
Introduced by Senator Vidak

February 23, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

SB 301, as introduced, Vidak. Mental health.

Existing law contains provisions governing the operation and financing of community mental health services for the mentally disordered in every county through locally administered and locally controlled community mental health programs.

This bill would make technical, nonsubstantive changes to the latter 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.
9 (2) For the purposes of this part, "seriously emotionally
10 disturbed children or adolescents" means minors under the age of
11 ~~18 years~~ 18 years of age who have a mental disorder as identified

1 in the most recent edition of the Diagnostic and Statistical Manual
2 of Mental Disorders, other than a primary substance use disorder
3 or developmental disorder, which results in behavior inappropriate
4 to the child's age according to expected developmental norms.
5 Members of this target population shall meet one or more of the
6 following criteria:

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

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

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

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

18 (C) The child meets special education eligibility requirements
19 under Chapter 26.5 (commencing with Section 7570) of Division
20 7 of Title 1 of the Government Code.

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

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

36 (3) Members of this target population shall meet all of the
37 following criteria:

38 (A) The person has a mental disorder as identified in the most
39 recent edition of the Diagnostic and Statistical Manual of Mental
40 Disorders, other than a substance use disorder or developmental

1 disorder or acquired traumatic brain injury pursuant to subdivision
2 (a) of Section 4354 unless that person also has a serious mental
3 disorder as defined in paragraph (2).

4 (B) (i) As a result of the mental disorder, the person has
5 substantial functional impairments or symptoms, or a psychiatric
6 history demonstrating that without treatment there is an imminent
7 risk of decompensation to having substantial impairments or
8 symptoms.

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

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

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

20 (A) Homeless persons who are mentally ill.

21 (B) Persons evaluated by appropriately licensed persons as
22 requiring care in acute treatment facilities including state hospitals,
23 acute inpatient facilities, institutes for mental disease, and crisis
24 residential programs.

25 (C) Persons arrested or convicted of crimes.

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

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

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

37 (B) Counties shall refer a veteran to the county veterans service
38 officer, if any, to determine the veteran’s eligibility for, and the
39 availability of, mental health services provided by the United States

1 Department of Veterans Affairs or other federal health care
2 provider.

3 (C) Counties should consider contracting with community-based
4 veterans' services agencies, ~~where~~ *when* possible, to provide
5 high-quality, veteran specific mental health services.

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

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