Wednesday, January 18, 2023 1:30 pm to 5:00 pm Holiday Inn San Diego Bayside 4875 North Harbor Drive, San Diego, CA 92106 Point Loma Room

1:30 pm	Welcome and Introductions Tony Vartan, Chairperson	
1:35 pm	Change of Officers Tony Vartan, Chairperson	
1:40 pm	October 2022 Meeting Minutes Barbara Mitchell, Chair-Elect	Tab 1
1:45 pm	Review/Approve CBHPC Policy Platform Action Item Naomi Ramirez, Legislative Coordinator	Tab 2
1:50 pm	Legislation Committee Overview Deborah Starkey, Incoming Council Chairperson Jenny Bayardo, CBHPC Executive Officer All Committee Members	Tab 3
2:05 pm	Public Comment	
2:10 pm	CBHDA Legislative Priorities for 2023 Governor's Proposed 2023-24 Budget Highlights Gail Gronert, Director of Strategic Initiatives, CBHDA	Tab 4
2:50 pm	Public Comment	
2:55 pm	California Council of Community Behavioral Health Agencies (CBHA) Priorities for 2023 Le Ondra Clark Harvey, Ph.D., Chief Executive Officer, CBH.	Tab 5 A
3:25 pm	Break	
3:40 pm	California Association of Alcohol and Drug Program Executives (CAADPE) Priorities for 2023 Robb Layne, Executive Director, CAADPE	Tab 6
4:10 pm	Assemblymember Jasmeet Baines 2023 Priorities (Invited)	Tab 7
4:40 pm	Public Comment	

4:45 pm Next Steps

Veronica Kelley, Chairperson and all Committee Members

4:55 pm Public Comment

5:00 pm Adjourn

The scheduled times on the agenda are estimates and subject to change.

<u>Legislation Committee Members</u>

Veronica Kelley, Chairperson Barbara Mitchell, Chair-Elect

Tony VartanDaphne ShawMarina RangelKaren BaylorDeborah StarkeyDarlene PrettymanSusan WilsonMonica CaffeyNoel O'NeillHector RamirezAngelina WoodberryJoanna Rodriguez

Vandana Pant Javier Moreno Catherine Moore

TAB 1

California Behavioral Health Planning Council Legislation Committee

Wednesday, January 18, 2023

Agenda Item: October 2022 Meeting Minutes

Enclosures: Draft October 2022 Meeting Minutes

Background/Description:

The Committee Members will review the October 2022 meeting minutes. The draft minutes will be adopted with any edits that are requested and agreed upon.

Wednesday, October 19, 2022 1:30 pm to 5:00 pm Courtyard Sacramento Midtown 4422 Y Street, Sacramento, California, 95817 Orchid Room

Members Present:

Tony Vartan, Chairperson Veronica Kelley, Chair-Elect

Catherine Moore Deborah Starkey Uma Zykofsky
Daphne Shaw Marina Rangel Karen Baylor
Susan Wilson Angelina Woodberry Steve Leoni
Barbara Mitchell Monica Caffey Noel O'Neill

Vandana Pant Darlene Prettyman

Meeting Commenced at 1:30 p.m.

Item #1 Approve June 2022, July 2022, August 2022 and

September 2022 Meeting Minutes

Noel O'Neill moved that the committee accept June 2022, July 2022, August 2022, and September 2022 meeting minutes as written without any edits. All members of the committee were in agreement to adopt the minutes. Steve Leoni abstained.

Item #2 CBHPC Year-End Legislative Report

Naomi Ramirez, the CBHPC Legislative Coordinator, provided an overview of the Council's 2022 Year-End Legislative Report. The report includes all bills the committee took positions on and their outcomes. A key piece of legislation the Council focused advocacy efforts on was SB 1338, which was signed by the Governor and established Care Court although many organizations including the Council expressed great concern. Steve Leoni highlighted AB 2242 which the Council opposed because it allows MHSA dollars to be for services provided under LPS holds and conservatorships.

Item #3 CBHDA CARE Court Update

Gail Gronert, Director of CBHDA Strategic Initiatives provided an update on CARE Court. Senate Bill 1338, which established CARE Court was signed by Governor Newsom on September 14, 2022. Gail provided background information on the legislative process the bill went through and an overview of the provisions that were included in the final version that went into print on August 25th. The final legislation:

- Identifies the Counties of Glenn, Orange, Riverside, San Diego, Stanislaus, and Tuolumne and the City and County of San Francisco as the first cohort required to implement the program commencing October 1, 2023.
- Requires the remaining counties to commence no later than December 1, 2024.
- Ensures reimbursements from private insurance for services provided by the safety net.
- Includes a contingent operation making the program contingent upon the State Department of Health Care Services developing an allocation to provide financial assistance to counties.

Although many legislators asked questions and raised concerns at the hearings, the legislative vote to pass SB 1338 was almost unanimous. Assemblymembers Kalra and Assemblymember Stone had no votes and five other Assemblymembers abstained.

The counties are currently reviewing the final provisions and will be working with the administration over the fall to highlight provisions of work and funding to make the program successful. The first cohort counties are currently reviewing their landscape, including their programs with courts and an estimation on who may fall into the client population. They are also working on understanding the court process, as they face sanctions tied to very intense timeframes. Questions remain around the counties partnership with the court system, the petition process, and timeframes. Additionally, although the Governor and his team assert that the Care Court program is not LPS reform, there remains concern around the potential expansion of the reach of LPS and the desire within the legislature to do so.

Item #4 Discussion with Assemblymember Ramos

Assemblymember Ramos provided an update on the legislation he authored during the 2021-2022 legislative session. The Assemblymember had Assembly Bill (AB) 2317 and AB 1628 successfully make it through the legislative process and receive the Governor's signature. Assembly Bill 2317 was a 2-year bill that requires the Department of Health Care Services to license and establish regulations for psychiatric residential

treatment facilities for children. AB 1628 holds social media platforms accountable to create and publicly post their policy on the use of the platform to illegally sell controlled substances, in an effort to address the fentanyl crisis. AB 2144 and AB 2663 were vetoed by the Governor. AB 2144 would require the Department of Health Care Services and the Department of Justice to share information on LPS holds. AB 2663 would have created a 5-year pilot program to increase permanency outcomes for lesbian, gay, bisexual, transgender, queer, or plus (LGBTQ+) and gender-expansive youth in up to 5 counties. The Assemblymember- plans to utilize the Governor's feedback and re-introduce both vetoed bills in the upcoming legislative session.

Assemblymember Ramos expressed a willingness to meet with the Council to discuss potential legislation to address the funding and infrastructure needs for patient's rights advocates that serve the behavioral health populations.

Item #5 CBHPC Legislative Approach

Tony Vartan, Chairperson, lead a discussion on the committee's legislative approach. He reviewed the positions the committee can take on legislation and recommended that members consider the approach they would like to take in the coming session to improve the Council's relationships and ensure that the Council is viewed as a collaborative partner with a positive approach. Members requested minor revisions to the Council's Legislative Process and asked that the document be included with meeting materials when the committee reviews legislation. Additionally, members felt it is important to be cautious of how many positions the Council takes to ensure adequate advocacy throughout the entire legislative process.

Item #6 Review of the CBHPC Policy Platform

Naomi Ramirez, Council Staff, outlined the revisions that were requested by the Workforce and Employment Committee (WEC) and the Systems and Medicaid Committee (SMC) to ensure the document reflects the current work of each committee. The Legislative Committee members agreed with the proposed SMC revisions and asked staff to make the WEC revisions more concise. The committee will review the updated document at the January 2023 meeting.

Item #7 Nomination of Chair-Elect

Steve Leoni made a motion to nominate Barbara Mitchell as the Legislation Committee Chair-Elect. The motion was seconded by Daphne Shaw and passed by all committee members. Barbara Mitchell accepted the nomination and will be the Chair-Elect starting at the January 2023 meeting.

Wednesday, January 18, 2023

Agenda Item: Review/Approve CBHPC Policy Platform

Enclosures: Draft CBHPC Policy Platform

How This Agenda Item Relates to Council Mission

To review, evaluate and advocate for an accessible and effective behavioral health system.

The CBHPC is mandated to advocate for an accountable system of responsive services that are strength-based, recovery-oriented, culturally and linguistically responsive, and cost-effective. To achieve these ends in an effective manner, the Council utilizes a Legislative Platform that clearly directs the policy consideration of legislation during the legislative session. Additionally, the Council's Platform educates the public, the behavioral health constituency, and legislators on the Council's perspective on various issues.

Background/Description:

The platform was developed to be utilized by staff to identify bills to bring to the committee for discussion and potential positions. The platform also gives the public an idea of who the Council is and what we stand for. The committee spent time at the April, June, and October 2019 meetings revising the Council's long-standing Policy Platform and adopted the final version in January 2020. During the process, members decided that the Policy Platform should be organized in a format that clearly defines the Council's values in key areas. Since the Council had just reorganized with new committees the document was developed around the new committee's areas of focus. Since that time these committees have evolved and some of the overviews provided do not fully encompass the current focus of their work.

At the October 2022 meeting, the committee reviewed revisions proposed by the Workforce and Employment Committee (WEC) and the Systems and Medicaid Committee (SMC), to their respective sections. The committee approved the revisions to the SMC section and asked staff to make the revisions to the WEC section briefer. During this agenda item members will have an opportunity to review the updated revisions and vote to adopt them into the updated Policy Platform.

Motion: To adopt the revised CBHPC Policy Platform.



Policy Platform

The California Behavioral Health Planning Council (CBHPC) is mandated by federal and state statutes to advocate for children with serious emotional disturbance and their families and for adults and older adults with serious mental illness; to review and report on outcomes for the public mental health system; and to advise the Department of Health Care Services and the Legislature on policies and priorities the state should pursue in developing its mental health and substance use disorder systems.

MISSION

To review, evaluate and advocate for an accessible and effective behavioral health system.

VISION

A behavioral health system that makes it possible for individuals to lead full and purposeful lives.

GUIDING PRINCIPLES

Wellness and Recovery: Wellness and recovery may be achieved through multiple pathways that support an individual to live a fulfilled life and reach their full potential.

Resiliency Across the lifespan: Resilience emerges when individuals of all ages are empowered and supported to cope with life events.

Advocacy and Education: Effective advocacy for policy change statewide starts with educating the public and decision makers on behavioral health issues.

Consumer and Family Voice: Individuals and family members are included in all aspects of policy development and system delivery.

Cultural Humility and Responsiveness: Services must be delivered in a way that is responsive to the needs of California's diverse populations and respects all aspects of an individual's culture.

Parity and System Accountability: A quality public behavioral health system includes stakeholder input, parity and performance measures that improve services and outcomes.

INTRODUCTION

The purpose of the Policy Platform is to outline CBHPC's perspectives on priority issues and legislation to effectively advocate for access to timely and appropriate care to improve the quality of life for persons with serious mental illness/emotional disturbance, including those dually diagnosed with substance use disorders. The Platform is intended to be used by staff to identify legislation of interest to the Council and inform stakeholders of the Council's perspective on priority policy areas. All aspects of the guiding principles are considered in the positions the Council takes.

The perspective of the Council on overarching behavioral health issues, as well as priority policy areas are outlined in the sections below.

OVERARCHING BEHAVIORAL HEALTH PRINCIPLES

- 1. Reduce and eliminate stigma and discrimination.
- 2. Augment behavioral health funding, consistent with the principles of least restrictive care and adequate access, and oppose any cuts.
- 3. Promote the principles of the Mental Health Master Plan.
- 4. Promote appropriate services to be delivered in the least restrictive setting possible.
- 5. Support the mission, training and resources for local behavioral health boards and commissions.
- 6. Encourage the quality of the stakeholder process, improves the participation of consumers and family members, and fully represents the racial/cultural and age demography of the targeted population.
- 7. Uphold the principles and practices of the Mental Health Services Act.

PRIORITY POLICY AREAS

PATIENT RIGHTS

The Council is mandated to monitor and report on the access, depth, sufficiency, and effectiveness of advocacy services provided to psychiatric patients. Additionally, to advise the directors of CA Department of State Hospitals and CA Department of Health Care Services on policies and practices that affect patients' rights at the county and state-level public mental health system provider sites.

The Patient's Rights Committee (PRC)is currently focused on the rights of psychiatric patients in county jails.

SUPPORT

- 1. Consistent application of WIC Sections regarding the duties of Patients' Rights Advocates, especially WIC sections 5150, 5151, and 5152.
- 2. Attaining information from Patients' Rights Advocates on activities, procedures and priorities.
- 3. Informing local Mental Health Boards on the duties of Patients' Rights Advocates.
- 4. Addressing the ratio of Patients' Rights Advocates to the general population.
- 5. Effective training for Patient's Rights Advocates.
- 6. Whistleblower protections for all Patient's Rights Advocates.

BEHAVIORAL HEALTH SYSTEM ACCOUNTABILITY AND EVALUATION

The Planning Council is mandated in state law to review and report on the public mental health system, to advocate for adults and older adults with serious mental illnesses and children and youth with serious emotional disturbances and their families, and to make recommendations regarding mental health policy development and priorities. This duty includes the following:

- Reviewing, assessing, and making recommendations regarding all components of the mental health and substance use disorder systems.
- Reviewing and approving performance indicators.
- Reviewing and reporting annually on the performance of mental health and substance use disorder programs based on data from performance indicators.
- Periodically reviewing the State's data systems and paperwork requirements to ensure they are reasonable.

The Performance Outcomes Committee (POC) surveys all counties annually through the Data Notebook. The theme of each notebook is determined by members and the information collected is intended to assist in closing the gaps on data and support the work of the Council.

SUPPORT

- 1. Require increased use and coordination of data and evaluation processes at all levels of behavioral health services.
- 2. Adequate funding of evaluation of mental/behavioral health services.

HOUSING AND HOMELESSNESS

The Council actively engages with stakeholder organizations to influence policy and ensure access to programs by homeless individuals who are served by the public behavioral health system. The Council also advocates on legislation and regulatory matters related to the housing crisis in California and funding and programs to serve persons who have mental illness and are homeless.

The Housing and Homelessness Committee (HHC) intends to monitor, review, evaluate and recommend improvements in the delivery of housing services and addressing the state's homeless population. The committee intends to highlight and recognize outstanding service delivery programs, so that effective programs can be duplicated and shared throughout the state of California. Existing efforts for this committee's consideration include: Housing First Policy, No Place Like Home (NPLH), Homeless Coordinating and Financing Council (HCFC) California Interagency Council on Homelessness (CAL ICH) and Mental Health Service Act (MHSA) Housing Programs. Additionally, the committee is leading the Council's efforts in addressing the current crisis with Adult Residential Facilities.

SUPPORT

- 1. Lowering costs by eliminating duplicative, unnecessary, or ineffective regulatory or licensing mechanisms of programs or facilities.
- Development of housing subsidies and resources so that housing is affordable to people living on Social Security Income (SSI)/Social Security Disability Insurance (SSDI) and people with similar limited incomes.
- 3. Expanding affordable housing and affordable supportive housing.
- 4. Initiative/policies to mitigate "Not In My Back Yard" (NIMBY) and restrictions on housing and siting facilities for providing behavioral health services.

WORKFORCE AND EMPLOYMENT

The Welfare and Institution Code provides the Council with specific responsibilities in to advise the Department of Health Care Access and Information (HCAI) on education and training policy development and also to provide oversight for the development of the Five-Year Education and Training Development (WET) Plan, as well as review and approval authority of the final plan.

The Workforce and Employment Committee (WEC) works closely with HCAI staff to provide input, feedback and guidance and acts as the conduit for presenting information to the full Council membership as it relates to its responsibilities set in law. Additionally, the committee leads efforts to secure funding for the WET plan. Aside from the activities

related to the WET Plan, the committee is focused on addressing the employment of individuals with psychiatric disabilities <u>and substance use disorders</u>, <u>as well as advocating for an adequate supply of and funding for behavioral health professionals across various provider types. Additionally, the WEC tracks, participates, and comments on workforce initiatives created by DHCS, CalHHS, advocacy groups, educational institutions, and other partner organizations.</u>

SUPPORT

- 1. Expand employment options for people with psychiatric disabilities, particularly processes that lead to certification and more professional status and establish stable career paths.
- 2. Address the human resources problem in the public behavioral health system with specific emphasis on increasing cultural diversity in efforts to reduce disparities and promote the employment of consumers and family members.
- 3. Ensure an adequate supply of and funding for behavioral health professionals to provide timely access to high-quality, culturally responsive, and equitable health care services for consumers served in the Public Behavioral Health System.

BEHAVIORAL HEALTH SYSTEM/CONTINUUM OF CARE

The Council is statutorily required to advocate for timely access and continuity of care for persons with SMI and SED, addressing all levels of care from acute care to recovery of vocation and functionality across the lifespan. The Council's membership includes the voice of consumers and family members in its statewide policy development. In addition to the federal planning duties, state law mandates additional responsibilities and duties that include:

- Advising the Legislature, Department of Health Care Services, and county boards on mental health and substance use disorder issues and the policies and priorities that this state should be pursuing.
- Make recommendations to the Department on awarding grants to county programs to reward and stimulate innovation
- Advise the Director on the development of the State mental health plan and its priorities.
- Conduct public hearings on the State mental health plan, Community Mental Health Services Block Grant, and on other topics as needed.

The Systems and Medicaid Committee (SMC) is focused on Medicaid reform and transformation of California's public behavioral health system. The SMC is currently tracking California's Medicaid Infrastructure via the CalAIM 1115 and 1915(b) Waivers which provide the bulk of California's Medicaid Infrastructure. The Committee's activities include exploring options for the future system, engaging with various behavioral health stakeholders, and soliciting input to develop recommendations for the Department of Health Care Services. Additionally, the Committee is interested in promoting

collaboration with areas of intersection with behavioral health and other systems including:

- Physical Health Care
- Child Welfare
- Juvenile Justice
- Criminal Justice
- Education
- Developmental Disabilities
- Vocational Rehabilitation
- Employment
- Aging

SUPPORT

- 1. Promote the integration of mental health, substance use disorders and physical health care services.
- 2. Safeguard behavioral health care parity and ensuring quality behavioral health services in health care reform.
- Provide comprehensive health care and improved quality of life for people living with mental illness, and oppose any elimination of health benefits for low income beneficiaries, and advocate for reinstatement of benefits that have been eliminated.
- 4. Reduce disparities and improving access to behavioral health services, particularly to unserved, underserved populations, and maintain or improve quality of services.
- 5. Reduce the use of seclusion and restraint to the least extent possible.

Wednesday, January 18, 2023

Agenda Item: Legislation Committee Overview

Enclosures: None

How This Agenda Item Relates to Council Mission

To review, evaluate and advocate for an accessible and effective behavioral health system.

This agenda item will give Committee Members an opportunity to discuss how the current work of the committee aligns with the Council's mission and vision.

Background/Description:

The Council's new Chairperson (Deborah Starkey), nominated Chair-Elect (Tony Vartan) & new Executive Officer (Jenny Bayardo) will join the committee for a discussion. The following three questions will be addressed during the discussion:

- 1. How does the committee align with the Vision and Mission of the Council?
- 2. How does this committee align with the Council's mandates in Welfare and Institutions Code?
- 3. What does the committee's Chairperson hope to accomplish in the coming year?

Wednesday, January 18, 2023

Agenda Item: CBHDA Legislative Priorities for 2023

Governor's Proposed 2023-24 Budget Highlights

Enclosures: None

How This Agenda Item Relates to Council Mission

To review, evaluate and advocate for an accessible and effective behavioral health system.

This presentation is intended to inform the committee on the Governor's Proposed 2023-24 State Budget and assist the members with identifying areas of focus for the coming year. Additionally, this presentation will assist the committee in identifying areas the Council can work with CBHDA to advocate for Californians with serious mental illness and substance use disorders and promote a system of services that are accountable, accessible, and responsive.

Background/Description:



Gail Gronert, CBHDA, Director of Strategic Initiatives, will discuss their priorities for 2023 and provide an overview of the Governor's Proposed 2023-24 State Budget. Gail is responsible for helping lead CBHDA's budget and advocacy efforts and provides strategic guidance to advance CBHDA's mission. Before joining CBHDA, she spent over two decades working in and around the California State Capitol. Most recently, she was a Special Assistant to the Speaker of the California State Assembly, serving as a member of the leadership policy team for the tenure of eight Speakers.

Wednesday, January 18, 2023

Agenda Item: CBHA Priorities for 2023

Enclosures: None

How This Agenda Item Relates to Council Mission

To review, evaluate and advocate for an accessible and effective behavioral health system.

This presentation is intended to assist the committee in identifying areas the Council can work with CBHA to advocate for Californians with serious mental illness and substance use disorders and promote a system of services that are accountable, accessible, and responsive.

Background/Description:



Dr. Clark Harvey is a psychologist and the Chief Executive Officer of the California Council of Community Behavioral Health Agencies (CBHA). CBHA is a statewide advocacy organization representing mental health and substance use disorder non-profit agencies that collectively serve approximately one million Californians. She is also the Executive Director of the California Access Coalition- a group of advocacy organizations and pharmaceutical industry companies that advocates for patient access to behavioral health treatment. Dr. Clark Harvey has previously served as Chief

Consultant to the California State Assembly Committee on Business and Professions, Principal Consultant to the Senate Committee on Business, Professions and Economic Development, and a health policy consultant to the office of former Senator Curren D. Price, Jr.

Prior to her work within the California Legislature, she completed her Ph.D. in Counseling Psychology at the University of Wisconsin, Madison. She completed her pre-doctoral fellowship at the University of Southern California Children's Hospital Los Angeles and a post-doctoral fellowship at the University of California, Los Angeles Mattel Children's Hospital.

Dr. Clark Harvey has maintained an impressive record of leadership including serving on national and local boards including the National Council of Mental Wellbeing, American Psychological Association, Association of Black Psychologists, Sacramento County Public Health Advisory Board and the Sacramento County Children's Coalition. Dr. Clark Harvey has received numerous local and national awards. In 2020, she was appointed by California Governor Gavin Newsom to his Master Plan on Aging Advisory Committee and Behavioral Health Task Force. In 2021, she was appointed by California Lieutenant Governor, Eleni Kounalakis, to the California Institute for Regenerative Medicine Board and by the federal Assistant Secretary for Mental Health and Substance Use to the Substance Abuse and Mental Health Services Administration's Advisory Committee for Women's Services.

Wednesday, January 18, 2023

Agenda Item: CAADPE Priorities for 2023

Enclosures: None

How This Agenda Item Relates to Council Mission

To review, evaluate and advocate for an accessible and effective behavioral health system.

This presentation is intended to assist the committee in identifying areas where the Council can work with CAADPE to advocate for Californians with serious mental illness and substance use disorders and to promote a system of services that are accountable, accessible, and responsive.

Background/Description:



Robb Layne, CAADPE Executive Director, will discuss their priorities for 2023. Prior to joining CAADPE in July 2022, he served as Senior Advocate, Policy & Legislative Affairs for the California Council of Community Behavioral Health Agencies and has over a decade of experience in the California State Senate and Assembly as legislative and committee staff. Additionally, he has a significant amount of healthcare executive experience during his tenure at Partnership HealthPlan of California and association experience while working at the County Behavioral Health Director's Association and the California Council of Community Behavioral Health Agencies.

Wednesday, January 18, 2023

Agenda Item: Assemblymember Jasmeet Baines- 2023 Priorities

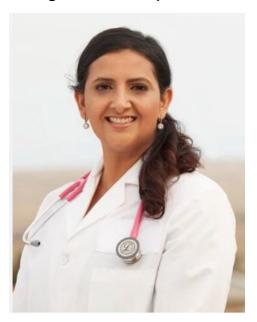
Enclosures: None

How This Agenda Item Relates to Council Mission

To review, evaluate and advocate for an accessible and effective behavioral health system.

This presentation is intended to assist the committee in identifying areas the Council can partner with and support Assemblymember Baines to advocate for individuals with serious mental illness and substance use disorders and to promote a system of services that are accountable, accessible, and responsive.

Background/Description:



Assemblymember Dr. Jasmeet Bains was elected to the California State Assembly in November of 2022 to represent the 35th Assembly District, which stretches from Arvin to Delano and includes much of East Bakersfield.

Assemblymember Bains worked as a family doctor providing primary healthcare to families throughout the Valley. Dr. Bains also serves as a volunteer with Global Family, an organization dedicated to combating human trafficking and child abuse, on the San Joaquin Valley Air District's Environmental Justice Advisory group, working to improve our Valley's air and water quality and on the Taft College Foundation, fighting to expand access to higher education.

The daughter of immigrant parents from India, Dr. Bains, grew up in the Valley. After graduating from medical school, Jasmeet returned home and completed her residency at Clinica Sierra Vista in Kern County, choosing to work in underserved healthcare settings to increase access to healthcare and served as Medical Director at Bakersfield Recovery Services overseeing substance abuse, addiction, and mental health rehabilitation. She was appointed by then Governor Brown to the California Healthcare Workforce Policy Commission and was awarded the 2019 Hero of Family Medicine by the California Academy of Family Physicians, and the 2021 Beautiful Bakersfield Award from the Greater Bakersfield Chamber of Commerce.