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DATE OF MEETING: 04/17/13

PREPARED BY: Murphy

DATE MATERIAL PREPARED: 03/14/13

AGENDA ITEM: Laura’s Law Discussion and Review of Proposed Legislation

ENCLOSURES: SB585 – Steinberg/Correa
SB664 – Yee/Wolk
AB1265 – Conway
AB1367 - Mansoor

OTHER MATERIAL RELATED TO ITEM: *Help for the Severely Mentally Ill*; SF Gate; 3/5/2013
Assembly Health Committee Analysis of AB 1569 – 2012

ISSUE:

Laura’s Law has been a contentious legislation since its adoption. It provides counties and local courts the authority to mandate mental health services to people who have not requested them. 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. 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. They also felt that involuntary services compromised trust between the recipient and the provider and were contrary to the principles of a wellness and recovery oriented mental health system. (See attached Assembly Health Analysis of AB 1569 for more detailed history and information).

Laura’s Law (AB 1421, Thomson, 2002) was passed but it was not funded, and it was left to individual counties to decide whether or not to employ it. After MHSA was passed, the law was interpreted by many to preclude involuntary services through MHSA funding, and several counties were challenged on that point. (See attached “Help for the Severely Mentally Ill”). In the end, only one county officially adopted it (Nevada County), and Los Angeles County adopted a Laura’s Law-like type of program. The originating legislation for Laura’s Law, AB 1421 was set to expire at the end of 2012. AB 1569 was introduced-and passed- to extend the sunset law for an additional five years, expiring on January 1, 2019.

This year, there are several bills that clarify the relationship between counties and Laura’s Law.

SB585 (Steinberg/Correa) clarifies that Mental Health Services Act (Prop. 63) funds may be used to implement Laura's Law.

SB664 (Yee/Wolk) states that counties may implement Laura's Law without a special vote by supervisors.

AB1265 (Conway) allows individuals under Laura's Law to receive treatment for up to one year (instead of the previous six-month maximum).

AB1367 (Mansoor) Clarifies MHSA funds can be used for Laura’s Law and calls for MHSA funds to be used in schools for “outreach under prevention and early intervention programs may include the provision of funds to school districts, county offices of education, and charter schools for the purposes of obtaining and providing training to identify students with mental health issues that may result in a threat to themselves or others.”