



State of California—Health and Human Services Agency  
Department of Health Care Services



EDMUND G. BROWN JR.  
GOVERNOR

DATE: August 1, 2018

MHSUDS INFORMATION NOTICE NO.: 18-033

TO: COUNTY BEHAVIORAL HEALTH DIRECTORS  
COUNTY DRUG & ALCOHOL ADMINISTRATORS  
COUNTY AUDITORS OFFICE  
COUNTY BEHAVIORAL HEALTH DIRECTORS ASSOCIATION OF CALIFORNIA  
CALIFORNIA COUNCIL OF COMMUNITY BEHAVIORAL HEALTH AGENCIES  
COALITION OF ALCOHOL AND DRUG ASSOCIATIONS  
CALIFORNIA ASSOCIATION OF ALCOHOL & DRUG PROGRAM EXECUTIVES, INC.  
CALIFORNIA ALLIANCE OF CHILD AND FAMILY SERVICES  
CALIFORNIA OPIOID MAINTENANCE PROVIDERS  
CALIFORNIA STATE ASSOCIATION OF COUNTIES

SUBJECT: MENTAL HEALTH SERVICES ACT: IMPLEMENTATION OF MENTAL HEALTH SERVICES FUND REVERSIONS AND REALLOCATIONS PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTIONS 5892(h) and 5899.1

## Background

Assembly Bill 114 (Chapter 38, Statutes of 2017) amended Welfare and Institutions Code (W&I) Sections 5892 (h) and 5899; and added Sections 5892.1 and 5899.1. W&I Section 5899.1(b) authorizes the Department of Health Care Services (DHCS) to implement, interpret, or make specific Sections 5892 (h), 5892.1, and 5899.1 of W&I by means of all county letters or other similar instructions. DHCS implemented W&I Section 5892.1 through Information Notice 17-059, which was released on December 28, 2017. The purpose of this Information Notice (IN) is to implement W&I Sections 5892 (h) and 5899.1(a).

## **Welfare and Institutions Code Section 5892 (h)**

W&I Section 5892(h) requires that Mental Health Services Act (MHSA) funds distributed to a county revert to the Mental Health Services Fund (MHSF) if the county has not spent the funds within a specified period-of-time (i.e., reversion period). The reversion period depends upon the county's population and the program component. This section of the IN specifies the consequences for a county that is late submitting its Annual Revenue and Expenditure Report (ARER); how DHCS will determine each county's population; how it will determine the reversion period for the different combinations of county population and program component; how it will calculate the amount to revert each fiscal year; and how a county may appeal DHCS' reversion calculation.

### **A. Consequences for Failure to Timely Submit ARERs**

Each county must submit its ARER to DHCS in a timely manner in order for DHCS to be able to calculate the amount of a county's unspent funds subject to reversion. Every fiscal year, counties are required to submit their ARER to DHCS by December 31 following the close of the fiscal year. If a county does not submit its ARER by the required deadline, DHCS will direct the State Controller's Office (SCO) to withhold 25 percent of that county's monthly allocation from the MHSF until the county submits the overdue ARER. Upon receipt of the complete and accurate ARER(s), DHCS will direct the SCO to release the withheld funds to the county.<sup>1</sup> Counties will not earn interest on funds that the state withholds. DHCS will implement this policy with the September 2018 distribution and will apply the policy to ARERs beginning with the Fiscal Year (FY) 2012-13 ARER.

### **B. County Population**

For the purposes of determining the reversion period for MHSA funds distributed to a county in a particular fiscal year, DHCS will use the Department of Finance (DOF) January 1 population estimates for the prior fiscal year as reported in [State of California, Department of Finance, E-1. Cities, Counties, and the State Population Estimates with Annual Percent Change.](#)

For example, DHCS will use the DOF January 1, 2018, population estimate to determine the county population size and reversion period for funds distributed to counties in FY 2018-19. Beginning with FY 2018-19, DHCS will publish an IN with the county population estimates prior to the beginning of the fiscal year. The IN that DHCS publishes for to FY 2018-19 will include population estimates for funds distributed in

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<sup>1</sup> Welf. & Inst. Code §§ 5892, subd. (h), 5899, subd. (e)

FY 2015-16, 2016-17, 2017-18, and 2018-19 and is expected to be published by the end of July 2018.

C. Reversion Period by County Population and Program Component

*Counties with a Population of 200,000 or More- CSS and PEI*

A County with a population of 200,000 or more must spend the funds distributed to the county for the Community Services and Supports (CSS) and Prevention and Early Intervention (PEI) components, including interest earned and allocated to those components, within three fiscal years of receiving the funds and earning the interest. In determining the three fiscal year period, the fiscal year in which the SCO distributes the money to the county, including funds withheld due to noncompliance, is the first fiscal year. For example, funds the SCO distributed to the county, including funds withheld due to noncompliance, in FY 2015-16 for the CSS component are available for the county to spend in FY 2015-16, FY 2016-17, and FY 2017-18. Interest earned in a fiscal year is treated the same way as revenue received during that fiscal year for purposes of the calculation of reversion. Any funds distributed to a county for CSS and PEI components that the county does not spend within three years will revert to the MHSF.<sup>2</sup>

A County with a population of 200,000 or more may transfer CSS funds to its Capital Facilities and Technological Needs (CFTN) component, Workforce Education and Training (WET) component, and prudent reserve within three fiscal years of receiving the funds (W&I, Section 5892(b)). CSS funds that a county does not transfer or spend within three fiscal years will be reverted. All transfers to the CFTN and WET components are irrevocable.<sup>3</sup>

*Counties with a Population of Less Than 200,000- CSS and PEI*

A County with a population of less than 200,000 must spend funds distributed to the county for the CSS and PEI components, including interest earned and allocated to those components, within five fiscal years of receiving the funds and earning the interest. In determining the five fiscal year period, the fiscal year the SCO distributes the money to the county, including funds withheld due to noncompliance, is the first fiscal year. For example, funds the SCO distributed to a county for the CSS or PEI component, including funds withheld due to noncompliance, in FY 2015-16 are available for the county to spend in FY 2015-16, FY 2016-17, FY 2017-18, FY 2018-19 and

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<sup>2</sup> Welf. & Inst. Code § 5892, subd. (h)(1)

<sup>3</sup> Welf. & Inst. Code § 5892, subds. (b), (f), (h)(1)

FY 2019-20. Interest earned in a fiscal year is treated the same way as revenue received during that fiscal year for purposes of reversion. Any funds distributed to a county for CSS and PEI components that the county does not spend within five fiscal years will revert to the MHSF.<sup>4</sup>

A County with a population of less than 200,000 may transfer CSS funds to its CFTN component, WET component and prudent reserve within five fiscal years of receiving the funds (W&I Section 5892(b)). CSS funds a county does not transfer or spend within five fiscal years will be reverted. All transfers to the CFTN and WET are irrevocable.<sup>5</sup>

*Counties with a Population of 200,000 or More - INN*

Beginning with funds distributed in FY 2015-16, a county with a population of 200,000 or more must obtain approval from the Mental Health Services Oversight and Accountability Commission (MHSOAC) for an Innovative Project Plan to spend INN funds, including interest earned and allocated to the INN component, within three fiscal years of receiving those funds and earning the interest. In determining the three fiscal year period, the fiscal year that the SCO distributes the funds to the county, including funds withheld due to noncompliance, is the first fiscal year. For example, funds the SCO distributed to a county, including funds withheld due to noncompliance, in FY 2015-16 for the INN component are available to be included in an Innovative Project Plan in FY 2015-16, FY 2016-17, and FY 2017-18. INN funds not dedicated to an approved Innovative Project Plan within three fiscal years shall revert to the MHSF. Interest earned in a fiscal year will be treated the same way as revenue received during that fiscal year for purposes of reversion.<sup>6</sup>

Beginning with funds distributed in FY 2015-16, a county with a population of 200,000 or more that obtains approval from the MHSOAC for an Innovative Project Plan must spend the INN funds identified in that plan within three fiscal years of receiving the MHSOAC's approval, or within three fiscal years from the fiscal year in which the SCO distributed the funds to the county, whichever is later. In determining the three-year fiscal period, the fiscal year that the MHSOAC approves the county's plan or the fiscal year in which the SCO distributed the funds to the county, including funds withheld due to noncompliance, is the first fiscal year. The funds shall revert to the MHSF if a county fails to spend such funds within three fiscal years from receiving MHSOAC approval or within three fiscal years from the fiscal year in which the SCO distributed the funds to the county, including funds withheld due to noncompliance.<sup>7</sup>

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<sup>4</sup> Welf. & Inst. Code § 5892, subds. (f), (h)(3)

<sup>5</sup> Welf. & Inst. Code § 5892, subds. (b), (f), (h)(3)

<sup>6</sup> Welf. & Inst. Code § 5892, subds. (f), (h)(1), (2)

<sup>7</sup> Welf. & Inst. Code § 5892, subd. (h)(2)

*Counties with a Population of Less Than 200,000 - INN*

Beginning with funds distributed in FY 2015-16, a county with a population of less than 200,000 must obtain approval from the MHSOAC for an Innovative Project Plan to spend INN funds, including interest earned and allocated to the INN component, within five fiscal years of receiving those funds and earning the interest. In determining the five-fiscal-year period, the fiscal year that the SCO distributes the funds to the county, including funds withheld due to noncompliance, for the INN component is the first fiscal year. For example, funds the SCO distributed to a county, including funds withheld due to noncompliance, in FY 2015-16 for the INN component are available to be included in an Innovative Project Plan in FY 2015-16, FY 2016-17, FY 2017-18, FY 2018-19 and FY 2019-20. INN funds not dedicated to an approved Innovative Project Plan within five fiscal years shall revert to the MHSF. Interest earned in a fiscal year is treated the same way as revenue received during that fiscal year for purposes of reversion.<sup>8</sup>

Beginning with funds distributed in FY 2015-16, a county with a population of less than 200,000 that obtains approval from the MHSOAC for an Innovation Project Plan must spend the INN funds identified in that plan within five fiscal years of receiving the approval or five fiscal years from when the SCO distributed the funds to the county. In determining the five fiscal year period, the fiscal year that the MHSOAC approves the county's plan or the SCO distributed the funds to the county, including funds withheld due to noncompliance, is the first fiscal year. The funds shall revert to the MHSF, if a county fails to spend such funds within five fiscal years from receiving approval or the SCO distributing the funds to the county.<sup>9</sup>

Beginning with funds distributed in FY 2015-16, a county with a population of less than 200,000 that obtains approval from the MHSOAC for an Innovation Project Plan prior to July 1, 2017, must spend the INN funds identified in that plan within three fiscal years of receiving the funds. In determining the three fiscal year period, the fiscal year that the SCO distributes the funds to the county, including funds withheld due to noncompliance, is the first fiscal year. If a county fails to spend such funds within three fiscal years of receiving the funds, the funds shall revert to the MHSF.<sup>10</sup>

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<sup>8</sup> Welf. & Inst. Code § 5892, subds. (f), (h)(3)

<sup>9</sup> Welf. & Inst. Code § 5892, subd. (h)(4)

<sup>10</sup> Welf. & Inst. Code § 5892, subd. (h)(4)

All Counties - Capital Facilities and Technological Needs and Workforce Education and Training

All counties must spend funds transferred from the CSS component to the CFTN or WET components within ten fiscal years of the fiscal year of distribution. In determining the ten-year fiscal period, the fiscal year that the SCO distributes the funds to the county, including funds withheld due to noncompliance, and is the first fiscal year. For example, CSS funds distributed to a county in FY 2008-09, which the county transferred to the CFTN component, are available for expenditure in FY 2008-09, FY 2009-10, FY 2010-11, FY 2011-12, FY 2012-13, FY 2013-14, FY 2014-15, FY 2015-16, FY 2016-17 and FY 2017-18. Any funds distributed to a county that the county transferred to its CFTN component and/or WET component that are not spent within the ten-year period will revert to the MHSF.<sup>11</sup>

D. Amount Subject to Reversion

*Methodology for Calculating Reversion Amounts: CSS, PEI, CFTN, and WET*

DHCS will calculate reversion amounts using the first-in-first-out method for the CSS and PEI components beginning with revenue distributed in FY 2015-16 and for the CFTN and WET components beginning with funds transferred from the CSS component in FY 2008-09. The first-in first-out method assumes that the first dollar received is the first dollar spent. Beginning with funds available for the CSS, PEI, and INN components in FY 2015-16 and funds available for the CFTN and WET in FY 2008-09, DHCS will subtract MHSF expenditures reported in the ARER for each component from the remaining balance of funding in the oldest fiscal year within the reversion period for the county and component. If expenditures less the balance of funding is greater than zero, DHCS will subtract the balance of expenditures from the remaining balance of funding in the next fiscal year. DHCS will repeat this process until the balance of expenditures minus the remaining balance of funding is less than or equal to zero. DHCS will revert the balance of funding for a county and component that is greater than zero at the end of the reversion period.<sup>12</sup>

Assume a large county received \$1,000,000 for the CSS component in FY 2015-16. The same county reported that it spent \$250,000 on the CSS component in FY 2015-16, \$500,000 in FY 2016-17, and \$750,000 in FY 2017-18. The reversion period for the CSS component is three years. After FY 2015-16, this county would have \$750,000 (\$1,000,000 - \$250,000) left from the funds received in FY 2015-16. After

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<sup>11</sup> Welf. & Inst. Code § 5892, subd. (h)(1)

<sup>12</sup>Welf. & Inst. Code § 5892, subd. (h)(1), (3)

FY 2016-17, the county would have \$250,000 (\$750,000 - \$500,000) left from the funds received in FY 2015-16. The county would have spent the entire \$1,000,000 in FY 2017-18. (\$250,000 - \$750,000 = (\$500,000)). DHCS would subtract the remaining \$500,000 from the funds received for the CSS component in FY 2016-17.

*Methodology for Calculating Reversion Amounts: INN*

Counties that received MHSOAC approval for Innovative Project Plans prior to July 1, 2017, may have committed INN funds distributed in FY 2015-16 through FY 2018-19, and may continue to spend those funds to implement the approved Innovative Project Plan. Each county currently reports in the ARER how much it spent on each Innovative Project Plan during the fiscal year and identifies the date the MHSOAC approved each plan. DHCS will use the following methodology to determine how much each county spent from INN component funds distributed in FY 2015-16 through FY 2018-19 on Innovative Project Plans approved prior to July 1, 2017:

- Step #1 Identify the amount distributed to each county for the INN component in FY 2015-16 through FY 2018-19. Pursuant to W&I Section 5892.1 and [MHSUDS IN 17-059](#), this does not include the amount reverted and reallocated to each county for FY 2005-06 through FY 2014-15.
- Step #2 Calculate the sum of INN component expenditures, as reported in the FY 2015-16 and FY 2016-17 ARERs that DHCS did not use in determining funds deemed reverted and reallocated pursuant to IN 17-059.
- Step #3 Calculate the sum of INN component expenditures for programs approved by the MHSOAC prior to July 1, 2017, as reported in the FY 2017-18 and FY 2018-19 ARERs.
- Step #4 Calculate the sum of the results from step two and step three.
- Step #5 Subtract the amount determined in Step #4 from the county's FY 2015-16 INN component funding as identified in Step #1.
- Step #6 If the amount determined in Step #5 is greater than or equal to zero, the result in Step #3 is equal to the FY 2015-16 funding available to commit to an INN project plan approved after July 1, 2017. The amount identified for FY 2016-17 through FY 2018-19 in Step #1 is also available to commit to an INN project plan approved after July 1, 2017.

- Step #7 If the amount determined in Step #5 is less than zero, calculate the sum of the amount determined in Step #5 and the amount identified in Step #1 for FY 2016-17.
- Step #8 If the amount determined in Step #7 is greater than or equal to zero, the result in Step #7 is equal to the amount of INN component funds distributed in FY 2016-17 that are available to commit to a plan approved after July 1, 2017. All INN component funds distributed in FY 2017-18 and FY 2018-19 are available to commit to an INN project plan approved after July 1, 2017.
- Step #9 If the amount determined in Step #7 is less than zero, calculate the sum of Step #7 and the INN component funds distributed to the county in FY 2017-18 as identified in Step #1.
- Step #10 If the amount determined in Step #9 is greater than or equal to zero, the result in Step #9 is equal to the amount of INN component funds distributed in FY 2017-18 that are available to commit to a plan approved after July 1, 2017. All INN component funds distributed in FY 2018-19 are also available to commit to an INN project plan approved after July 1, 2017.
- Step #11 If the amount determined in Step #9 is less than zero, calculate the sum of the result in Step #9 and the amount of INN component funds distributed to the county in FY 2018-19 as identified in Step #1.
- Step #12 If the amount determined in Step #11 is greater than or equal to zero, the result in Step #11 equals the amount of INN component funds distributed in FY 2018-19 that are available to commit to a plan approved after July 1, 2017.

DHCS will revert funds distributed to a county for the INN component that have not been committed to an approved INN project plan and spent within the reversion period.

Beginning with plans approved in FY 2017-18, DHCS will use the following methodology to determine whether a county has met the requirement to obtain approval from the MHSOAC for an Innovative Project Plan within three fiscal years or five fiscal years of receiving the funds.

- Step #1 DHCS will identify the total amount of INN component funds contained in the budget of the approved INN plan.

- Step #2 DHCS will identify the oldest available INN component funding within the reversion period that the county did not spend on a plan approved prior to July 1, 2017, and has not committed to a plan approved on or after July 1, 2017.
- Step #3 DHCS will subtract the amount identified in Step #2 from the amount identified in Step #1.
- Step #4 If the result in Step #3 is greater than zero, the entire amount in Step #2 is committed to this plan. DHCS will complete Steps #2 and #3 to commit more recent INN component funding.
- Step #5 If the result in Step #3 is equal to zero, the entire amount in Step #2 is committed to this plan.
- Step #6 If the result in Step #3 is less than zero, the sum of Step #2 Step #3 is committed to this plan.
- Step #7 DHCS will revert INN component funds that a county does not spend on a plan approved prior to July 1, 2017, or does not commit to a plan approved on or after July 1, 2017.

DHCS will revert funds committed to an approved Innovative Project Plan within the period required to commit funds if the county does not spend those funds within the reversion period for the county and INN component. DHCS will use the first-in first-out method to calculate reversion. The first-in first-out method assumes the first dollar committed to an Innovative Project Plan is the first dollar spent.

Beginning in the winter of 2018, and using the FY 2017-18 ARER, DHCS will subtract MHSA expenditures reported for Innovative Project Plans approved after July 1, 2017, from the remaining balance of funds committed to an Innovative Project Plan approved after July 1, 2017, in the oldest fiscal year within the reversion period for the county and component. If expenditures less the balance of funding are greater than zero, DHCS will subtract the balance of expenditures from the remaining balance of funding in the next fiscal year. DHCS will repeat this process until the balance of expenditures minus the remaining balance of funding is less than or equal to zero. DHCS will revert the balance of funding for a county that is greater than zero at the end of the reversion period for that county<sup>13, 14</sup>

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<sup>13</sup> Welf. & Inst. Code § 5892, subd. (h)(2), (4)

<sup>14</sup> The amount of funds subject to reversion for a fiscal year may subsequently be revised based on a Department audit finding that a county failed to spend funds as reported on its ARER.

### *Sources of Data*

DHCS will utilize the following sources of data in calculating reversion:

- Revenue is equal to the amount the SCO distributed to the county, including funds withheld, from July through June of the fiscal year plus any interest earned. DHCS will use the amounts the SCO publishes in the [Monthly Mental Health Service Fund reports](#)<sup>15</sup>. DHCS will also use the amount of interest earned as reported on the ARER. DHCS will allocate the amount the SCO distributed to the county and interest earned as follows: 76 percent to the CSS component, 19 percent to the PEI component, and percent to the INN component. These percentage allocations are consistent with how Title 9, California Code of Regulations, Section 3930(d)(7) requires counties to allocate, among components, funds deposited into the local mental health services fund.
- Expenditures, as reported each fiscal year in the MHSA ARER. DHCS will use the sum of all expenditures of MHSA funds, including interest, for each component funded.

### E. Notice of Funds Subject to Reversion/Appeals Process

#### *Notice of Funds Subject to Reversion*

By April 30 of each year, DHCS will send via certified mail a notice to each county notifying them of the amount of county funds that are subject to reversion. The notice will include a schedule of the county's funds subject to reversion from each component (CSS, PEI, INN, CFTN, and WET), and will include data from the county's ARER that DHCS used to determine the amounts subject to reversion.<sup>16</sup>

#### *County Submission of Appeal*

If a county disagrees with DHCS's determination of the reversion amount, the county may submit an appeal to DHCS. To appeal, the county shall submit the following documents by email to [MHSA@dhcs.ca.gov](mailto:MHSA@dhcs.ca.gov):

- A completed Adjustments to Revenue or Expenditure Summary form (Enclosure 1).
- An executed MHSA Fiscal Accountability Certification form (Enclosure 2).

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<sup>15</sup> Since the SCO reports display allocations from August through July, the calculation of revenue for one fiscal year will cross SCO reports.

<sup>16</sup> Welf. & Inst. Code § 5892, subd. (h)

The county must submit an appeal within **30 calendar days** of receiving the notice of the amount of the county's funds that are subject to reversion. **DHCS will not consider late appeals.**

#### *Decision on Appeal*

DHCS will review the appeal documents and email a written decision to the county within 45 calendar days of receiving the appeal. DHCS's decision will include a statement of the reasons that support the decision. DHCS is working with the SCO to finalize the process by which the State will revert and reallocate funds subject to reversion.

#### F. Reversion of Funds

##### **Administration of Funds**

Each county shall administer funds deposited by the SCO into their Local MHSF in compliance with the following:

##### A. Allocation of CSS, PEI and INN Funds, Including Interest Earned

Each fiscal year counties must allocate funds distributed by the SCO from the MHSF to the county's Local MHSF, other than reverted and redistributed funds,<sup>17</sup> on the following percentage basis:

1. Five percent to the INN component.
2. Nineteen percent to the PEI component.
3. Seventy-six percent to the CSS component.<sup>18</sup>

The county must invest Funds deposited into its Local MHSF consistent with other county funds.<sup>19</sup> Each county must deposit the interest earned on these funds in a fiscal year into the Local MHSF the same fiscal year and allocate the interest earned as follows:

1. Five percent to the INN component.
2. 19 percent to the PEI component.

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<sup>17</sup> Welf. & Inst. Code § 5899.1, subd. (a)

<sup>18</sup> Welf. & Inst. Code § 5892, subd. (a)(3-5)

<sup>19</sup> Welf. & Inst. Code § 5892, subd. (f)

3. 76 percent to the CSS component.<sup>20</sup>
4. Interest earned should be reflected as revenue on the ARER according to the fiscal year and component.<sup>21</sup>
5. Interest earned on investment of MHSA funds in a fiscal year is subject to the same expenditure requirements and reversion timelines as MHSA funds the SCO distributes to the county in that same fiscal year.<sup>22</sup>

**B. Transfer of CSS funds to the Prudent Reserve, CFTN component and WET component**

A county may transfer funds from the CSS component, including reallocated funds, into its prudent reserve, the CFTN component and/or WET components, provided all transfers meet the following requirements:

1. During a fiscal year, a county may only transfer into its prudent reserve, CFTN component, WET component, or any combination of the three up to 20 percent of the average amount of the total funds, including redistributed funds, deposited by the SCO into the Local MHSF over the previous five years.<sup>23</sup>
2. The 20 percent is calculated as follows:
  - a) Add the total funds distributed for all components for the previous five years.
  - b) Divide the total amount by five.
  - c) Multiply this amount by twenty percent.<sup>24</sup>
3. A county shall report as spent the full cost of an asset purchased with CFTN funds on the ARER for the fiscal year when the county purchased the asset.<sup>25</sup>

**C. Prudent Reserve Funding Levels**

A county must fund its prudent reserve solely with funds allocated to the CSS component. A county shall not maintain a balance in the Prudent Reserve that exceeds 33 percent of the largest distribution to the county from the MHSF in a fiscal year. A county with a Prudent Reserve that contains an amount larger than the 33 percent must not transfer additional funds into the prudent reserve until its balance is below 33

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<sup>20</sup> Welf. & Inst. Code § 5892, subd. (f)

<sup>21</sup> Welf. & Inst. Code § 5899, subd. (c)(3), 5892, subd. (h)

<sup>22</sup> Welf. & Inst. Code § 5892, subd. (h)

<sup>23</sup> Welf. & Inst. Code § 5892, subd. (b)

<sup>24</sup> Welf. & Inst. Code § 5892, subd. (b)

<sup>25</sup> Welf. & Inst. Code §§ 5892, subd. (h), 5899, subds. (a), (b)

percent. DHCS will publish an IN prior to the beginning of each fiscal year informing each mental health plan of its maximum prudent reserve level.<sup>26</sup>

D. Transfers to a Joint Powers Authority

A county may transfer funds to a Joint Power Authority (JPA) formed pursuant to Government Code 6500. The following apply to such transfers:

1. Funds a county transfers to a JPA are considered spent when the JPA spends the funds for the component and purposes described in that county's Three-Year Program and Expenditure Plan or Annual Update.
2. The reversion period for funds transferred to a JPA begins when the SCO distributes the funds to a county, including funds withheld due to noncompliance. In determining the reversion period, the fiscal year in which the SCO distributed the funds to a county, including funds withheld due to noncompliance, is the first fiscal year. Funds transferred to the JPA must be spent within the timeframe allotted for CSS, PEI, INN, CFTN and WET components, as described in this Information Notice, and if not, will be subject to the reversion timelines described above.<sup>27</sup>
3. The county must report on its ARER each transfer of funds from the Local MHSF to the JPA, each of the JPA's expenditures of the funds, and interest earned on the funds.<sup>28</sup>

For questions regarding this IN, please contact Donna Ures, Chief, Mental Health Services Act Section, at [donna.ures@dhcs.ca.gov](mailto:donna.ures@dhcs.ca.gov) or (916) 713-8802.

Sincerely,

Original signed by

Brenda Grealish, Acting Deputy Director  
Mental Health and Substance Use Disorder Services

Enclosures

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<sup>26</sup> Welf. & Inst. Code §§ 5847, subd. (b)(7), 5892, subds. (b), (h)

<sup>27</sup> Welf. & Inst. Code § 5892, subd. (h)

<sup>28</sup> Welf. & Inst. Code §§ 5892, subd. (h), 5899, subds. (a), (c)(3)