



State of California—Health and Human Services Agency
Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

DATE: June 19, 2020

Behavioral Health Information Notice No:20-036

TO: California Alliance of Child and Family Services
California Association for Alcohol/Drug Educators
California Association of Alcohol & Drug Program Executives, Inc.
California Association of DUI Treatment Programs
California Consortium of Addiction Programs and Professionals
California Council of Community Behavioral Health Agencies
California Opioid Maintenance Providers
California State Association of Counties
Coalition of Alcohol and Drug Associations
County Behavioral Health Directors
County Behavioral Health Directors Association of California
County Drug & Alcohol Administrators

SUBJECT: DHCS-16-009 Mental Health Services Act Fiscal Regulations

REFERENCE: [DHCS-16-009 MHSA Fiscal Regulations](#); [Senate Bill \(SB\) 79](#)

PURPOSE: Inform counties of recently approved Mental Health Services Act (MHSA) Fiscal Regulations that take effect July 1, 2020, and will be accessible under title 9 of the California Code of Regulations (CCR).

BACKGROUND:

In March 2019, the Department of Health Care Services (DHCS) submitted notice to the Office of Administrative Law (OAL) of proposed regulatory changes related to the administration of MHSA funds including the county allocation, transfer, expenditure, and reporting of the use of MHSA funds. In developing the proposed regulations, DHCS consulted with the Mental Health Services Oversight and Accountability Commission and incorporated various recommendations made by stakeholders, commenters and other interested parties. Consistent with the Administrative Procedure Act and OAL requirements, DHCS conducted a public hearing on May 7, 2019, and concluded the 45-day comment period on May 17, 2019. On June 27, 2019, SB 79 (Committee on Budget and Fiscal Review, Chapter 26, Statutes of 2019) became law. SB 79 amended certain provisions related to the reversion of innovative funds that necessitated DHCS incorporate these changes in this regulatory proposal. On February 14, 2020, the

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15-day comment period concluded and on March 19, 2020, DHCS filed the proposed regulations with OAL.

MHSA Fiscal Regulations Approved

This information notice is informing counties, stakeholders and other interested parties that on May 6, 2020, OAL approved and filed the MHSA Fiscal Regulations with the Secretary of State. The MHSA Fiscal Regulations amends and adds to Articles 2, 4 and 5, under Title 9, Division 1, Chapter 14 of the CCR. The approved regulations and additional related information may be accessed through DHCS at [DHCS-16-009 - Mental Health Services Act Fiscal Regulations](#). On July 1, 2020, the regulations become law and may be accessed through the [California Code of Regulations](#) website.

Please send any questions regarding this Information Notice to MHSA@dhcs.ca.gov.

Sincerely,

Original signed by

Marlies Perez, Chief
Community Services Division