



MEMORANDUM
HEALTH AND HUMAN SERVICES
ADULT SYSTEM OF CARE
County of Placer

TO: Board of Supervisors

DATE: June 7, 2016

FROM: Jeffrey S. Brown, M.P.H., M.S.W., Director of Health and Human Services

SUBJECT: Designations of Facilities and Professional Persons for Involuntary Evaluation; Detainment and Release from Detainment upon assessment for Mentally Disordered Persons

ACTION REQUESTED

1. Adopt the attached resolution updating the designation of facilities and other professional persons pursuant to Welfare and Institutions (W&I) Code Sections 5150, 5152, 5585.50, and 5585.55, regarding treatment and evaluation related to involuntary psychiatric holds of adults and minors; Re-authorization of the involuntary psychiatric hold process of Welfare and Institutions (W&I) Code sections 5270.10, et. seq.

BACKGROUND

The Placer County Department of Health and Human Services provides mandated mental health services in accordance with the Welfare and Institutions (W&I) Code. Under the Welfare and Institutions (W&I) Code, it is necessary for counties to designate what facilities and persons have the authority to detain persons who are mentally disordered and a danger to themselves or others, or who are gravely disabled. Peace Officers are given this authority under the statutory scheme and do not need to be designated by the county.

In 2013, the Placer County Board of Supervisors took action to consolidate into one document the Board's designation of facilities, designation of professional persons, and authorization of an additional 30 day extension of involuntary psychiatric treatment for certain mentally disorder persons (commonly referred to as a 5270 hold). The Systems of Care have brought a new resolution to included two significant changes since the previous resolution was adopted. These changes are:

1. To add to the classes of persons identified an "other professional persons" to include individuals who are either working toward licensure or are a Licensed Professional Clinical Counselor (LPCC).
2. To designate a class of persons as "other professionals" who upon making a determination that the individual can be properly served within the community and does not meet the criteria to be involuntarily detained pursuant to W&I Section 5150 can release the involuntary detention outside of a designated facility.

The first change is as a result of the State Department of Health Care Services issuance of Information Notice (02-14) informing Mental Health Plans that effective July 1, 2012, Licensed Professional Clinical Counselors were added to the State Plan as qualified providers of Rehabilitative Mental Health Services.

The second change is a result of additions made to the W&I 5150 regulations as a result of the passage of AB 1194 in October, 2015. AB 1194 added Section 5150(c) allowing for Counties to designate a class of persons as "other professionals". Until the passage of AB 1194, practices for evaluation and releasing of the involuntary detentions occurring outside of a designated inpatient psychiatric hospital were not clearly defined in the regulations. As a result, Counties throughout California made this decision independently. In Placer County the practice has been to allow the individuals identified as "other professionals" to consult with an on-call psychiatrist upon determining an individual no longer met the criteria to be involuntarily detained pursuant to W&I 5150. Between February and March, 2016 Placer County's mental health quality assurance team surveyed other counties to determine a Standard of Practice among the Counties. Of the Counties who responded, all but two designate this authority to either licensed/waived professional staff or in consultation with a Licensed Supervisor. Two Counties (Los Angeles and Monterey) designate this

authority to psychiatrists that work within the local emergency rooms. This second change brings the Placer County's practice for who can release individuals into alignment with other Counties.

FISCAL IMPACT

The funding for the Welfare and Institutions (W&I) Code section 5150 evaluation and subsequent hospitalization is included in the Department's FY 2013-14 Final Budget. There is no fiscal impact to the County General Fund as a result of this action. Continuation of the Welfare and Institutions (W&I) Code section 5270 hold authorization remains cost-neutral as the additional cost associated with longer hospitalization will continue to be offset by savings from avoiding placements in higher, more restrictive and costly levels of care, avoiding the cost of filing conservatorship petitions, and managing additional conservatorships.

ATTACHMENTS

Resolution

Before the Board of Supervisors
County of Placer, State of California

In the matter of:

A Resolution Designating Facilities and Other Professional Persons Pursuant to Welfare and Institutions Code Sections 5150, 5585.55, and 5585.58, Regarding Treatment and Evaluation Related to Involuntary Psychiatric Holds of Adults and Minors; Re-authorization of the Involuntary Psychiatric Hold Process of Welfare and Institutions Code Sections 5270.10, et. seq.

Resolution No.: _____

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board

WHEREAS, the Welfare and Institutions Code (W&I) section 5150(a) provides as to adults, and W&I sections 5585.50(a) and 5585.55 provide as to minors, that the attending staff of an evaluation facility designated by the County, or other professional persons designated by the County, may upon probable cause take or cause to be taken into custody and placed in an approved 72-hour evaluation and treatment facility designated by the County, any person who is gravely disabled or as a result of mental disorder is a danger to self or others.

WHEREAS, the Welfare and Institutions Code (W&I) section 5150(c) provides other professionals as designated by the County, upon completion of an assessment, to release W&I 5150 involuntary detentions when probable cause for danger to self, danger to others or grave disability as a result of a mental disorder no longer exist.

WHEREAS, On March 24, 2009, the Board authorized, by resolution, the use of the evaluation and treatment process and timeline allowed under W&I Article 4.7, sections 5270.10 et. seq., allowing up to an additional thirty (30) days for an involuntary psychiatric hold of certain mentally disordered persons.

WHEREAS, The additional thirty (30) days is used if/when needed to complete a thorough assessment, achieve patient stabilization, develop future treatment options, investigate family and/or community resources, and/or make appropriate referrals.

WHEREAS, Having up to an additional thirty (30) days reduces the number of more restrictive and costly institutional placements, and reduces the number conservatorships and County costs associated with filing conservatorship petitions and managing conservatorships.

BE IT RESOLVED, by the Board of Supervisors, County of Placer, State of California, hereby designates the following named facilities under W&I sections 5150(a), 5585.50(a), and 5585.55:

Telecare Psychiatric Health Facility-Placer County, Roseville
Sutter/Yuba County Psychiatric Health Facility, Yuba City
El Dorado County Psychiatric Health Facility, Placerville
Heritage Oaks Hospital, Sacramento
Sierra Vista Hospital, Sacramento
Sutter Center for Psychiatry, Sacramento
Woodland Memorial Hospital, Woodland
St. Helena Hospital, Napa.

BE IT FURTHER RESOLVED, that the Board hereby designates the following classes of persons as "other professional persons" under W&I sections 5150(a) and 5585.50(a) whom may upon probable cause take or cause to be taken into custody and placed in an approved 72-hour evaluation and treatment facility designated by the County, any person who is gravely disabled or as a result of mental disorder is a danger to self or others:

- a. Client Services Program Directors and Assistant Client Services Program Directors of Health and Human Services (HHS), Adult and Children's Systems of Care, while on duty;
- b. Psychiatrists of HHS, Adult and Children's Systems of Care, while on duty;
- c. Consulting Psychiatrists contracted to provide services at HHS, Adult and Children's Systems of Care, while on duty;
- d. Psychiatrist working within a contracted Mental Health provider;
- e. Physicians, Licensed Psychologists, Licensed Clinical Social Workers, Marriage & Family Therapists, and Licensed Professional Clinical Counselor working within the Kaiser Permanente-Roseville Emergency Department;

- f. Physicians, Licensed Clinical Social Workers, Marriage & Family Therapists, and Licensed Professional Clinical Counselors working within the Heritage Oaks Hospital Day Treatment Program in Roseville;
- g. The following County and contracted agency staff members of the HHS, Adult and Children's Systems of Care, while on duty, and as further designated by the Placer County Mental Health Director to detain:

Nurse Practitioners providing services within Mental Health programs
 Licensed and Registered Psychologists
 Licensed Clinical Social Workers
 Licensed Marriage & Family Therapists
 Licensed Professional Clinical Counselor
 ASW, PCCI, and MFTI (license waived)
 MSW intern, PCC trainee, MFT trainee (Student Interns)
 Registered Nurses
 Licensed Psychiatric Technicians
 Licensed Vocational Nurses
 Mental Health Rehabilitation Specialists

BE IT FURTHER RESOLVED, that the Board hereby designates the following classes of persons as "other professional persons" under W&I sections 5150(c) and 5152 upon completion of an assessment, to release W&I 5150 involuntary detentions when probable cause for danger to self, danger to others or grave disability as a result of a mental disorder no longer exist:

- a. Client Services Program Directors and Assistant Client Services Program Directors of Placer County Health and Human Services (HHS), Adult and Children's Systems of Care, while on duty;
- b. Psychiatrists of Placer County HHS, Adult and Children's Systems of Care, while on duty;
- c. Consulting Psychiatrists contracted to provide services at HHS, Adult and Children's Systems of Care, and as further designated by the Placer County Mental Health Director while on duty;
- d. Physicians, Licensed Psychologists, Licensed Clinical Social Workers, Marriage & Family Therapists and Licensed Professional Clinical Counselor working within the Kaiser Permanente-Roseville Emergency Department and as further designated by the Placer County Mental Health Director while on duty;
- e. Physicians, Licensed Clinical Social Workers, Marriage & Family Therapists, and Licensed Professional Clinical Counselors working within the Heritage Oaks Hospital Day Treatment Program in Roseville and as further designated by the Placer County Mental Health Director while on duty;
- f. The following County and contracted agency staff members of the Placer County HHS, Adult and Children's Systems of Care, while on duty, and as further designated by the Placer County Mental Health Director:

Psychiatrist working within a contracted MH provider
Nurse Practitioners providing services within Mental Health programs
Licensed and Registered Psychologists
Licensed Clinical Social Workers
Licensed Marriage & Family Therapists
Licensed Professional Clinical Counselor

- g. The following County and contracted agency staff members of the Placer County HHS, Adult and Children's Systems of Care, while on duty and in consultation with a licensed professional and as further designated by the Placer County Mental Health Director:

ASW, MFTI and PCCI (license waived)
Mental Health Rehabilitation Specialists

BE IT FURTHER RESOLVED, that all professional persons designated by the County shall attend and complete initial training and certification procedures, and thereafter attend, required training, as determined by the Director of Placer County Mental Health, in order to acquire and retain the authority granted herein.

BE IT FURTHER RESOLVED, that if a professional person designated by the County fails to comply with the provisions of this resolution or fails to attend required training, the Director of Placer County Mental Health may immediately suspend the authority granted to that person by this resolution, and after the professional person is afforded an opportunity to be heard, revoke the authority granted by this resolution if the Director of Placer County Mental Health determines that the professional person has failed to comply with this resolution or failed to attend required training.

BE IT FURTHER RESOLVED, that the Board, hereby adopts this resolution re-authorizing the use of the evaluation and treatment process and timeline allowed under W&I Article 4.7, sections 5270.10 et. seq., and finds that any additional costs incurred by the county in the implementation of the W&I sections 5270.10 et. seq. processes are funded either by new funding or funds redirected from the cost savings resulting from the use of the W&I sections 5270.10 et. seq. process, or a combination thereof, so that no service reductions occur in Placer County as a result of the enactment of W&I sections 5270.10 et. seq.

BE IT FURTHER RESOLVED, that, effective with the adoption of this Resolution, all previous Board action designating facilities or professional persons pursuant to W&I sections 5150(a), 5150 (c), 5150 (e), 5152, 5585.50(a), and 5585.55 are no longer in effect going forward.

BE IT FURTHER RESOLVED, that all actions taken under this resolution supersedes previous resolutions and are effective immediately.