

# California Behavioral Health Planning Council

## Patient's Rights Committee Agenda

Wednesday, April 15, 2026

10:30 a.m. to 12:30 p.m.

[California Endowment Sacramento](#)

1414 K Street

Sacramento, CA 95814

Power Up Room

[Zoom Link](#)

**Meeting ID:** 813 0850 4074

**Passcode:** 866801

**Join by phone:** 1-669-900-6833

**Passcode:** 866801

- 10:30 a.m. Welcome, Introductions, and Housekeeping**  
*Mike Phillips, Chairperson*
- 10:35 a.m. Review January 2026 Meeting Minutes (Action)** **Tab 1**  
*Mike Phillips, Chairperson, and All Members*
- Committee Discussion
  - Public Comment
  - Accept Minutes
- 10:40 a.m. Engaging Local Behavioral Health Boards and Commissions** **Tab 2**  
*Mike Phillips, Chairperson*
- 10:55 a.m. Committee Workplan Development** **Tab 3**  
*Mike Phillips, Chairperson, and All Members*
- 11:25 a.m. General Public Comment**  
*Members of the public can comment on any non-action agenda item that did not have public comment or any other general item.*
- 11:30 a.m. Break**
- 11:40 a.m. Senate Bill 1221 (Action)** **Tab 4**  
*Mike Phillips, Chairperson, and All Members*
- Committee Discussion
  - Public Comment
  - Vote

If reasonable accommodations are required, please contact the Council at (916) 701-8211 at least 5 working days prior to the meeting date.

# California Behavioral Health Planning Council

- 11:55 a.m. Assembly Bill 1676 Discussion (Action) Tab 5**  
*Mike Phillips, Chairperson, and All Members*
- Committee Discussion
  - Public Comment
  - Vote
- 12:05 p.m. Community Assistance, Recovery and Empowerment (CARE) Court Article Discussion Tab 6**  
*Mike Phillips, Chairperson, and All Members*
- 12:15 a.m. Patients' Rights Advocate Training Tab 7**  
**Verification Forms**  
*Justin Boese, Council Staff and All Members*
- 12:25 p.m. Meeting Wrap-Up and Next Steps**  
*Mike Phillips, Chairperson and All Members*
- 12:25 a.m. General Public Comment**  
*Members of the public can comment on any non-action agenda item that did not have public comment or any other general item.*
- 12:30 p.m. Adjourn**

The scheduled times on the agenda are estimates and subject to change.

**Public Comment:** Limited to a **2-minute maximum** to ensure all are heard.

## **Committee Members**

**Chairperson:** Mike Phillips

**Chair-Elect:** Richard Krzyzanowski

## **Members:**

Catherine Moore

Don Morrison

Daphne Shaw

Susan Wilson

Uma Zykofsky

**Council Staff:** Justin Boese

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

**Wednesday, April 15, 2026**

**Agenda Item:** Review and Accept January 2026 Meeting Minutes (Action)

**Enclosure:** January 2026 Draft Meeting Minutes

**Background/Description:**

Committee members will have the opportunity to ask questions, request edits, and provide other feedback before the minutes are accepted.

**California Behavioral Health Planning Council**  
**Patients' Rights Committee**  
**January 21, 2026**  
**Draft Meeting Minutes**

**Committee Members Present:**

Mike Phillips, Chairperson  
Catherine Moore  
Daphne Shaw

Richard Krzyzanowski, Chair-Elect  
Don Morrison  
Susan Wilson

**Council Staff Present:**

Justin Boese

Simon Vue

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**Item #1: Welcome and Introductions**

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**The committee meeting began at 10:30 a.m.**

Mike Phillips welcomed all Patients' Rights Committee (PRC) members and guests. Committee members, staff, and guests introduced themselves. A quorum was established with 6 of 7 members present.

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**Item #2: Review Meeting Minutes**

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The committee reviewed and accepted the October 2025 meeting minutes, with no edits requested.

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**Item #3: Engaging Local Behavioral Health Boards and Commissions**

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Mike Phillips led a discussion on how the committee could engage local behavioral health boards and commissions. Mike said that it aligned with the Council's focus for 2026, which was discussed in the Executive Committee meeting. Mike added that he felt there was a general lack of awareness of patients' rights advocacy in the local behavioral health boards and commissions. He noted that the committee could conduct another survey of the local boards and commissions, following up on the 2021 survey that focused on patients' rights advocacy in jails.

Daphne Shaw shared that in her experience, patients' rights advocates aren't typically present in local behavioral health board meetings. She said that a good way to engage the boards and commissions would be through Theresa Comstock, the Executive

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Director of the California Association of Local Behavioral Health Boards and Commissions. Daphne also suggested that the committee present during a CALBHB/C meeting, rather than trying to go to county board meetings individually.

Richard Krzyzanowski shared that patients' rights advocacy was a very technical subject, and many people in the behavioral health field don't have much understanding of it. He explained that the patients' rights advocate role can often feel very isolating and suggested that greater awareness could be built by engaging people outside of crisis situations.

Susan Wilson stressed the importance of connecting with Theresa regarding the April agenda, and to ask for her help finding a few behavioral health board and commission members to come speak to the committee. She also suggested that the committee facilitate a presentation to the full Council on patients' rights advocacy to increase all members' knowledge on the subject.

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**Item #4: California Office of Patients' Rights Updates**

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Daniel Wagoner, the interim director of the California Office of Patients' Rights (COPR), updated the committee on the organization's recent activities. Daniel said that recently they conducted training with LA county (patient's rights advocacy team on the implementation of Senate Bill 43. They have also been working on updating their online training materials for newly hired patients' rights advocates. The organization is putting together an online portal for patients' rights advocates to access the training manual, videos of previous trainings, and other information. Daniel shared that COPR is holding their annual patients' rights advocacy training conference in Sacramento in April 2026 during the same week that the Council is holding their quarterly meetings.

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**Item #5: Committee Workplan Development**

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The committee continued the development of a new work plan for 2026 and beyond. A draft workplan was included in the meeting materials, which included four goals. The goals were:

1. Increase the number of Patients' Rights Advocates in California.
2. Engage Local Behavioral Health Boards and Commissions on issues affecting patients' rights advocacy.

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3. Strengthen the committee's legislative responsiveness to advocate for Patients' Rights Advocacy.
4. Prioritize the inclusion of substance use disorder (SUD) treatment programs and facilities as part of the patients' rights advocacy system.

Daphne brought up the 2025 LPS Act Report that was recently published and said the committee should set aside some time to review and discuss it.

Susan Wilson noted that for Goal 3 of the draft workplan, the patients' rights committee and staff should collaborate with the Legislation and Public Policy Committee to ensure timely action on patients' rights related bills. She added that this work should include actions beyond just sending letters.

Catherine Moore suggested that the committee investigate a new model for outpatient conservatorship being used in Los Angeles County. This model has had success so far, including reduced time in locked facilities and reduced homelessness.

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**Item #6: Planning for Future Meetings/Activities**

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Mike Phillips and other members identified some next steps and agenda items for the January 2025 meeting. These next steps include:

- Reaching out to local behavioral health boards and commissions to engage them on the topic of patients' rights advocacy, including inviting board/commission members to speak to the committee in April.
- Continuing development of the committee's work plan.
- Reviewing patients' rights advocate training verification forms received from the California Office of Patients' Rights.

**The meeting adjourned at 12:30 p.m.**

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

**Wednesday, April 15, 2026**

**Agenda Item:** Engaging Local Behavioral Health Boards and Commissions

**How This Agenda Item Relates to Council Mission**

*To review, evaluate, and advocate for an accessible and effective behavioral health system.*

This agenda item is a discussion on how the Patients' Rights Committee can engage local behavioral health boards and commissions on the topic of patients' rights advocacy to advocate for an effective patients' rights system in California.

This item relates to the Council's focus for 2026 by advocating for adequate patients' rights support in communities and jails.

**Background/Description:**

At the October 2025 Quarterly Meeting, committee members stated a desire to engage local behavioral health boards and commissions on the topic of patients' rights advocacy. During this agenda item the committee will discuss ways to achieve this, including opportunities for education, collaboration, and advocacy with the boards and commissions.

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

**Wednesday, April 15, 2026**

**Agenda Item:** Committee Workplan Development

**Enclosures:** Patients' Rights Committee 2026-2027 Work Plan (Draft)  
California Behavioral Health Planning Council Focus for 2026

**How This Agenda Item Relates to Council Mission**

*To review, evaluate, and advocate for an accessible and effective behavioral health system.*

This agenda item provides committee members with the opportunity to review and update the committee work plan in alignment with the committee's mandated duties. It will also ensure that the committee workplan aligns with the Council's focus topics for 2026, including Lanterman-Petris-Short Act reform, involuntary treatment, and adequate patients' rights support in communities and jails.

**Background/Description:**

The purpose of the Patients' Rights Committee is to monitor, review, evaluate, and recommend improvements in the protection and upholding of patients' rights to receive effective, timely, and humane treatment in a public behavioral health system in California. The committee work plan outlines the objectives and goals of the Patients' Rights Committee and identifies the necessary tasks to achieve those goals, in alignment with the committee's charter.

Committee members will review a draft of the 2026-2027 work plan and continue developing the workplan goals and objectives. Members will also review the California Behavioral Health Planning Council Focus for 2026 to inform the workplan goals of the committee.

**California Behavioral Health Planning Council  
Patients' Rights Committee (PRC)  
Work Plan 2026-2027  
(DRAFT)**

**Goal #1: Increase the Number of Patients' Rights Advocates (PRAs) in CA**

**Objective 1.1: Promote legislative engagement to support the publication of the Legislative Analysts' Office (LAO) report on PRA staffing.**

**Activities:**

- Identify state legislators who have shown an interest in behavioral health or patients' rights.
- Contact legislators to inform them about PRA staffing issues and share the LAO report.
- Encourage interested legislators to request the publication of the report on the LAO website.

**Timeline:** January 2026 – December 2027

**Goal #2: Engage Local Behavioral Health Boards and Commissions on issues affecting patients' rights advocacy.**

**Objective 2.1: Educate local behavioral health boards and commissions on the duties of PRAs and current issues affecting patients' rights advocacy.**

**Activities:**

- Develop patients' rights advocacy training for local behavioral health boards and commissions.
- Provide training to local boards and commissions, along with informational materials, relevant reports, and other resources.

**Timeline:** January 2026 – December 2027

**Goal #3: Strengthen the Committee's Legislative Responsiveness to Advocate for Patients' Rights Advocacy in California**

**Objective 3.1: Increase the committee's capacity to respond rapidly to legislative developments.**

**Activities:**

- Connect with partners such as Disability Rights California, the California Office of Patients' Rights, and the California Association of Mental Health Patients' Rights advocates to stay informed about current legislation affecting patients' rights.

**California Behavioral Health Planning Council  
Patients' Rights Committee (PRC)  
Work Plan 2026-2027  
(DRAFT)**

- Work with Planning Council staff and the Legislation and Public Policy Committee to identify key bills, understand their impact, and coordinate timely action.
- Send letters of support or opposition on priority legislation in a timely manner.

**Timeline:** January 2026 – December 2027

**Goal #4: Prioritize the inclusion of Substance Use Disorder (SUD) treatment programs and facilities as a part of the patient's' rights advocacy system.**

**Objective 4.1:** Increase Planning Council and committee knowledge of patients' rights advocacy for patients with substance use disorders.

**Activities:**

- Facilitate presentation on patients' rights advocacy in SUD treatment facilities for the Planning Council.
- Continue expanding the committee's knowledge through research and guest presentations.

**Timeline:** January 2026 – December 2027

**Objective 4.2:** Encourage best practices for patients' rights advocacy and substance use disorder treatment.

**Activities:**

- Identify best practices for patients' rights advocacy for substance use disorder patients.
- Develop documentation of identified best practices.
- Share the developed information on best practices with patients' rights advocates, county Behavioral Health, local boards and commissions, and other identified audiences.

**Timeline:** January 2026 – December 2027



## California Behavioral Health Planning Council

ADVOCACY • EVALUATION • INCLUSION

### Focus for 2026

Statewide Behavioral Health Integration (including all populations: children, adults, and older adults)

- Mental Health & Substance Use Disorder (SUD)
  - Educate the full Council on SUD and SUD Treatment
- Behavioral Health Services Act
  - Modifications of Regulations
  - Managed Care & Specialty Mental Health
    - Educate on reorganization and rebalancing of funding
- SAMHSA Strategic Priorities

Advocacy for Persons with Lived Experience and Stakeholder Engagement

- Behavioral Health Services Act (BHSA) County Integrated Plans
- Peer Certification (Senate Bill 803)
  - Wellness Community Coaches

Patients' Rights

- Lanterman-Petris-Short (LPS) Act Reform and the Impact on Patients' Rights
- Involuntary Treatment
- Senate Bill 43
- Adequate Patients' Rights Support in Communities and Jails
- Community Assistance, Recovery & Empowerment (CARE) Act

Justice-Involved Populations in the Behavioral Health System

- Lack of Resources
- Alternative Resources
  - Shifting Responsibility Back to Counties Without Resources
- Potential Increase in Murphy Conservatorships
- Lack of Funding for Public Guardians and Conservators
- Dependents of the Court and Wards of the Court
- Efficacy of Prop 36

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

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**Agenda Item:** Senate Bill 1221 (Action)

**Enclosures:** Senate Bill 1221 Fact Sheet\*

**How This Agenda Item Relates to Council Mission**

*To review, evaluate and advocate for an accessible and effective behavioral health system.*

This agenda item relates to the duties of the Patients' Rights Committee to monitor, review, evaluate, and recommend improvements in the protection and upholding of patients' rights to receive effective, timely, and humane treatment in a public mental health system in California.

This item addresses Lanterman-Petris-Short (LPS) Act reform and its effect on patients' rights, in alignment with the Council's focus for 2026.

**Background/Description:**

[Senate Bill 1221](#) (SB 1221), authored by Senator Stern, aims to prioritize placement of dangerous incompetent defendants who have been conserved on Public Safety Conservatorships (Murphy Conservatorships). The bill would ensure that the party most closely associated with the victim and public safety interests, the District Attorney, has full access to the conservatorship hearings. It would also update evaluation standards of the Public Conservator/Guardian when evaluating potential conservatees to be consistent with Senate Bill 820 (2025 Stern).

Members will have an opportunity to discuss the bill, its potential impact on the patients' rights system of California. The committee may vote to recommend a position on the bill to the Legislation and Public Policy Committee.

\*If you would like a copy of the Fact Sheet, please email Justin Boese at [Justin.Boese@cbhpc.ca.gov](mailto:Justin.Boese@cbhpc.ca.gov).

# SB 1221- Stern

## Public Safety Conservatorship Reform Act

UPDATED: February 26, 2026

### SUMMARY

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SB 1221 would prioritize placement of dangerous incompetent defendants who have been conserved on Public Safety Conservatorships (Murphy Conservatorships). It would ensure that the party most closely associated with the victim and public safety interests, the District Attorney, has full access to the conservatorship hearings. It would also update evaluation standards of the Public Conservator/Guardian when evaluating potential conservatees to be consistent with SB820 (2025 Stern).

### BACKGROUND

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In December 2024 an appellate court was asked to determine whether a defendant charged with sexual assault who had exhausted competency restoration time and had been conserved on a Murphy Conservatorship could be held in the county jail. In *Re Lerke* (2024) 107 Cal.App.5<sup>th</sup> 685. The Lerke court held that the Welfare and Institutions Code governing Murphy conservatorships neither explicitly nor implicitly authorized Lerke's continued confinement in county jail while awaiting a state hospital bed. The result of the decision was to create mass confusion throughout the state trying to place the most dangerous non-restorable (incompetent) defendants.

### PROBLEM

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Law enforcement, victims and their families were all caught off-guard by the Lerke decision and its immediate impact. Because these dangerous incompetent defendants who had been placed on a Murphy conservatorship were being handled civilly, the proceedings were shrouded in mystery, secrecy and a star chamberesque quality. The prosecutors representing public safety and victims had to literally sue in order to get into the room and be heard regarding the appropriateness of the placement of these highly dangerous individuals and to provide feedback when the Public Conservator/Guardian tried to change the

commitment or placement. In the span of a few months the most dangerous incompetent defendants had to be moved out of county jail into other facilities with little or no transparency for victims.

### THE SOLUTION

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SB 1221 would prioritize the placement of Murphy conservatees by the Department of State Hospitals over other LPS conservatees. Also, the public safety / victim representative would be designated to be the District Attorney ensuring that the recognized advocate for public safety was present and could participate in commitment and placement decisions of those subject to a Murphy Conservatorship.

### SUPPORT

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

**Wednesday, April 15, 2026**

**Agenda Item:** Assembly Bill 1676 (Action)

**How This Agenda Item Relates to Council Mission**

*To review, evaluate and advocate for an accessible and effective behavioral health system.*

This agenda item relates to the duties of the Patients' Rights Committee to monitor, review, evaluate, and recommend improvements in the protection and upholding of patients' rights to receive effective, timely, and humane treatment in a public mental health system in California

This item addresses involuntary treatment and its impact on the patients' rights system, in alignment with the Council's focus for 2026.

**Background/Description**

[Assembly Bill 1676](#) (AB 1676) was introduced by Assembly Member Stefani. Currently this bill consists of placeholder language, but it has been indicated that the bill will be about forced medication treatment. More information on the bill will be provided during the meeting, if available. Committee members will have the opportunity to discuss the bill and its potential impact on the patients' rights system of California.

Members will have an opportunity to discuss the bill, its potential impact on the patients' rights system of California. The committee may vote to recommend a position on the bill to the Legislation and Public Policy Committee.

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

**Wednesday, April 15, 2026**

**Agenda Item:** Community Assistance, Recovery and Empowerment (CARE) Court  
Article Discussion

**Enclosures:** [Cal Matters Article](#): Newsom threatens California counties for failing to use  
his new mental health court

**How This Agenda Item Relates to Council Mission**

*To review, evaluate and advocate for an accessible and effective behavioral health system.*

This agenda item provides Council members with information about the implementation of the Community Assistance, Recovery, and Empowerment (CARE) Act volunteer supporters. The Patients' Rights Committee will use this information to review and evaluate the patients' rights system in California as part of the mandated duties of the Patients' Rights Committee.

This item addresses CARE Court and its impact on the patients' rights system, in alignment with the Council's focus for 2026.

**Background/Description:**

The Patients' Rights Committee continues to track the implementation of the Community Assistance, Recovery, and Empowerment (CARE) Act. The act provides community-based behavioral health services and supports to Californians living with schizophrenia spectrum or other psychotic disorders through a new civil court process. People such as family members, first responders, and providers, may file a petition to the court to create a voluntary CARE agreement or a court-ordered CARE plan.

An article was published on the Cal Matters website on March 2, 2026, titled *Newsom threatens California counties for failing to use his new mental health court*. The article describes Governor Newsom's frustrations with the performance of several California counties regarding CARE Court implementation. Committee members will have the opportunity to discuss the article and the ongoing implementation of the CARE Act.

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

**Wednesday, April 15, 2026**

**Agenda Item:** Patients' Rights Advocate (PRA) Training Verification Review

**How This Agenda Item Relates to Council Mission**

*To review, evaluate and advocate for an accessible and effective behavioral health system.*

This agenda item is part of the duties of the Patients' Rights Committee to monitor, review, evaluate, and recommend improvements in the protection and upholding of patients' rights to receive effective, timely, and humane treatment in a public mental health system in California.

This item relates to the Council's focus for 2026 by supporting adequate patients' rights support in communities and jails.

**Background/Description**

In 2018, the Patients' Rights Committee co-sponsored [Assembly Bill \(AB\) 2316](#), authored by Assemblymember Susan Eggman. The bill passed and was signed into law in August 2018. AB 2316 requires the California Office of Patients' Rights (COPR) to make training materials for county mental health patients' rights advocates (PRAs) available for all PRAs at any time online. It also requires counties to verify that newly hired PRAs review these materials within 90 days of their start date, maintain a copy of that verification, and provide a copy to the Patients' Rights Committee (PRC).

The PRC receives a record of all the training verifications received.

Justin Boese will provide an update on the record of training verifications received for committee member review and discussion.