

California Behavioral Health Planning Council Legislation and Public Policy Committee In-Between Meeting

February 18, 2025
Meeting Minutes

Members Present:

Barbara Mitchell, Chairperson	Javier Moreno, Chair-Elect
Stephanie Blake	Liz Oseguera
Monica Caffey	Danielle Sena
Erin Franco	Daphne Shaw
Catherine Moore	Deborah Starkey
Noel O'Neill	Uma Zykovsky

Staff Present: Jenny Bayardo, Maydy Lo

Agenda Item: Welcome and Introductions

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 12 of 20 members present.

Agenda Item: CBHPC Policy Platform Review

The committee reviewed the current Policy Platform and made recommendations for minor edits. Committee members discussed the need to update item six under the Overarching Behavioral Health Principles section that states, "Monitor the implementation of the Behavioral Health Services Act," to accurately reflect the Council's role, therefore, it was recommended to include "advise" into this statement. Additionally, members agreed that there needs to be more emphasis of family and consumer voices in the implementation of the Behavioral Health Services Act. Chairperson Barbara Mitchell highlighted that the Policy Platform does not include language about advocating for or supporting sustainable, long-term, and cost-effective policies and preserving consumer choice. The committee agreed that an updated Policy Platform with the recommended edits would be reviewed and approved during April's meeting.

Additionally, the purpose of the Policy Platform was reiterated and clarified for members. Executive Officer, Jenny Bayardo, explained that the Policy Platform outlines the Council's ongoing priorities and is reevaluated every 2 years to ensure accuracy

and relevancy. The Policy Platform also defines the priority areas of other Council committees and assists Council staff with identifying legislation that aligns with the Council's priorities. Chairperson Barbara Mitchell added that the Council historically attempts to update and modify the document at the beginning of the year when needed.

Chair-Elect Javier Moreno, stated his initial understanding of the Policy Platform to be the principles and foundations that the Council prioritizes and that a separate short-list would be created to identify priorities for the respective year. Javier expressed support for a process that reflects these steps, incorporating a short-list of annual priorities that is updated each year, rather than the Policy Platform. The short-list of annual priorities would drive the list of identified bills that the committee would review to prevent an overwhelming number of bills that the committee would have to consider. The committee expressed agreement with this recommendation.

Agenda Item: Committee Policy Priorities for 2025-2026

The committee agreed the Council will develop a short list of priorities annually. This year's priorities will be developed by staff based on the committee discussion and suggestions, then forwarded to the Chairperson and Chair-Elect for review and approval. The list will be provided to all committee members prior to the meeting in April. Committee members made the following suggestions for the annual priorities during the meeting:

- Behavioral Health Services Act (BHSA): Ensure funds are not used for non-BHSA purposes.
- Federal funding: Monitor the impact of federal funding and potential funding cuts to California's public behavioral health.
- Community Assistance Recovery Empowerment (CARE) Act: Monitor the implementation and evaluate the cost-effectiveness of the CARE Act.
- Prop 36: Monitor the implementation and potential implications it may have on the behavioral health and justice systems.

Committee members were also encouraged to email suggestions after the meeting ends.

During the October 2024 meeting, the committee considered the suggestion to prioritize newly introduced bills into three tiers to help create a more efficient process in determining the level of effort and advocacy that would be devoted to each bill the Council may decide to take action on. Executive Officer, Jenny Bayardo, explained that the tiers and their associated advocacy activities were developed based on the committee's previous discussions.

Members expressed the need for clarification of the quantity of advocacy activities within Tier 1. Jenny Bayardo stated that the quantity would be something the committee would determine. Chairperson Barbara Mitchell emphasized that it will not always be

possible for all activities listed under Tier 1 to be accomplished. The committee requested Tier 1 to include “all or some” language to more accurately reflect the quantity of advocacy activities for those bills identified as high priority.

Public Comment:

Theresa Comstock, from California Association of Local Behavioral Health Boards and Commissions (CALBHB/C) and California Coalition for Behavioral Health (CCBH), shared concerns of the potential for the state to tap into Behavioral Health Services Act (BHSA) funds. Theresa further added that although there is uncertainty about the legitimacy of this concern, there appears to be ways to borrow against the BHSA funds, therefore, CCBH will be establishing a work group to examine the text of the statute in more detail. Theresa emphasized the importance to ensure sustainable funding for BHSA and provided a link to CCBH’s Agenda for Fairness document.

Agenda Item: Review of Newly Introduced Legislative Bills

The committee discussed the Consent Agenda and began a preliminary discussion on the newly introduced bills to consider taking a position on.

The Consent Agenda initially included Assembly Bill (AB) 96, Assembly Concurrent Resolution (ACR) 23, and Assembly Bill (AB) 348, however, the committee was informed that AB 96 was pulled from the Consent Agenda due to Council staff receiving information that other peer support organizations have not yet taken a position on this bill. The Consent Agenda only included ACR 23 and AB 348 to be discussed and considered.

Chair-Elect Javier Moreno expressed concerns about taking positions early in the legislative session as changes and amendments can occur throughout the next several months. Liz Oseguera emphasized that any positions taken for the bills during the meeting will be for the introduced version of the bills. Should amendments be made after a position has been taken, the Council would reevaluate if the current position remains accurate.

Motion: Noel O’Neill made a motion to approve the Consent Agenda and support ACR 23 and AB 384. Catherine Moore seconded the motion.

Vote: A roll call vote was taken. The motion passed with 8 members voting “Yes”. Javier Moreno, Liz Oseguera, and Uma Zykovsky abstained. 1 member in attendance was not present during the roll call vote.

Due to time constraints and the abundance of bills to consider, the committee was only able to discuss Assembly Bill (AB) 255. Some of the key points raised by members regarding this bill, included:

- Due to the laws that California has adopted, the state cannot spend money on “drug-free” housing. The bill would allow for a recovery housing model, that the federal level has also approved and incorporated into their Housing First policy, to be an option for individuals who are seeking and electing to be in “drug-free” housing. This model would be different from Sober Living Environments in that it would not necessarily be short-term housing or peer run (Barbara Mitchell).
- Chairperson Barbara Mitchell expressed strong support for options as such to be made available to people.
- The bill is still being analyzed by those working in the field and examining how the changes would impact the rights of those receiving services (Javier Moreno).
- Since the Behavioral Health Services Act is allocating a third of funds toward housing, there needs to be more flexibility in allowing for funds to be used for other types of housing outside of Housing First models, including supportive housing options that incorporate programs, therapeutic communities, and/or offer health services (Catherine Moore).

It was determined that the committee was not ready to take positions for the listed bills including AB 255 but agreed to discuss further during April’s meeting. The following are the bills that the committee identified as priority for the April 2025 meeting, to thoroughly discuss and potentially hear more about from the author’s office:

- Assembly Bill 96 (Jackson) – Community health workers.
- Assembly Bill 255 (Haney) – The Supportive-Recovery Residence Program.
- Assembly Bill 348 (Krell) – Full service partnerships.
- Assembly Bill 416 (Krell) – Involuntary commitment.
- Assembly Bill 73 (Jackson) – Mental Health: Black Mental Health Navigator Certification.

In addition, the following bills were not included in the agenda item, however, were raised by committee members to add for further discussion in April:

- Assembly Bill 276 (Bennett) – Background checks.
- Assembly Bill 534 (Schiavo) – Transitional housing placement providers.
- Assembly Bill 339 (Ortega) – Local public employee organizations: notice requirements. To be put on for April – further discussion

Agenda Item: General Public Comment

There was no public comment.

Agenda Item: Meeting Wrap-up & Adjourn

Liz Oseguera asked if there would be any benefit to the committee meeting in March to discuss legislations to create more time to discuss other matters, including other legislations, in April. Barbara Mitchell expressed that it will be considered, but it may not be possible due to insufficient time for Council staff to prepare and be compliant with the Bagley-Keene Open Meeting Act rules.

In preparation for future In-Between meetings, members expressed wanting only the web links to the respective bills to consider and discuss rather than a print copy in the meeting packet. Additionally, members requested a more digestible method for sharing information about bills and shared the idea for committee members to help lead presentations and discussions on the more complex bills.

Barbara Mitchell suggested a meeting to discuss ways to share and present bills with Javier Moreno, Executive Officer, Jenny Bayardo, and Behavioral Health Public Policy Consultant, Maydy Lo.

The meeting was adjourned at 9:00 am.