June 25, 2013

The Honorable Richard Pan, Chair
Assembly Health Committee
State Capitol Room 6005
Sacramento, CA 95814

SUBJECT: SB 364 (Steinberg) Mental health
As Amended on June 24, 2013 – SUPPORT
Set for Assembly Health Committee on July 2, 2013

Dear Assembly Member Pan:

On behalf of the California Mental Health Directors Association (CMHDA), which represents the directors of public mental health authorities in counties throughout California, I am writing to communicate our support of SB 364 by Senate Pro Tempore Darrell Steinberg, which makes revisions and clarifications to the Lanterman-Petris-Short (LPS) Act.

The LPS Act provides for the involuntary detention, assessment, evaluation, and crisis intervention of persons who, due to a mental disorder, may pose a danger to themselves or others, or are gravely disabled. We appreciate that Senator Steinberg has endeavored through SB 364 to provide a number of helpful clarifications to the LPS Act, while upholding the original intent of these landmark civil rights statutes. Specifically, we support that SB 364:

- Clarifies that telehealth evaluations are permitted, which are helpful for ensuring the availability of prompt evaluations, particularly in rural counties and in hospital emergency departments that are designated by counties;
- Authorizes each county to develop written procedures for the designation and training of professionals it designates to carry out LPS Act functions;
- Clarifies and provides consistency that four groups of individuals are authorized to take or cause to be taken, a person into custody for assessment, evaluation and crisis intervention or to place them in a designated facility: peace officers, professional persons in charge of a designated facility, members of the attending staff of a designated facility, or professional persons designated by the county;
- Empowers assessment, evaluation, and crisis intervention to occur in the field, rather than require these activities to occur only within the confines of designated facilities;
- Removes the unnecessary and burdensome administrative process of requiring the facilities that counties have designated under the LPS Act to also be “approved” by the state;
- Broadens the types of facilities that may be designated by counties to include, for example, crisis stabilization units; and
- Moves a number of existing provisions of law to earlier locations in order to better reflect the sequence of events that may occur under the LPS Act.
For these reasons, we are pleased to support SB 364 and request your AYE vote. Please do not hesitate to contact me at (916) 556-3477, ext. 112, or kbarlow@cmhda.org with any questions you may have.

Sincerely,

Kirsten Barlow
Associate Director, Legislation and Public Policy

Cc: Honorable Members, Assembly Health Committee
    Benjamin Russell, Consultant, Assembly Health Committee
    Senate Pro Tempore Darrell Steinberg
    Diane Van Maren, Consultant, Office of Pro Tempore Steinberg
    Peter Anderson, Consultant, Assembly Republican Caucus
    Kelly Brooks-Lindsey, California State Association of Counties
    Jolena Voorhis, Urban Counties Caucus
    Cyndi Hillery, Regional Council of Rural Counties