

**California Behavioral Health Planning Council
Legislation Committee
Meeting Summary**

Wednesday, April 19, 2023
1:30 pm to 5:00 pm
Holiday Inn Downtown-Arena
300 J Street, Sacramento, CA 95814
Granada/Hermosa Room

Members Present:

Barbara Mitchell, Chair-Elect

Catherine Moore

Deborah Starkey

Uma Zykofsky

Daphne Shaw

Marina Rangel

Karen Baylor

Susan Wilson

Steve Leoni

Tony Vartan

Monica Caffey

Noel O'Neill

Liz Oseguera

Erin Franco

Stephanie Blake

Darlene Prettyman

Javier Moreno

Meeting Commenced at 1:30 p.m.

Item #1

Approve January 2023 Meeting Minutes

A motion to accept the January 2023 minutes was made by Catherine Moore and seconded by Monica Caffey. The motion passed.

Steve requested that the minutes reflect that he nominated Barbara Mitchell as the committee's Chair-Elect.

Item #2

Mental Health Services Act (MHSA) Advocacy

Tony Vartan facilitated a discussion with the committee about the MHSA Modernization proposal. Committee members discussed the information that is currently known about the initiative, including updates to the categorical funding buckets and the expansion of the use of MHSA funds to include Substance Use Disorder (SUD) services and the impact the changes could have. Ultimately the members decided that it is premature for the Council to draft any response to the initiative at this time. They decided to focus on understanding the details and would like to gather feedback other organizations have

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crafted regarding the proposal. They specifically highlighted the importance of hearing input from consumer advocacy groups because the MHSA was designed to provide a voice for these groups. Additionally, members recommended that the Council be strategic in advocating for housing for the population that this initiative is meant to serve and bringing partners to the table, including law enforcement partners, as they are experts in seeing where problems occur.

The committee expects more details about the proposal to be released before the June Quarterly meeting. They would like to meet in May to hear a brief presentation outlining the details, followed by an opportunity for the committee to discuss any action the Council may want to take.

Item #3 Public Comment

Theresa Comstock, California Association of Local Behavioral Health Boards & Commissions (CALBHB/C) and the California Coalition for Mental Health (CCMH), highlighted that both organizations have a broad viewpoint and expressed an interest in both groups participating in future discussions. She also highlighted questions she has around the categorical funding buckets and has requested a spreadsheet with a detailed breakdown.

Stacie Hiramoto, Racial & Ethnic Mental Health Disparities Coalition (REMHDCO), stated that she is representing members of the MHSA Partners Forum, particularly members that represent the BIPOC, LGBTQ, Children's, and Consumer Communities. These members are working together to place Prevention and Early Intervention (PEI) as a priority in the Governor's proposal. They are very concerned that counties could zero out PEI, which is a major concern for all special populations. She will send the group's letter outlining their concerns to Council staff to share with members. She also highlighted a study recently released by the California Reducing Disparities Project that highlighted the effectiveness of Community Defined Evidence-Based Practices (CDEPs), which are primarily funded through PEI.

Samuel Jain, Disability Rights California (DRC), supported Stacie's comment. He also shared that a main concern DRC has about the proposal is that it does not bring in any new funds to support mental health and substance use, rather it splits the money that is already being used on mental health services. He encouraged the Council to advocate for additional funding.

Danny Thirakul, California Youth Empowerment Network (CAYEN), echoed the concerns about diverting funds from PEI to housing. He stated that the cause of the housing issues should be addressed and that the state has not been investing funding

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into low-income and very low-income housing, which is why unhoused individuals are not being served.

Item #4 **AB 459- California Behavioral Health Outcomes and Accountability Review**

Tara Gamboa-Eastman, Steinberg Institute (SI) Senior Advocate, provided an overview of their sponsored bill, Assembly Bill 459 (Haney). She acknowledged that when she was invited to discuss the legislation it was focused on the right to care, but it has since changed focus. The bill is now focused on outcomes and accountability by ensuring both the private and public systems are meeting the needs of our communities and reporting on behavioral health outcomes. The bill intends to use the outcome and accountability programs used for the CalWORKS program and the Child Welfare Indicators Project for the behavioral system. With these programs, counties can elect to choose from a menu of outcomes and set their target outcomes over a number of years. If they are unable to meet the outcomes, technical assistance is provided by the state rather than punishing them and taking away resources, which is currently the default. This model increases transparency by making data available publicly, driving competition. Tara highlighted that this bill is unique because it looks at life outcomes across all county funding streams including MHSA, Realignment, Medi-Cal, and contributions by private insurance.

The bill does not currently outline which outcomes the health plans and counties can choose because the University of California (UCs), in partnership with a working group of state agencies, will conduct an analysis of the data that is currently collected and the outcomes that can be determined utilizing that data so additional reporting is not necessary, if possible. There is no identified funding source at this time.

Item #5 **Public Comment**

Theresa Comstock expressed CALBHB/C's support for AB 459.

Steve McNally shared his appreciation for the efforts behind the bill, but asked about existing data reporting requirements and questioned whether the legislation is needed.

Stacie Hiramoto asked for the committee to consider supporting AB 289, which is co-sponsored by REMHDCO and the Children's Partnership.

Theresa Comstock shared CALBH/C's list of legislative positions and shared that CCMH supports AB 236, AB 1437, SB 509, and SB 282.

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Item #6

Discussion of Committee's Name and 2023 Goals

Barbara Mitchell, Chair-Elect, facilitated a conversation with the members about the following goals, which the committee identified at the January 2023 meeting:

- To become more relevant and inform important legislation during the development stage.
- To review the regulations being developed to implement new legislation and provide input/comment.
- To inform stakeholders about the regulations being developed and urge them to advocate.
- To work with the Legislature to develop legislation to address gaps identified by the Council.
 - Find a champion/organization to partner with and co-sponsor legislation.
- For members to become proficient in the legislative process and clearly understand opportunities for advocacy.
- To look outside the box at issues affecting the behavioral health of low-income individuals.

The members discussed their desire to change the committee's name. Noel O'Neill made a motion to change the committee's name to the Legislation & Public Policy Committee. The motion was seconded by Catherine Moore and passed.

The committee did not make any changes to their goals.

Item #7

CBHPC Workgroups Discussion

Barbara Mitchell, Chair-Elect of the Committee, informed members that the Executive Committee had a discussion on how to ensure the activities of the workgroups are reflected in the work of the Council and that each committee is encouraged to identify a liaison for each workgroup. The following workgroup liaison were established:

- Javier Moreno- Substance Use Disorder Workgroup
- Uma Zykofofsky- Reducing Disparities Workgroup
- Erin Franco and Noel O'Neill- Children & Youth Workgroup

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Item #8 Consent Agenda

Naomi Ramirez, CBHPC Legislative Coordinator, reviewed the bills listed on the Consent Agenda and the recommended position, which included: to support Assembly Bill (AB) 33, AB 839, AB 1437, SB 282, and SB 873; to oppose SB 43 and SB 232; and to watch AB 283. She informed the committee that the Council's leadership approved an oppose position on Senate Bill (SB) 43 (Eggman) prior to the bill being heard Senate Health Committee. The decision was based on the Council's Policy Platform and previous positions taken on similar legislation.

Council members were given the opportunity to remove any bills they would like to discuss from the Consent Agenda prior to entertaining a motion to accept the proposed positions. Steve Leoni requested the removal of Assembly Bill (AB) 283 (Patterson) and Marina Rangel requested the removal SB 232 (Niello).

Tony Vartan made a motion to accept the Consent Agenda with the removal of Assembly Bill 283 and Senate Bill 232. The motion was seconded by Steve Leeoni. The motion passed.

Item #9 Review of CBHPC Pending Legislation

The committee prioritized discussing AB 283, SB 232, AB 459, AB 665, AB 512, AB 349, AB 289, and AB 845.

Tony Vartan made a motion to watch AB 283. The motion was seconded by Susan Wilson. The motion passed.

Tony Vartan made a motion to oppose SB 232. The motion was seconded by Daphne Shwe. Samuel Jain, a member of the public, shared that DRC is opposed to SB 232 and find it more problematic than SB 43. Danny Medina, a member of the public, expressed that he believes a psychiatric advanced directive could solve a lot of the problems. Marina Rangel and Catherine Moore voted against the motion. The motion passed.

Steve Leoni made a motion to watch AB 459. The motion was seconded by Tony Vartan. The motion passed.

Deborah Starkey made a motion to support AB 665. The motion was seconded by Susan Wilson. Javier Moreno abstained. The motion passed.

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Noel O'Neill made a motion to watch AB 512. The motion was seconded by Steve Leoni. Susan Wilson abstained. The motion passed.

Erin Franco made a motion to oppose AB 349. The motion was seconded by Susan Wilson. Steve Leoni, Tony Vartan, and Uma Zykovsky abstained. The motion passed.

Uma Zykovsky made a motion to support AB 289. The motion was seconded by Catherine Moore. Noel O'Neill voted against the motion. Barbara Mitchell, Darlene Prettyman, Stephanie Blake, and Tony Vartan abstained. The motion passed.

Item #10	Wrap Up/Next Steps
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The committee decided to hold an in-between meeting in May to discuss any MHSA Modernization updates and to further discuss the Council's approach to the proposal. The committee requested a brief presentation from CBHDA to gain a better understanding of the funding aspect of the proposal. Naomi Ramirez, Council Staff, will reach out to members to determine the best date and time for the meeting.

Item #12	Public Comment
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No public comment.