

1 TAB SECTION

DATE OF MEETING 04/20/2016

MATERIAL
PREPARED BY: Adcock

DATE MATERIAL
PREPARED 03/20/2016

AGENDA ITEM:	Review Letter to Local Mental Health Boards
ENCLOSURES:	Draft Letter

BACKGROUND/DESCRIPTION:

In November 2015, the PRC decided to send a letter to all local mental health boards to ask them to put discussion of patients' rights on their agenda on a regular basis. This item was scheduled for February 2016 meeting, however, the letter was not yet drafted.

Draft letter is attached for committee review and comment.



CHAIRPERSON
Josephine Black

EXECUTIVE OFFICER
Jane Adcock

- **Advocacy**
- **Evaluation**
- **Inclusion**

Dear Local Mental Health Board/Commission Chair,

The California Mental Health Planning Council (CMHPC) is mandated in federal and state statute to advocate for children with serious emotional disturbances, and adults and older adults with serious mental illness; to review and report on the public mental health system; and to advise the Administration and the Legislature on priority issues and statewide planning.

Welfare and Institutions Code 5514 states “There shall be a five-person Patients’ Rights Committee formed through the California Mental Health Planning Council. This committee, supplemented by two ad hoc members appointed by the chairperson of the committee, shall advise the Director of Health Care Services and the Director of State Hospitals regarding department policies and practices that affect patients’ rights. The committee shall also review the advocacy and patients’ rights components of each county mental health plan or performance contract and advise the Director of Health Care Services and the Director of State Hospitals concerning the adequacy of each plan or performance contract in protecting patients’ rights.”

The Patients’ Rights Committee (PRC) is seeking to ensure the appropriate level of patient advocacy is occurring in the counties of California. Local Mental Health Boards/Commissions often have a unique perspective because of your local knowledge and expertise, which makes your review very valuable.

The PRC is requesting that you add this topic to the Agenda of a regular Board/Commission meeting to ensure ongoing discussions about Patients’ Rights and to keep you informed of the system of Patients’ Rights Advocacy in your county. For your information, California’s Welfare and Institutions Code (WIC) 5220 states the following:

Each local mental health director shall appoint, or contract for the services of, one or more county patients’ rights advocates.

The duties of these advocates shall include, but not be limited to, the following:

(a) To receive and investigate complaints from or concerning recipients of mental health services residing in licensed health or community care facilities regarding:

- *abuse,*
- *unreasonable denial or punitive withholding of rights guaranteed under the provisions of Division 5 (commencing with Section 5000).*

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- (b) To monitor mental health facilities, services and programs for compliance with statutory and regulatory patients' rights provisions.*
- (c) To provide training and education about mental health law and patients' rights to mental health providers.*
- (d) To ensure that recipients of mental health services in all licensed health and community care facilities are notified of their rights.*
- (e) To exchange information and cooperate with the patients' rights program.*

The PRC hopes the above information is helpful and can serve as a guide for your discussions. Ensuring effective and accessible patients' rights advocacy is necessary as these rights are guaranteed in state and federal statute as well as essential to a well-coordinated system of care.

Thank you in advance for your attention.

Daphne Shaw, Chairperson
Patients' Rights Committee

2 TAB SECTION

DATE OF MEETING 04/20/2016

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DATE MATERIAL
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AGENDA ITEM:	Discuss Issue of Ratio of Patients' Rights Advocates
ENCLOSURES:	

BACKGROUND/DESCRIPTION:

Staff are seeking information regarding current ratio of Patients' Rights Advocates to the general population. More information will be provided.

3 TAB SECTION

DATE OF MEETING 04/20/2016

MATERIAL
PREPARED BY: Adcock

DATE MATERIAL
PREPARED 03/20/2016

AGENDA ITEM:	Discuss/Review Projects on Work Plan
ENCLOSURES:	2016 Work Plan

BACKGROUND/DESCRIPTION:

Committee members will review and update PRC Work Plan for 2016.

**California Mental Health Planning Council
Patients' Rights Committee**

Work Plan 2016

Mandate: WIC 5514 ...The committee shall also review the advocacy and patients' rights components of each county mental health plan or performance contract and advise the Director of Health Care Services and Director of State Hospitals concerning the adequacy of each plan or contract in protecting patients' rights. ..."

Goal #1 Measure each County's compliance with WIC 5520 (a)-(e)	Measure of Success Issuing Statewide Report	Targeted Audience Directors of Health Care Services and State Hospitals
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Objectives	Action Steps	Data/Evaluation	Timeline	Leads
<ul style="list-style-type: none"> • Gather Data • Compile Responses • Evaluate Results • Develop and Disseminate Report 	<ul style="list-style-type: none"> • Survey the Counties/MHBs • Collect PRAT Questionnaires • Secure Input from NAMI • Send Letter to County MH Directors • Send Surveys to Local MH Boards/Commissions • Compile/Analyze/Evaluate all Input • Draft Statewide Report • Submit report to DHCS 	<p>Review survey data from PRAs, Counties</p> <p>Explore data from Medi-Cal Compliance Reviews</p> <p>Review annual report from Disability Rights CA</p>	<ul style="list-style-type: none"> • November 2013: County surveys released • ? 2013: Survey of Mental Health Boards • March 2014: Participated in Patient Rights' Advocate training and solicited attendee input • November 2014: Letters sent to County MH Directors • February 2015: Follow up PRA survey at PRAT conference and online 	<p>Michael Gardner</p> <p>Laura Leonelli</p>

**California Mental Health Planning Council
Patients' Rights Committee**

Goal Increase Number of PRAs in CA	Measure of Success Decrease the ratio of PRAs to general population	Targeted Audience DHCS County MH Departments
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Objectives	Action Steps	Data/Evaluation	Timeline	Leads
Establish what is current ratio Seek basis/rationale for current ration	Query DRC, CAMHPRA and County PRAs for info			CMHPC staff