

X INFORMATION

TAB SECTION: 2

___ ACTION REQUIRED:

DATE OF MEETING: 3/21/14

PREPARED BY: Adcock

DATE MATERIAL
PREPARED: 03/10/14

AGENDA ITEM: Discuss Council Composition

ENCLOSURES:

- Federal Statute re: composition
- State Statute re: composition
- Current Council Member Roster

OTHER MATERIAL RELATED TO ITEM:

ISSUE:

Federal and State statutes require that not less than 50% of the members are individuals who are not State employees or providers of mental health services. Currently, we have 8 consumer positions, 8 family member positions, 4 consumer related advocates and 11 professional/providers (not including rep from CCMH). Also we currently have 7 state representatives, 6 of whom are active.

It is proposed that 2 professional/provider slots be changed to have 1 additional consumer and 1 additional family member. This would make these positions equal in number, all having 9 positions.

STATE MENTAL HEALTH PLANNING COUNCIL
42 U.S.C., 300x., Sections 1914 and 1915

Section 1914. State Mental Health Planning Council

- (a) **IN GENERAL**—A funding agreement for a grant under section 1911 is that the State involved will establish and maintain a State mental health planning council in accordance with the conditions described in this section.
- (b) **DUTIES**—A condition under subsection (a) for a Council is that the duties of the Council are--
 - (1) To review plans provided to the Council pursuant to section 1915(a) by the State involved and to submit to the State any recommendations of the Council for modifications to the plans;
 - (2) To serve as an advocate for adults with a serious mental illness, children with a severe emotional disturbance, and other individuals with mental illnesses or emotional problems; and
 - (3) To monitor, review, and evaluate, not less than once each year, the allocation and adequacy of mental health services within the State
- (c) **MEMBERSHIP**—
 - (1) **IN GENERAL**—A condition under subsection (a) for a Council is that the Council be composed of residents of the State, including representatives of—
 - (A) The principal State agencies with respect to—
 - (i) Mental health, education, vocational rehabilitation, criminal justice, housing, and social services; and
 - (ii) The development of the plan submitted pursuant to title XIX of the Social Security Act;
 - (B) Public and private entities concerned with the need, planning, operation, funding, and use of mental health services and related support services;
 - (C) Adults with serious mental illnesses who are receiving (or have received) mental health services; and
 - (D) The families of such adults or families of children with emotional disturbances.
 - (2) **CERTAIN REQUIREMENTS**—A condition under subsection (a) for a Council is that—
 - (A) With respect to the membership of the Council, the ratio of parents of children with a serious emotional disturbance to other members of the Council is sufficient to provide adequate representation of such children in the deliberations of the Council; and
 - (B) Not less than 50 percent of the members of the Council are individuals who are not State employees or providers of mental health services.
- (d) **DEFINITION**—For purposes of this section, the term “Council” means a State mental health planning council.

Welfare and Institutions Code Section 5771. (a) Pursuant to Public Law 102-321, there is the California Mental Health Planning Council. The purpose of the planning council shall be to fulfill those mental health planning requirements mandated by federal law.

(b) (1) The planning council shall have 40 members, to be comprised of members appointed from both the local and state levels in order to ensure a balance of state and local concerns relative to planning.

(2) As required by federal law, eight members of the planning council shall represent various state departments.

(3) Members of the planning council shall be appointed in a manner that will ensure that at least one-half are persons with mental disabilities, family members of persons with mental disabilities, and representatives of organizations advocating on behalf of persons with mental disabilities. Persons with mental disabilities and family members shall be represented in equal numbers.

(4) The Director of Health Care Services shall make appointments from among nominees from various mental health constituency organizations, which shall include representatives of consumer-related advocacy organizations, representatives of mental health professional and provider organizations, and representatives who are direct service providers from both the public and private sectors. The director shall also appoint one representative of the California Coalition on Mental Health.

(c) Members should be balanced according to demography, geography, gender, and ethnicity. Members should include representatives with interest in all target populations, including, but not limited to, children and youth, adults, and older adults.

(d) The planning council shall annually elect a chairperson and a chair-elect.

(e) The term of each member shall be three years, to be staggered so that approximately one-third of the appointments expire in each year.

(f) In the event of changes in the federal requirements regarding the structure and function of the planning council, or the discontinuation of federal funding, the State Department of Health Care Services shall, with input from state-level advocacy groups, consumers, family members and providers, and other stakeholders, propose to the Legislature modifications in the structure of the planning council that the department deems appropriate.