

California Behavioral Health Planning Council

Legislation Committee

Meeting Summary

Wednesday, January 18, 2023
1:30 pm to 5:00 pm
Holiday Inn San Diego Bayside
4875 North Harbor Drive, San Diego, CA 92106
Point Loma Room

Members Present:

Veronica Kelley, Chairperson	Barbara Mitchell, Chair-Elect	
Catherine Moore	Deborah Starkey	Uma Zykovsky
Daphne Shaw	Marina Rangel	Karen Baylor
Susan Wilson	Angelina Woodberry	Steve Leoni
Barbara Mitchell	Monica Caffey	Noel O'Neill
Vandana Pant	Tony Vartan	Liz Oseguera
Erin Franco		

Meeting Commenced at 1:30 p.m.

Item #1 Approve October 2022 Meeting Minutes

A motion to approve the October 2022 minutes was made by Catherine Moore and seconded by Susan Wilson. The motion passed.

Item #2 Review/Approve CBHPC Policy Platform

Naomi Ramirez, CBHPC Staff, provided an overview of the edits included in the Policy Platform, identified at the October 2022 meeting. Catherine Moore made a motion to change the language of the second item the Council supports, listed under the Behavioral Health System/Continuum of Care Section to read "Safeguard legal requirements for behavioral health care parity and advocate for the improvement of behavioral health treatments to full parity with all other healthcare." Angelina Woodberry seconded the motion. The motion passed. Steve Leoni made a motion to add social services and housing, as systems the committee is interested in promoting collaboration with. Susan Wilson seconded the motion. The motion passed.

Naomi Ramirez will make the requested edits and submit the updated Policy Platform to be posted to the Council's website.

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Item #3 Legislation Committee Overview

Jenny Bayardo (Executive Officer), Deborah Starkey (Council Chairperson), and Tony Vartan (proposed Council Chair-Elect) joined the committee for a discussion about the committee's goals and alignment with the Council's mission/vision and Welfare & Institutions Codes (WIC). The committee informed Council leadership that they ensure their alignment with the Council's mission/vision and responsibilities by utilizing the Council's Policy Platform and Guiding Principles to advocate and make recommendations. Additionally, the members identified the following goals:

- Become more relevant and inform important legislation during the development stage.
- Review the regulations being developed to implement new legislation and provide input/comment.
- Inform stakeholders about the regulations being developed and urge their joint advocacy.
- 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.
- Look outside the box at issues affecting the behavioral health of low-income individuals.
- Re-name the committee to align with the goals of the established.

Item #4 Public Comment

There was no public comment.

Item #5 CBHDA Legislative Priorities for 2023 Governor's Proposed 2023-2024 Budget Highlights

Gail Gronert, CBHDA's Director of Strategic Initiatives provided a legislative overview, which highlighted the following:

- December 5, 2022, was the start of the new legislative session therefore few bills have been introduced.
- There is a concern about the state's fiscal position since revenues are declining.
- CBHDA will not be sponsoring any legislation this year due to the significant amount of on-going implementation work with the state (Children and Youth

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Behavioral Health Initiative, CalAIM, Payment/Documentation Reform, Workforce, Crisis Care Continuum, and Care Court).

- The Governor is flagging clean-up legislation for Care Court, however, language has not been provided yet.
- Implementation of Care Court is contingent on working with the counties to arrive at sustainable funding.
- LA county opted in to participate with first cohort for CARE Court Implementation with an implementation date of December 1, 2023.
- The California State Senate convened a Senate Budget Hearing, which was a general overview of the Governor's Proposed Budget. During the hearing Senator Menjivar expressed a priority in Mental Health, acknowledged there is a significant need and wants to ensure a thoughtful process in addressing the need.
- The Steinberg Institute is working on a legislative proposal to create a legally enforceable right to mental health care.
- Members of the State Senate Plan to re-introduce legislation that did not move forward last year including proposals that expand the reach of the Lanterman-Petris-Short (LPS) Act.

Gail also provided an overview of the Governor's Proposed Budget and highlighted that the Department of Finance is forecasting a \$22.5 billion gap due to a decline in revenue. Currently, there are no proposed cuts, however, there will be a delay in the release of funds for many behavioral health initiatives including workforce, Behavioral Health Continuum Infrastructure Program (BHCIP), CARE Court, and Behavioral Health Bridge Housing.

Item #6 Public Comment

Steve McNally expressed concern about the speed of implementation for new programs and recommended they be included in the analysis. He stated that he believes there should be more focus on informed consent, rather than expanding the definition of gravely disabled.

Item #7 California Association of Alcohol and Drug Program Executives (CAADPE) Priorities for 2023

Robb Layne, Executive Director of CAADPE provided an overview of their priorities for 2023. CAADPE is looking to shift the dynamic of substance use disorder (SUD) care and payment into early intervention and preventative care to create therapeutic and dignified spaces to provide care. Their ultimate goal is to keep individuals housed, employed, and engaged in robust community care, however the system's requirement for medical necessity for billing results in individuals being treated once they are already

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sick, rather than focusing on wellness and screening. Currently, screenings provided in medical settings do not include any questions related to SUD and many individuals do not seek treatment due to stigma, so they aren't receiving services early enough. CAADPE has identified multiple ways to meaningfully address these issues. They are advocating for Opioid Settlement funds to be used on treatment, care, and transparency, rather than on enforcement. Additionally, they are also urging DHCS to create accountability measures to keep the plans accountable for services provided through enhanced case management under CalAIM. Lastly, they are looking to address the need for payment and documentation reform. Currently, the rates for SUD providers are so low it is impacting the system of providers available to provide care and creating more of a workforce issue than already exists.

Robb asked for the Council to consider supporting CAADPE's bills to address housing discrimination for individuals on medication-assisted treatment (MAT) and paperwork reduction once they are introduced. He also acknowledged the Council's efforts to further incorporate SUD representation in its membership and urged continued recruitment efforts of SUD clients and providers.

Item #8

California Council of Community Behavioral Health Agencies (CBHA) Priorities for 2023

Dr. Le Ondra Clark Harvey, Chief Executive Officer of the California Council of Community Behavioral Health Agencies provided an overview of her organization and the CA Access Coalition and expressed the importance conveyed by CBHA founder, Rusty Selix to nurture a good relationship with the Council and its members. She highlighted work that CBHA and the Council have partnered on in recent years including co-sponsoring legislation related to MHSA reserve funds, a successful budget proposal to extend the funding for the Workforce Education and Training 5-year plan and workforce funding the following year. She also highlighted long standing policy priorities CBHA has been committed to such as workforce, paperwork reduction, teacher behavioral health training, and peer training.

John Drebing, Policy & Legislative Affairs Senior Advocate provided an overview of CBHA's policy platform, which outlines their priorities for 2023. Their core areas of focus for the year are Equity and Social Drivers, Behavioral Health Innovation, SUD Expansion, Behavioral Health Workforce, and Behavioral Health System reform.

Item #9

Assemblymember Jasmeet Baines 2023 Priorities

Newly elected Assemblymember Dr. Jasmeet Baines representing the District 35 provided an overview of her background and priorities. Dr. Baines is a family medicine physician, the Medical Director of Bakersfield Recovery Services, the Central Valley

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CMO for the CA Medical Disaster Team, and works at the Adventist Health Urgent Care in Delano. She is very passionate about the impact of fentanyl, as well as access to mental health and addiction services and medication. She recognizes access to care is not only a challenge in rural areas like her own, but across the state.

She introduced Assembly Bill 33, which would establish a fentanyl task force. This task force would gather experts statewide to advise the state on how to end the growing drug crisis in California. The goal is a two-fold approach to put policies in place to hold drug traffickers accountable and to ensure access to vital resources for those that need them. The Assemblymember looks forward to receiving input from groups like the Council and identifying ways to work together.

Item #10 **Public Comment**

Stacy Dalgleish informed the committee that the CALBHB/C has been looking at the vacancy rates within the mental health department, especially for clinicians and the factors that are contributing to their shortages. She asked that the Legislation Committee try to find ways to help address the shortages and retain staff.

Item #11 **Next Steps**

Susan Wilson recommended providing a brief lesson to members on the legislative process and is willing to provide assistance.

The committee would like to look at AB 33 (Baines) once it is in its final form and consider supporting the initiative.

Item #12 **Public Comment**

No public comment.