



**NEVADA COUNTY
HEALTH & HUMAN SERVICES
AGENCY**

BEHAVIORAL HEALTH DEPARTMENT
(Mental Health, Drug and Alcohol Program)

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April 21, 2015

Honorable Board of Supervisors
Eric Rood Administrative Center
950 Maidu Avenue
Nevada City, CA 95959

DATE OF MEETING: May 12, 2015

SUBJECT: Resolution of Support for Assembly Bill (Eggman) 1193 which would delete the provisions that authorize a county to elect to participate in the Assisted Outpatient Treatment (AOT) Demonstration Project Act of 2002 (Laura's Law), and instead would require each county to implement the provisions of Laura's Law unless the county elects not to participate in the program by enacting a resolution passed by the county board of supervisors, and which extends the repeal date of the statute from January 1, 2017 until January 1, 2022.

RECOMMENDATION: Approve the attached Resolution.

FUNDING: Existing law authorizes participating counties to pay for the AOT services provided from moneys distributed to the counties from various continuously appropriated funds, including the Mental Health Services Act (MHSA) Fund. AB 1193 provides that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions. There would be no impact on county general fund dollars related to passage of AB 1193.

BACKGROUND: AB 1421, also known as Laura's Law, was passed into law in 2002, instigated by the tragic January 10, 2001 killings by an untreated mentally ill individual of three local Nevada County residents, including Laura Wilcox, a young Behavioral Health Department college intern. This law allows for court-ordered Assisted Outpatient Treatment. AOT permitted counties to provide treatment services for people with serious mental illnesses when a court finds that a person's recent history of hospitalization or violent behavior, and noncompliance with voluntary treatment, indicates the person is likely to become dangerous or gravely disabled without outpatient treatment. Laura's Law is a way to see that community treatment is available to help individuals who lack insight into their illness (anosognosia) and have been unable to utilize other community services. AOT fills a gap in the treatment continuum, and allows for a treatment option that is less restrictive than a locked inpatient facility via the W&I 5150 process.

Under AB 1421, a person subject to AOT must live in a county operating an AOT Program authorized by Resolution by that County's Board of Supervisors. Nevada County, per Resolution No. 08-164, adopted April

22, 2008, authorized implementation of Laura's Law (AB 1421) in Nevada County.

Since our county began implementation in 2008, we have witnessed a reduction in utilization of hospital days among participants who had previously been unable to access voluntary community services because of their illness. One of the striking findings of the program is not only improved clinical outcomes for participants, but also the financial benefit realized by Nevada County in terms of taxpayer expense. For every \$1 spent on the Assisted Outpatient Treatment program, preventing acute psychiatric hospitalizations and jailing saved \$1.81. In summary, AOT resulted in a 45% net savings (\$503,621) for Nevada County over the first 30 months of the program. If Assisted Outpatient Treatment were adopted statewide, the projected savings for the rest of the state over the 30 months is estimated to be approximately \$189,491,479 based on these results. Numerous studies of New York's similar AOT law, also known as Kendra's Law, found that in the first five years of the program the individuals who received treatment orders experienced an increase in engagement of services, increase in adherence to prescribed medications, a reduction in hospitalizations, a decrease in homelessness, and a reduction in arrests, and a decrease in incarcerations.

Assembly Bill 1193, as introduced would require each county to implement the provisions of Laura's Law unless the county elects not to participate in the program by enacting a resolution passed by that county's board of supervisors. The Bill also extends the provisions of the law until January 1, 2022. Existing law authorizes various persons to request the county mental health director to file a petition in the superior court for an order for assisted outpatient treatment for a person who meets specified criteria. The law requires the county mental health director to investigate the appropriateness of filing a petition. AB 1193, would additionally authorize a judge in a superior court to request a petition for that order to be filed for a person who appears before the judge.

Behavioral Health supports AB 1193, as further statewide implementation of AOT offers more tools and advantages to being able to successfully treat clients such as:

- It allows individuals to be ordered into treatment without ordering them into a hospital.
- The criteria to place someone in assisted outpatient treatment are easier to meet than the "imminent dangerousness" standard often required for inpatient commitment. In other words, there is no need to wait until a deteriorating patient actually is dangerous to self or others, as in the inpatient standard. Under AOT you can start procedures to "prevent a relapse" that could lead to dangerousness.
- The law not only allows courts to commit the patient to accepting care, it also allows courts to commit the mental health system to providing it. This is important because programs often reject serving those with serious illness or look the other way if the patient fails to show up for services.

The law includes strict eligibility criteria and numerous patient protections.

It is recommended that the Board of Supervisors adopts the attached Resolution, as AB 1193 would extend the term of AOT legislation, and promote statewide AOT implementation as a tool available for providing the legal and clinical treatment structure necessary to give severely mentally ill individuals who chronically refuse

voluntary treatment the support they need to achieve stability and meaningful recovery in their communities.

Please contact me if any additional information is required.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rebecca Slade" followed by a smaller, less legible signature.

Rebecca Slade, MFT
Interim Behavioral Health Director

RS/cs

Attachment(s):

Resolution of Support for AB 1193

Eggman Fact Sheet

Assembly Bill No. 1193