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DATE OF MEETING: 06/20/13

PREPARED BY: Murphy

DATE MATERIAL PREPARED: 5/17/13

AGENDA ITEM: Laura’s Law Information/ Discussion

ENCLOSURES: *Laura’s Law (AB 1421) - A Functional Outline, Treatment Advocacy Center*
A Woman is Killed, a Cause is Born; The Conversation, Dan Morain, Sacramento
Bee, 12/11/11
AB 1421 (Thomson, 2002) – Chaptered (WIC Code 5345)
Cost Savings for AOC (presentation to Grand Jury, Jan 2012) Power Point
Position Paper on Involuntary Outpatient Treatment – USPRA, 2007

OTHER MATERIAL RELATED TO ITEM:)

Nevada County Experience with AOC (Converted Power Point – Jan 2012)
Assisted Outpatient Treatment is Unnecessary and Efforts Should Instead Be Used To Ensure Increased Access To
Voluntary Services, Disability Rights California, 2012

ISSUE:

California enacted AB 1421 “Laura’s Law”, which modified the California Welfare & Institutions Code 5345 to include the option for counties to adopt “assisted outpatient services” on January 1, 2003. Assisted outpatient services means the services are mandated by a court after ensuring the enrollee has met certain specified criteria (*See Laura’s Law (AB 1421) - A Functional Outline, attached*). It was written and enacted after a series of systemic errors resulted in the shooting deaths of three people. The shooter was an individual who was not being treated appropriately despite several warnings and notifications by family members (*see A Woman is Killed, a Cause is Born, attached*).

Many family members who have felt that their concerns were not heard by authorities when their loved ones needed help welcomed and supported the legislation that provided the authority to provide it (*AB 1421, Thomson, 2002 attached*). On the other end of the spectrum, many advocates felt that mandating services to those who did not wish them would divert needed resources away from people who actively sought them and compromised trust between the recipient and the provider.

Laura’s Law was passed but it was not funded, and it was left to the Boards of Supervisors of individual counties to decide whether or not to enact it in their county, and how to pay for it. Shortly thereafter, the Mental Health Services Act (MHSA) was passed, and emphasized voluntary, recovery –based services that are persistently and patiently offered to persons cycling in and out of jails and hospitals due to lack of services. After MHSA was passed, the law was interpreted by many to preclude involuntary services through MHSA funding, and some counties were challenged on that point. In 2007, the California DMH ruled that it is an appropriate use of MHSA dollars to pay for treatment for court-ordered services, (but not pay for court bills), and that the route by which a person accessed those services was insignificant.

Laura’s Law supporters argue that parents and family members have had to stand by, helplessly, as loved ones struggled, and were relieved to have an option for opening the door for services. They also point to the cost effectiveness, estimating a saving of \$1.81 for every dollar spent (*See Cost Savings for Assisted Outpatient Treatment (AOT), attached*). Opponents argue that a court order

criminalizes mental illness and cite systemic failure— an inherent shortage of skilled providers and resources that could accommodate people seeking assistance – as the issue. The USPRA argues in its position paper (attached) that IOC (Involuntary Outpatient Commitment) perpetuates the cycle by prioritizing scarce resources to criminal justice referrals, leaving those who would like assistance, but have not been arrested or hospitalized, behind. The paper also notes that African Americans and Hispanics account for 63% of court mandated referrals but account for only half of the state’s total population.

Nevada County fully implemented Laura’s Law in May of 2008 following the DMH decision on MHSA funding. It is currently the only California county to fully adopt the program, although Los Angeles has implemented a Laura’s Law “light” program. Turning Point is the contractor for Nevada County’s Assisted Outpatient Treatment program. Since its inception, 37 people have gone through the treatment (as of 2011), and only 9 of them were court-ordered (but one of them went through 3 times). Laura’s Law was extended last year to 2019.