

Introduced by Senator Roth

January 22, 2015

An act to amend Section 5600.3 of the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

SB 130, as introduced, Roth. Mental Health.

Existing law requires every county to establish a community mental health service. Existing law requires cities and counties to use specified funds to establish and maintain a local health and welfare trust fund. To the extent resources are available, existing law directs that the primary goal of the use of the mental health account in that trust fund is to serve specified populations.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5600.3 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 5600.3. To the extent resources are available, the primary goal
- 4 of the use of funds deposited in the mental health account of the
- 5 local health and welfare trust fund should be to serve the target
- 6 populations identified in the following categories, which shall not
- 7 be construed as establishing an order of priority:
- 8 (a) (1) Seriously emotionally disturbed children or adolescents.

(2) For the purposes of this part, “seriously emotionally disturbed children or adolescents” means minors under the age of 18 years who have a mental disorder as identified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, other than a primary substance use disorder or developmental disorder, which results in behavior inappropriate to the child’s age according to expected developmental norms.

Members

(3) *Members* of this target population shall meet one or more of the following criteria:

(A) As a result of the mental disorder, the child has substantial impairment in at least two of the following areas: self-care, school functioning, family relationships, or ability to function in the community; and either of the following occur:

(i) The child is at risk of removal from home or has already been removed from the home.

(ii) The mental disorder and impairments have been present for more than six months or are likely to continue for more than one year without treatment.

(B) The child displays one of the following: psychotic features, risk of ~~suicide~~ *suicide*, or risk of violence due to a mental disorder.

(C) The child meets special education eligibility requirements under Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code.

(b) (1) Adults and older adults who have a serious mental disorder.

(2) For the purposes of this part, “serious mental disorder” means a mental disorder that is severe in degree and persistent in duration, which may cause behavioral functioning which interferes substantially with the primary activities of daily living, and which may result in an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period of time. Serious mental disorders include, but are not limited to, schizophrenia, bipolar disorder, post-traumatic stress disorder, as well as major affective disorders or other severely disabling mental disorders. This section shall not be construed to exclude persons with a serious mental disorder and a diagnosis of substance abuse, developmental disability, or other physical or mental disorder.

1 (3) Members of this target population shall meet all of the
2 following criteria:

3 (A) The person has a mental disorder as identified in the most
4 recent edition of the Diagnostic and Statistical Manual of Mental
5 Disorders, other than a substance use disorder or developmental
6 disorder or acquired traumatic brain injury pursuant to subdivision
7 (a) of Section 4354 unless that person also has a serious mental
8 disorder as defined in paragraph (2).

9 (B) (i) As a result of the mental disorder, the person has
10 substantial functional impairments or symptoms, or a psychiatric
11 history demonstrating that without treatment there is an imminent
12 risk of decompensation to having substantial impairments or
13 symptoms.

14 (ii) For the purposes of this part, “functional impairment” means
15 being substantially impaired as the result of a mental disorder in
16 independent living, social relationships, vocational skills, or
17 physical condition.

18 (C) As a result of a mental functional impairment and
19 circumstances, the person is likely to become so disabled as to
20 require public assistance, services, or entitlements.

21 (4) For the purpose of organizing outreach and treatment options,
22 to the extent resources are available, this target population includes,
23 but is not limited to, ~~persons who are any of the following:~~
24 *following persons:*

25 (A) Homeless persons who are mentally ill.

26 (B) Persons evaluated by appropriately licensed persons as
27 requiring care in acute treatment facilities including state hospitals,
28 acute inpatient facilities, institutes for mental disease, and crisis
29 residential programs.

30 (C) Persons arrested or convicted of crimes.

31 (D) Persons who require acute treatment as a result of a first
32 episode of mental illness with psychotic features.

33 (5) California veterans in need of mental health services and
34 who meet the existing eligibility requirements of this section, shall
35 be provided services to the extent services are available to other
36 adults pursuant to this section. Veterans who may be eligible for
37 mental health services through the United States Department of
38 Veterans Affairs should be advised of these services by the county
39 and assisted in linking to those services.

1 (A) No eligible veteran shall be denied county mental health
2 services based solely on his or her status as a veteran.

3 (B) Counties shall refer a veteran to the county veterans service
4 officer, if any, to determine the veteran's eligibility for, and the
5 availability of, mental health services provided by the United States
6 Department of Veterans Affairs or other federal health care
7 provider.

8 (C) Counties should consider contracting with community-based
9 veterans' services agencies, where possible, to provide high-quality,
10 veteran specific mental health services.

11 (c) Adults or older adults who require or are at risk of requiring
12 acute psychiatric inpatient care, residential treatment, or outpatient
13 crisis intervention because of a mental disorder with symptoms of
14 psychosis, suicidality, or violence.

15 (d) Persons who need brief treatment as a result of a natural
16 disaster or severe local emergency.