

California Behavioral Health Planning Council Legislation and Public Policy Committee Meeting

January 15, 2025
Meeting Minutes

Members Present:

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| Barbara Mitchell, Chairperson | Javier Moreno, Chair-Elect* |
| Karen Baylor | Liz Oseguera |
| Jason Bradley (<i>stand in for Sarah Poss</i>) | Danielle Sena |
| Monica Caffey | Daphne Shaw |
| Erin Franco | Deborah Starkey |
| Ian Kemmer | Susan Wilson |
| Catherine Moore | Milan Zavala |
| Noel O'Neill | |

Staff Present: Jenny Bayardo, Maydy Lo, Gabriella Sedano*

* = *Virtual Attendance*

Agenda Item: Welcome Introductions, and Housekeeping

Chairperson Barbara Mitchell called the meeting to order and welcomed Council Members and attendees. Council Members, Council staff, and attendees introduced themselves, their roles, and organizations associated with, as applicable. A quorum was established with 15 of 20 members present.

Barbara also shared about the departure of Council member Walter Shwe from the Council with the committee.

Agenda Item: Committee “Meet & Greet” with new CBHPC Staff

New Council staff person and Behavioral Health Public Policy Consultant, Maydy Lo, introduced herself to the committee and shared about her educational and career background.

Agenda Item: October 2024 Meeting Minutes

There were no minutes to review and approve.

Agenda Item: Partner's Voice: Behavioral Health Transformation

Stan Galperson, Director of Residential Outpatient and Housing Services for Tarzana Treatment Centers in the San Fernando Valley, presented on the services and programs that Tarzana offers to individuals in Los Angeles County and provided responses to the preset questions from the committee.

Tarzana currently has 60 inpatient detox beds and 4 residential programs with 360 beds at the Long Beach and Antelope Valley locations. Additionally, they operate 13 intensive outpatient programs servicing 978 individuals and 3 outpatient treatment program clinics servicing 251 individuals. Furthermore, Tarzana operates 30 recovery bridge housing/recovery housing for 208 individuals and 9 transitional houses for 46 individuals with Human Immunodeficiency Virus (HIV). Lastly, through a partnership and funding from Providence Hospital, Tarzana was able to open 3 houses with 21 beds for individuals who frequent the emergency room with chronic medical conditions and untreated substance use and mental health disorders. While housed, individuals can access and engage in case management services, care coordination, and mental health and substance use services. Tarzana also offers primary health care through their primary health care clinics and provides mental health services at all service locations.

Individuals can be referred to Tarzana for services in various ways including, but not limited to, substance use disorder providers in other areas, law enforcement, and the courts. Individuals will start at one end of the continuum and engage in the respective program and services for the allotted duration before they are evaluated and considered for participation in a transitional home or to be enrolled into one of the intensive outpatient programs. Funding for Tarzana's substance use disorder housing is covered through Parkland Healthcare in the county, not directly through Medi-Cal.

Stan mentioned that counties are individually working on systems to meet the need of a housing continuum to support individuals with substance use disorders, but there is no overarching substance use disorder housing system statewide. He also expressed the need for more effective housing models, including models that are not abstinence based and emphasized the shortage of housing availability.

Following the presentation, committee members engaged in a question-and-answer segment. Some of the key responses and additional information provided by included:

- To Stan's knowledge, Tarzana is not currently considering housing models that are not time limited and provides individuals with a lease and tenant rights.
- Stan highlighted two factors that he believes are factors contributing to the residential housing shortage in California, including the overall shortage of housing and limited properties in the real estate market and challenges with landlords agreeing to enter into a lease agreement once they learn about the mission, purpose and services offered.

- Stan explained that the requirement is 50 square feet per resident, per room and indicated that their houses are annually inspected by the county and health department for basic safety requirements. Depending on the size of their properties, they can have more than six people in a house.
- Stan shared that Tarzana does have designated men and women's houses, but do not designate beds for specific purposes such as women with children or pregnant women with children. However, they do provide services to women and pregnant women with children when there is a need and availability.
- Stan shared Tarzana's efforts and activities in providing education to the surrounding communities regarding the population being served which includes the company's attendance at the Chamber of Commerce meetings, involvement with various efforts at the county and city level, and interactions with law enforcement agencies.

Agenda Item: Public Comment on Partner Presentation Behavioral

Barbara Wilson from Los Angeles County expressed gratitude for the presentation and to Chairperson Barbara Mitchell for the questions that were asked of the presenter. Barbara further stated support and advocacy for licensed adult residential facilities. She shared concerns about the lack of effort toward the identification and accountability of unlicensed providers who are unable to effectively support individuals they house in addition to housing individuals in uninhabitable environments such as garages without proper heating and air conditioning. Barbara emphasized the lack of visibility these individuals have to organizations that would be better suited to provide support and services to them due to their housed status. Barbara encouraged more attention and identification of these unlicensed facilities to address these issues.

Agenda Item: Auditor's Report on Drug and Alcohol Treatment Facilities Discussion

The committee provided comments, questions, and recommendations for the State Auditor's report on Drug and Alcohol Treatment Facilities that was released in October 2024. The key points of the discussion included:

- Danielle Sena asked about how the Department of Health Care Services monitors and prevents treatment providers that have been indicted and/or convicted, from using different company names and owners to open other facilities.
- Danielle Sena asked about the Department of Health Care Services' timeline for when the audited facilities need to make the corrections.
- Chairperson Barbara Mitchell highlighted that some providers have 10 facilities within three blocks of each other, operating under one administration. Barbara

asked if the state should consider limiting how many licenses providers can possess in a geographic area.

- Ian Kemmer shared that although there are many providers in Orange County, many of them are not willing to contract for Medi-Cal services due to the requirements of the Medi-Cal system including regulation, oversight, and payment structure. He suggested incentivizing providers to partner with the county to create a better system and create more access for beneficiaries.
- Ian Kemmer clarified that the facilities reviewed in this report are not county contractors and explained that Orange County has a different process for monitoring contractors providing residential housing and treatment services through the Drug Medi-Cal Organized Delivery System (DMC-ODS). He expressed that the county could offer information and guidance on how they monitor these facilities to the Department of Health Care Services.
- Chair-Elect Javier Moreno emphasized that there is insufficient residential treatment capacity in California and any efforts to limit and restrict access to treatment would be undermining the work that the Council has been doing over the years. He encouraged the Council to review legislation that may further strain the behavioral health system in limiting access to treatment.
- Javier Moreno shared the Department of Health Care Services is making some progress toward addressing and reducing complaints through the passage of a trailer bill in 2023 that granted funding for the Department to build on their resources. He also shared that the Department has been able to open the Southern California Licensing and Certification Division branch.
- Barbara Mitchell suggested for the Council to look at unlicensed providers that are not providing treatment but are billing insurances.
- Erin Franco clarified that outpatient facilities are not licensed but are certified through the state. She emphasized the need for more accountability and monitoring of substance use residential facilities.
- Erin Franco expressed the need for, and importance of substance use treatment facilities to adopt a model similar to that of hospitals, in providing equitable access to services and not denying treatment to individuals based on insurance and/or physical appearances.

Agenda Item: Behavioral Health Transformation Ad-Hoc Update

Chairperson Barbara Mitchell provided an update to the committee regarding the activities of the Behavioral Health Transformation Ad-Hoc workgroup. The workgroup is comprised of Barbara Mitchell, Chair Elect Javier Moreno, Susan Wilson, and Uma Zykofsky. Barbara added that Walter Shwe was a member of the workgroup prior to his departure from the Council, but a new member has yet to be identified to join the Ad-Hoc workgroup.

The workgroup has been focused on reviewing draft regulations and responding with comments and recommendations to the Department of Health Care Services. Some of

the focus areas the workgroup has been able to comment and provided recommendations on include the bonds, housing, structure and levels of Full Service Partnerships (FSPs), expanding the definition of chronic homelessness, and the stakeholder engagement process, specifically the limited time given to provide comments to the proposed regulations. The Council's letters were sent to the Department, shared with partners, and posted to the Council's website.

Barbara shared that the workgroup did not pursue the issue of the exclusion of individuals who served in the military for less than six months prior to their discharge, and as a result, are not recognized as veterans. The workgroup attempted to gather more information and support from partners to effectively advocate and provide recommendations for amendments, however, were unable to.

Catherine Moore asked if there were any major issues or concerns that the workgroup has been able to identify regarding the state's process so far. Barbara stated that there was in terms of regulations, public input, and use of money. She reiterated that the major concern is insufficient input from the public.

Agenda Item: Behavioral Health Transformation Discussion

Chairperson Barbara Mitchell canceled this agenda item.

Agenda Item: Public Comment on Behavioral Health Transformation

There was no public comment.

Agenda Item: Follow-up Discussion: 2025 Committee Meeting Structure & Legislative Activities

Executive Officer, Jenny Bayardo, reviewed a brief summary of the October 2024 meeting with the committee. Some of the key points from the committee's discussion included the following:

- Liz Oseguera stated the need to monitor and identify legislation that involves specific ethnic populations, immigration statuses, and behavioral health.
- Chairperson Barbara Mitchell emphasized the need for the committee to review the Policy Platform by the April meeting to develop a list of priority areas of interests.
- Chair-Elect Javier Moreno recommended that the committee have an In-Between meeting prior to the April meeting to identify the priorities for the year.

He also emphasized the potential need for advocacy efforts to protect services, funding, and programs for behavioral health services as a result of the new federal administration.

- Javier Moreno expressed optimism and support of a fully funded structured housing continuum concept in California, where individuals can move from homelessness to emergency shelter, transitional housing, and toward home ownership.

Additionally, committee members discussed possible priorities for the year that included:

- The Behavioral Health Services Act.
- Monitor federal action that may impact California's behavioral health system.
- Licensing, oversight, and accountability at the state and local level for residential treatment facilities.
- Monitor the implementation of Proposition 36 and the effects it may have on the behavioral health and criminal justice systems.
- Identify a recovery housing model that can be incorporated under the Housing First policy, where individuals can have a lease and have tenant rights.
 - Develop a definition for recovery/supportive housing before making a decision.
- Monitor at-risk policy and/or funding cuts within the state's budget to determine if the Council needs to advocate.
- Increase the availability and access of residential treatment facilities within the public behavioral health system.
- Follow up on the October 2024 California State Auditor's report on Drug and Alcohol Treatment Facilities regarding specific committee questions.

Public Comment:

Tondra Mosley asked about the policies and safety net related to house managers residing and managing sober living homes, whose roles are considered "volunteers" and are not provided with documentation regarding their roles and responsibilities. The committee was unable to provide an answer due to complex labor laws and the various policies based on each employer.

Barbara Wilson expressed gratitude for the discussion regarding housing and a housing continuum model in California. Barbara encouraged more discussion and aggressive advocacy for licensed adult residential facilities as part of the process. Barbara emphasized that a different level of care, aside from Housing First, is needed and encouraged the Council to look into staffing requirements for residential facilities.

Steve McNally, a family member from Orange County, shared that he participated in the group that conducted the audits on the residential facilities. Steve stated that there is a lot of confusion between recovery homes, sober living environments and treatment facilities. Steve encouraged the committee to meet sooner to determine priorities and meet with Legislators to discuss the Council's interests. Lastly, Steve encouraged a

discussion with the Behavioral Health Services Oversight and Accountability Commission during the General Session regarding theirs and the Council's roles.

Agenda Item: CBHPC Workgroup Updates

Erin Franco and Noel O'Neill who are part of the Children and Youth Workgroup shared about the event that the workgroup is hosting on Thursday, January 16, 2025, called "Out in the Open, Honest Conversations About Youth Mental Health and Drug Use (No Cap)." The event will be taking place at the San Diego County Department of Education and includes a screening of the film *Hiding in Plain Sight* and a panel discussion with two individuals who were featured in the film along with transition aged youth and transition aged youth provider panel members. There will also be 10 agencies tabling to provide information and resources to attendees.

There were no updates from the Substance Use Disorder Workgroup and the Reducing Disparities Workgroup as they have not yet had their meeting.

Agenda Item: General Public Comment

There was no public comment.

Agenda Item: Meeting Wrap-up and Next Steps

The committee will hold an In-Between meeting before the next quarterly meeting in April to discuss the Policy Platform and determine priorities.

Agenda Item: Adjourn

The meeting was adjourned at 4:35pm.