

California Behavioral Health Planning Council
Patients' Rights Committee
June 18, 2025
Meeting Minutes

Committee Members Present:

Mike Phillips, Chairperson
Daphne Shaw
Uma Zykofsky

Richard Krzyzanowski, Chair-Elect
Susan Wilson

Other Council Members Present:

Bill Stewart

Council Staff Present:

Jenny Bayardo
Justin Boese

Item #1: Welcome and Introductions

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 5 of 6 members.

Item #2: Review Meeting Minutes

The committee reviewed and accepted the April 2025 Meeting Minutes. No edits to the minutes were requested.

Item #3: Community Assistance, Recovery, and Empowerment (CARE) Act Supporters

Mike Phillips expressed disappointment that the committee was unable to secure presenters with experience as CARE Act "volunteer supporters," but he said that he was still very interested in exploring the topic further. Daphne Shaw said that, as she has been reading more about volunteer supporters, she feels that the requirements to fulfill the role properly are higher than most people could do without formal training. Mike

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agreed that the role of the supporter seems very intensive and similar to what a patients' rights advocate would do.

Mike asked Justin Boese for updates on any published data related to volunteer supporters. The Department of Health Care Services is collecting data on volunteer supporters that should be included in the CARE Act Annual Report, which will be released on July 1. He then shared the questions that the Department is asking regarding volunteer supporters, which include information on the relationship between the supporter and the participant, and what events the volunteer supporter was present for (such as the initial hearing, case management hearings, etc.).

Bill Stewart shared that he is a CARE Act work group member and has requested data on the volunteer supporters. He said he asked whether participants who had volunteer supporters had more positive outcomes, and was told that they did, but that the Department was not collecting data on that. Bill was told that most of the volunteer supporters are family members.

Uma Zykovsky said that she did not feel it was appropriate for family members to be volunteer supporters. She also said it would be interesting to see who provides support to the volunteer supporters to help them fulfill such a complex role. She is also interested in how volunteer supporters are being utilized in different counties because there have been many changes and differences in CARE Court implementation.

Richard Krzyzanowski said that a "supporter" is not an advocate and had questions about the intent and motive of this role in the system. He wasn't surprised that people are hesitant to talk about this aspect of CARE Court but that it was worthwhile for the committee to continue looking into this topic. Mike agreed and said that he would continue looking for a volunteer supporter who could speak to the committee.

Item #4: Legislation Updates

Mike Phillips provided a brief overview of several pieces of legislation, starting with Senate Bill 331. This bill would add "chronic alcoholism" to the definition of "gravely disabled" and make several other changes to the LPS Act. Daphne Shaw told the committee that Senate Bill 331 had been referred to the Senate health and judiciary committees. Mike expressed that the more gets added to the definition of "gravely disabled", the vaguer it becomes in practice.

Action Item: Daphne Shaw made a motion for the committee to take an opposed position and communicate that position to the Council's Public Legislation and Policy

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Committee. Susan Wilson seconded the motion. Susan Wilson took a roll call vote. The motion passed.

Mike briefly mentioned Senate Bill 367, which would expand the eligibility of individuals for LPS conservatorship. This bill is currently in suspense.

Mike provided an overview of Senate Bill 820. This bill would, if a defendant has been found incompetent to stand trial after having been charged with a misdemeanor, authorize a psychiatrist to administer psychiatric medication to the defendant without their informed consent on an emergency basis. The bill would also authorize a psychiatrist to involuntarily administer psychiatric medication to those defendants upon a court's determination that the defendant does not have the capacity to refuse treatment and is gravely disabled. Mike said that much of the opposition to the bill is from groups like the American Civil Liberties Union (ACLU) and other civil rights advocates who argue that there is not enough due process.

Action Item: Daphne Shaw made a motion for the committee to take an opposed position and communicate that position to the Council's Legislation and Public Policy Committee. Richard Krzyzanowski seconded the motion. Susan Wilson took a roll call vote. The motion passed.

Mike informed the committee that Senate Bill 823 is currently in suspense.

Item #5: Committee Charter Review and Workplan Development

Mike Phillips led the committee in a discussion about updating the committee work plan. Mike said that he reviewed the Welfare and Institutions Code regarding the Patients' Rights Committee and found the scope of the committee's duties to be very broad. He encouraged the committee to be bold in their work plan activities.

Daphne Shaw brought up the committee's efforts to increase patients' rights advocate staffing. Though making progress on this issue has been difficult, members of the committee agreed on keeping it in the work plan. Daphne also brought up the committee's role in advising the Department of State Hospitals. The committee has had difficulty getting that data from them on patients' rights advocacy services provided in state hospitals, but will continue trying.

Mike Phillips suggested that the committee work on integrating substance use disorder (SUD) treatment in the committee work plan. He said that his patients' rights advocacy team from San Diego could potentially present on patients' rights in SUD facilities to

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educate the committee or the full Council on this topic. Richard Krzyzanowski strongly supported this idea.

Item #6: Planning for Future Meetings/Activities

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

- Organizing a presentation on patients' rights in substance use disorder treatment facilities.
- Continue looking into CARE Court volunteer supporters.
- Continue working on the committee charter and work plan.

The meeting adjourned at 12:30 p.m.