$ 3,484,349
Kings	\$ 225,801	\$ 435,405	\$ 661,207
Lake	\$ 172,848	\$ 309,162	\$ 482,010
Lassen	\$ 82,997	\$ 298,880	\$ 381,877
Los Angeles	\$ 11,221,429	\$ 13,521,465	\$ 24,742,894
Madera	\$ 214,139	\$ 628,577	\$ 842,716
Marin	\$ 383,632	\$ 513,660	\$ 897,292
Mariposa	\$ 56,613	\$ 198,170	\$ 254,783
Mendocino	\$ 257,450	\$ 459,630	\$ 717,080
Merced	\$ 444,178	\$ 823,620	\$ 1,267,797
Modoc	\$ 67,478	\$ 288,138	\$ 355,616
Mono	\$ 51,037	\$ 213,370	\$ 264,408
Monterey	\$ 650,442	\$ 935,956	\$ 1,586,398
Napa	\$ 246,030	\$ 355,259	\$ 601,289
Nevada	\$ 226,503	\$ 363,115	\$ 589,618

# ACTION



# BUDGET ACTION BULLETIN

CALIFORNIA STATE ASSOCIATION OF COUNTIES

Orange	\$ 3,766,791	\$ 4,419,854	\$ 8,186,645
Placer	\$ 690,710	\$ 940,036	\$ 1,630,746
Plumas	\$ 66,765	\$ 238,205	\$ 304,970
Riverside	\$ 2,733,861	\$ 3,631,188	\$ 6,365,049
Sacramento	\$ 2,066,922	\$ 2,649,266	\$ 4,716,189
San Benito	\$ 113,414	\$ 200,416	\$ 313,829
San Bernardino	\$ 2,633,672	\$ 3,550,421	\$ 6,184,092
San Diego	\$ 4,185,459	\$ 5,085,418	\$ 9,270,877
San Francisco*	\$ 1,482,444	\$ 1,066,977	\$ 2,549,420
SF (city share)*	(see note*)	\$ 1,855,230	(see note*)
San Joaquin	\$ 988,431	\$ 1,438,411	\$ 2,426,842
San Luis Obispo	\$ 530,787	\$ 847,980	\$ 1,378,767
San Mateo	\$ 1,034,567	\$ 1,240,101	\$ 2,274,668
Santa Barbara	\$ 659,560	\$ 865,988	\$ 1,525,548
Santa Clara	\$ 2,259,136	\$ 2,777,933	\$ 5,037,069
Santa Cruz	\$ 445,013	\$ 575,115	\$ 1,020,128
Shasta	\$ 392,227	\$ 678,985	\$ 1,071,211
Sierra	\$ 27,291	\$ 114,728	\$ 142,019
Siskiyou	\$ 129,934	\$ 475,934	\$ 605,868
Solano	\$ 569,643	\$ 792,244	\$ 1,361,887
Sonoma	\$ 842,133	\$ 1,204,705	\$ 2,046,838
Stanislaus	\$ 772,695	\$ 1,166,842	\$ 1,939,537
Sutter	\$ 189,416	\$ 363,308	\$ 552,725
Tehama	\$ 124,875	\$ 411,007	\$ 535,882
Trinity	\$ 57,522	\$ 221,238	\$ 278,759
Tulare	\$ 742,419	\$ 1,422,498	\$ 2,164,917
Tuolumne	\$ 157,663	\$ 288,905	\$ 446,568
Ventura	\$ 1,173,993	\$ 1,414,138	\$ 2,588,131
Yolo	\$ 309,529	\$ 510,520	\$ 820,049
Yuba	\$ 154,135	\$ 288,399	\$ 442,534
<b>TOTAL**</b>	<b>\$ 51,278,992</b>	<b>\$ 72,855,230</b>	<b>\$ 122,697,646</b>

# ACTION



\* Governor's proposal column excludes Section 2107 loan repayment; \$71 million allocation column is separated into city and county shares.

\*\* Totals exceed estimates for counties due to city shares to San Francisco and minor formula factors.

**Funding for Supportive Housing.** The final FY 2014-15 state budget included \$100 million in General Fund revenue for supportive housing programs. Specifically, the final budget provides \$50 million for the existing Multi-Family Housing Program and \$50 million for the Multi-Family Housing Program's supportive housing projects. The purpose of these programs is to assist in the new construction, rehabilitation and preservation of permanent and transitional rental housing for lower income households. Counties and other local public entities are among those eligible to apply for the deferred payment loans offered by the program. Applicants are invited to apply through a notice of funding available (NOFA). CSAC staff will share the NOFA with counties when it is released in the future.

**Cap and Trade.** With respect to cap and trade, the Legislature adopted the budget conference compromise we alerted counties about last week. The final budget includes a three pronged approach to the investment of cap and trade auction revenues, including an FY 2014-15 appropriation, a long-term appropriation plan for FY 2015-16 and beyond, and accountability measures. From the county perspective, there are a number of wins in the overall package though much work remains to ensure the investment of cap and trade auction revenues provide for the maximum cost-effective greenhouse gas emissions reductions. The FY 2014-15 appropriation of \$872 million is outlined below. Further, the FY 2014-15 state budget commits the remaining \$400 million from the FY 2013-14 cap and trade loan to the High Speed Rail project.

Program	2014-15 Allocation
High Speed Rail	\$ 250.0
Transit and Intercity Rail Capital Program	\$ 25.0
Low Carbon Transit Operations (STA)	\$ 25.0
Affordable Housing and Sustainable Communities	\$ 130.0
Low Carbon Transportation	\$ 200.0
Weatherization	\$ 75.0



Agricultural Energy and Operational Efficiency	\$ 15.0
Energy Conservation Assistance Act for public buildings	\$ 20.0
Water Action Plan - Water-Energy Efficiency (SB 103- has been appropriated)	\$ 40.0
Water Action Plan - Wetlands and Watershed Restoration	\$ 25.0
Sustainable Forests	\$ 25.0
Sustainable Forests/Urban Forestry	\$ 17.0
Waste Diversion	\$ 25.0
<b>Total</b>	<b>\$ 872.0</b>

The deal also proposes to allocate future auction revenues, beginning in FY 2015-16, as follows:

- 35% continuously appropriated for transportation, affordable housing and sustainable communities
  - 15% for transit including intercity rail and low carbon transit operations
  - 20% for affordable housing and sustainable communities
- 25% continuously appropriated for High Speed Rail
- 40% annually appropriated in the budget or through legislation for low carbon transportation, natural resources programs, energy programs, and other GHG reducing programs

In terms of investment in sustainable communities, recall that CSAC was advocating for three main modifications to the Governor’s January Budget, including more funding for sustainable communities infrastructure, local street and road maintenance and rehabilitation as an eligible use within any sustainable communities program, and a regional governance structure that would require regional transportation agencies to develop competitive grant programs for counties, cities, and transit agencies. The \$140 million in FY 2014-15 and the 10% of total auction revenues in FY 2015-16 and beyond that will be continuously appropriated, include active transportation projects including bicycle and pedestrian facilities and capital projects that implement complete streets as an eligible use. Also, at full implementation, the cap and trade auctions could generate up to \$5 billion annually meaning counties could compete for a share of up to \$500 million in sustainable communities funds each year. Regarding the governance structure, the Strategic Growth Council (SGC) is required to develop implementation guidelines and selection criteria for the program, which does not prohibit the SGC from delegating competitive grant programs at the regional level with strict state guidance. CSAC will continue to work on this aspect, and others, of cap and trade implementation.

**ACTION**





Lastly, while the FY 2014-15 allocation does not include the local government program for non-transportation projects that CSAC has been advocating for, it is our understanding that local governments are eligible under several of the programs listed above, particularly within the waste diversion, water efficiency and energy efficiency programs. In addition, for the on-going funding plan, the 40% dedicated to natural resources funding will be annually appropriated in the budget and through legislation. CSAC will continue to work to secure a portion of this funding for programs that fund local projects within the energy and natural resources sector.

**ACTION**



# CONGRESSWOMAN MATSUI'S EXCELLENCE IN MENTAL HEALTH ACT SIGNED INTO LAW

Tuesday April 01, 2014

**FOR IMMEDIATE RELEASE**

Tuesday, April 1, 2014

**CONTACT: JONELLE TRIMMER**

(202) 225-7163

## **Congresswoman Matsui's Excellence in Mental Health Act Signed into Law**

*\$1.1 billion multi-state demonstration project to implement Excellence in Mental Health Act included in the SGR Patch that was signed into law by President Obama today*

**WASHINGTON, DC** – Congresswoman Doris Matsui (CA-06) today announced that a demonstration project based on her bipartisan legislation, H.R. 1263, the Excellence in Mental Health Act, was signed into law by President Obama. This is the first piece of meaningful legislation to increase access to mental health services Congress has passed since the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008.

“Today is a great day for the mental health community! The Excellence in Mental Health Act signed into law by the President today is a historic step in expanding access to mental health services in communities across the nation,” **said Congresswoman Matsui**. “It is time for mental health to be treated on a level playing field with the rest of our nation’s healthcare system. Today’s bill signing is a significant step forward in achieving true parity between physical and mental health care, and will help community mental health centers expand their reach to all individuals in need of help.”

The Excellence in Mental Health Act will provide incentives to our nation’s community mental health centers to ensure the centers cover a broad range of mental health services, including: 24-hour crisis care, increased integration of physical, mental and substance abuse treatment, and expanded support for families of people living with mental health issues. Centers that met these strengthened accountability standards will qualify to bill Medicaid, just as Federally Qualified Health Centers currently do for treatment of physical healthcare. The SGR patch includes a \$1.1 billion demonstration project that will implement H.R. 1263 in multiple states.

“This measure brings long overdue attention and help for our nation's safety net of providers of mental health and substance use disorder services. The number of homeless people visible on the streets of any city attests to our nation's neglect of this vulnerable population. We applaud Congresswoman Doris Matsui for her efforts and leadership over many years on this critical issue,” **said Rusty Selix, executive director of the Mental Health Association in California and executive director of the California Council of Community Mental Health Agencies**.

“After decades of devastating state and federal budget cuts, the time has come to reinvest in mental health and substance abuse services. The Excellence in Mental Health Act does just that,” **said Linda Rosenberg, President and CEO of the National Council for Behavioral Health**. “As many as 240,000 people will be able to receive critical mental and behavioral health services as a result of Excellence in Mental Health Act funding. When people receive the quality mental health and substance abuse services they need, the benefits of treatment extend far beyond the individual – to their families, their professional colleagues and their community at large. We are all better off when

quality mental health and substance abuse services are available. This is an historic day and it would not have been possible without the tireless work of Representative Matsui and the bill's bipartisan sponsors."

H.R. 1263 was introduced by Congresswoman Matsui and Congressman Leonard Lance (R-NJ) in March, 2013. Bipartisan companion legislation, S. 264, was also introduced by Senators Debbie Stabenow (D-MI) and Roy Blunt (R-MO).



June 18, 2014

The Honorable Dan Logue  
Member, California State Assembly, District 3  
State Capitol, Room 4158  
Sacramento, CA 95814

**SUBJECT: AB 2679 (Logue) County mental health services: baseline reports  
As Amended June 17, 2014 – OPPOSE, UNLESS AMENDED**

Dear Assemblymember Logue:

On behalf of the California Mental Health Directors Association (CMHDA), which represents the public mental health authorities in counties throughout California, I am writing to respectfully oppose AB 2679 (County mental health services: baseline reports) unless amended.

CMHDA supports the provisions of the bill that require the California Department of Health Care Services (DHCS) and California Mental Health Planning Council to annually post county performance data on their Internet Websites. This promotes the visibility and accessibility of the substantial county mental health performance data already collected by state oversight agencies. However, CMHDA opposes the June 17, 2014 amendments that authorize the Mental Health Services Oversight and Accountability Commission (MHSOAC) to request counties to estimate the number of adults and older adults with severe and persistent mental illness who are eligible to receive MHSA services that are not receiving them.

These amendments are unnecessary and do not add value to this legislation. The amendments to AB 2679 authorize the MHSOAC to collect from counties a particular type of data about individuals not currently receiving services. However, the MHSOAC is *already* authorized under current law to obtain data and information from counties receiving MHSA funds for purposes of oversight, review, training and technical assistance, accountability, and evaluation. If the MHSOAC determines the information described in the bill would be useful or necessary to obtain from counties, the MHSOAC is already authorized to request it.

The bill also requires the requested information to be based on “existing available data and not include duplicative reporting requirements.” While CMHDA appreciates that this provision may be designed to minimize the burden of complying with the bill, what is the value of this new provision since the information is *already* available.

The Honorable Dan Logue  
AB 2679 (Logue) County mental health services: baseline reports  
As Amended June 17, 2014 – Oppose, unless amended  
Page 2 of 2

Information about the extent to which counties are serving adults and older adults who may qualify for MHSA services, but do not currently receive them already exists. Under existing law (Welfare & Institutions Code Section 5899), DHCS provides instructions for counties' annual MHSA revenue and expenditure reports, and these are already required to include information that "allows for the evaluation of" the adults and older adults systems of care services named in the amendment.

Since introduced, AB 2679 has been designed to assure funds generated through the MHSA are being used effectively. Simply counting the number of individuals receiving (or not) a particular type of service will not yield information about the *effectiveness* and impact of the MHSA. CMHDA is committed to all state and county efforts that improve the measurement and public transparency of MHSA funded services; the recent amendments to the bill do not further this goal.

CMHDA respectfully urges you to remove the June 17, 2014 amendments from AB 2679, after which we would happily resume our support of the bill. Please do not hesitate to contact me at (916) 556-3477x108, or [roakes@cmhda.org](mailto:roakes@cmhda.org) if CMHDA or I can be of any assistance.

Sincerely,



Robert E. Oakes  
Executive Director

cc: Honorable Chair and Members, Senate Health Committee  
Reyes Diaz, Consultant, Senate Health Committee  
Benjamin Russell, Consultant, Assembly Health Committee  
Vance Jarrard, Office of Assembly Member Logue  
Kelly Brooks-Lindsey, California State Association of Counties  
Jolena Voorhis, Urban Counties Caucus  
Cyndi Hillery, Regional Council of Rural Counties  
Carol Gallegos, Deputy Director, Legislative and Governmental Affairs, DHCS  
Sherri Gauger, MHSOAC  
Rusty Selix, Mental Health America – California  
Jane Adcock, California Mental Health Planning Council



June 19, 2014

The Honorable Marc Levine  
Member, California State Assembly, District 10  
State Capitol, Room 2137  
Sacramento, CA 95814

**SUBJECT: AB 2198 (Levine) Mental health professionals: suicide prevention training  
As Amended April 21, 2014 – SUPPORT with Suggestions**

Dear Assemblymember Levine:

On behalf of the California Mental Health Directors Association (CMHDA), which represents the public mental health authorities in counties throughout California, I am writing in support of your AB 2198, which requires mental health professionals to complete coursework in suicide assessment, management and treatment. CMHDA also encourages your amending AB 2198 to expand the training requirement to include all healthcare professionals. Research indicates that many people who complete suicide had recently received primary care service. Expanded trainings are now more critical than ever with the implementation of the Affordable Care Act, which supports prevention and improved coordination by primary care and behavioral health.

Assuring that all healthcare professionals are well-versed in suicide assessment, treatment, and management may save lives. Continuing professional education is already an important part of professional development. Making it explicit that suicide assessment, treatment, and management are a part of the training will help prevent what is a human tragedy and a vast public health problem.

CMHDA supports AB 2198, but believes it will better accomplish its intent if amended to require all healthcare professionals receive training in suicide assessment, treatment, and management.

Please do not hesitate to contact me at (916) 556-3477x1108, or [roakes@cmhda.org](mailto:roakes@cmhda.org) if CMHDA or I can be of any assistance.

Sincerely,

Robert E. Oakes  
Executive Director



The Honorable Marc Levine

AB 2198 (Levine) Mental health professionals: suicide prevention training – Support with Suggestions

Page 2 of 2

cc: Honorable Chair and Members, Senate Business, Professions and Economic Development Committee  
Kelly Brooks-Lindsey, California State Association of Counties  
Jolena Voorhis, Urban Counties Caucus  
Cyndi Hillery, Regional Council of Rural Counties  
Carol Gallegos, Deputy Director, Legislative and Governmental Affairs, DHCS  
Rusty Selix, Mental Health America – California  
Jessica Cruz, National Alliance on Mental Illness – California  
Brandon Tartaglia, Disability Rights California  
Jane Adcock, California Mental Health Planning Council

# Review of Federal Bills on Community Mental Health

## Comparison of HR 3717 & HR 4574

### HR 3717 (Murphy)

### HR 4574 (Barber)

<i>Positive Elements</i>	<i>Positive Elements</i>
<ul style="list-style-type: none"> <li>Creates 4 year pilot program for Assisted Outpatient Treatment. Funding is \$50 million with no grant exceeding \$1 million annually.</li> <li>Training program for primary care physicians on behavioral health screening tools.</li> <li>Telehealth consultations to primary care physicians.</li> <li>Demonstration project to improve FQMHC community behavioral health clinic services.</li> <li>Training for law enforcement officers and other first responders on behavioral health symptoms and appropriate responses.</li> <li>Veterans' Treatment Courts</li> <li>Efforts to eliminate excessive and duplicate paperwork; loosens regulations under FIRPA and HIPAA.</li> <li>Public awareness programs for secondary and post-secondary education.</li> <li>Inclusion of community mental health centers as eligible entities for funding for the electronic health record.</li> <li>Payment for same day appointments that are medically necessary for the FQMHC and would like to see this allowance extended to community mental health centers.</li> <li>Option for states to allow Medicaid and Medicare payment to "qualified inpatient psychiatric services" for adults over 18 years and under 65 years. (Note: this would eliminate the IMD exclusion that precludes claiming for adults in IMD facilities.)</li> </ul>	<ul style="list-style-type: none"> <li>Creates White Office of Mental Health Policy that develops a guiding national mental health policy strategy and coordinates the work of all agencies providing mental health services such as SAMHSA, Education, Veterans Admin., National Institute for Mental Health, etc. This office will work to improve integration of behavioral health services throughout all health systems and will simplify grant process by creating one grant application for all programs throughout the departments.</li> <li>Establishes a National Mental Health Council with the President as the Chair as well as a National Mental Health Advisory Board with an appropriate range of stakeholders as required members.</li> <li>Strengthens and invests more in SAMHSA programs. Establishes a national Suicide Prevention Technical Assistance Center and continues the operation of the National Child Traumatic Stress Initiative. Maintains SAMHSA grant funding for Protection and Advocacy without imposing new restrictions. Funds national stigma reduction grants and grants to reduce homelessness.</li> <li>Funds grants for co-location of behavioral health with physical health providers. Requires a national study and report within 2 years on system barriers to integration of all health care.</li> <li>Authorizes payment through Medicaid and Medicare for same day appointments for mental health and physical health care.</li> <li>Eliminates the 190 day lifetime limit on Medicare and Medicaid funding for acute psychiatric hospitalization. Expands the 1915b waiver to include youth in psychiatric residential treatment facilities.</li> <li>Authorizes Medicare Part B to pay for services provided by MFTs and Mental Health Counselors</li> <li>Expands Veterans Court Services, and funds correctional facility grants for assessment of inmates and post release transitional services.</li> <li>Extends Medicare and Medicaid funding for development of the Electronic Health Record to psychologists, psychiatric hospitals, community mental health centers, residential and outpatient treatment programs.</li> <li>Expands and increases funding for Safe Schools-Healthy Students program and creates higher standards for these services. Increases funding for teachers, parents, and students on mental health issues.</li> <li>Begins an effort for parity enforcement.</li> </ul>

HR 3717 Supporters: Treatment Advocacy Center, NAMI, American Academy of Child and Adolescent Psychiatrists, American Psychiatric Assoc, American Psychological Assoc., National Sheriffs Assoc.

HR 4574 Supporters: Mental Health America, American Psychological Assoc., American Assoc. for Marriage and Family Therapists, National Assoc. of School Psychologists, Bazelon Center for Mental Health Law, Psych Central, National

HR 3717 Opposition: American Bar Association, Bazelon Center for Mental Health Law, Mental Health America, Psych Central, National Coalition for Mental Health Recovery, National Council on Independent Living, American Assoc. for People with Disabilities

Coalition for Mental Health Recovery, National Council for Behavioral Health, American Foundation for Suicide Prevention, National Assoc for Rural Mental Health, National Assoc. of County Behavioral Health and Developmental Disability Directors, The Trevor Project, American Mental Health Counselors Assoc., American Assoc. on Health and Disability, National Board for Certified Counselors

HR 4574 Opposition: None known

<b>Elements of Concern</b>	<b>Elements of Concern</b>
<ul style="list-style-type: none"> <li>• Creation of a new Center for Mental Health Services at the cost of \$150,000,000. SAMHSA, which has taken a leadership role in policy, block grants, data, and would be relegated to a less significant role.</li> </ul>	<ul style="list-style-type: none"> <li>• Requires more annual reports at all levels.</li> </ul>
<ul style="list-style-type: none"> <li>• A move away from integrated, community-based care.</li> </ul>	<ul style="list-style-type: none"> <li>• Creates grants for unnecessary and duplicative state registries of facilities.</li> </ul>
<ul style="list-style-type: none"> <li>• Elimination of funding for Protection &amp; Advocacy state programs, which protect the rights of persons with mental illness.</li> </ul>	<ul style="list-style-type: none"> <li>• Requires all individuals to have mental health assessments prior to enlistment in the Armed Services and for assessment to become part of serviceman's record.</li> </ul>
<ul style="list-style-type: none"> <li>• Elimination of funding for consumer-focused SAMHSA programs and other discretionary programs.</li> </ul>	<ul style="list-style-type: none"> <li>• Only provides funding for 10 psychiatrists per year in the Veterans Administration loan forgiveness program.</li> </ul>
<ul style="list-style-type: none"> <li>• Possible loss of SAMHSA Block Grant funding.</li> </ul>	<ul style="list-style-type: none"> <li>• Authorizes a registry at Centers for Disease Control of all participants in research on mental illness.</li> </ul>