

2025 LANTERMAN-PETRIS- SHORT (LPS) ACT ANNUAL REPORT

Data reported for January 2023 – December 2023

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EXECUTIVE SUMMARY

This report provides an overview of the Department of Health Care Services' (DHCS) Lanterman-Petris-Short (LPS) Act data collection processes under Welfare and Institutions (W&I) Code § 5402. This report summarizes DHCS' efforts to implement [Senate Bill \(SB\) 929](#) (Eggman, Chapter 539, Statutes of 2022), [Assembly Bill \(AB\) 118](#) (Committee on Budget, Chapter 42, Statutes of 2023), and [Senate Bill \(SB\) 43](#) (Eggman, Chapter 637, Statutes of 2023) requirements for LPS Act data collection and reporting. This report includes data from January 2023 – December 2023 (Phases 1 and 2 of DHCS' multi-phase implementation plan), and also describes actions taken by DHCS in 2024 to continue implementation of relevant reporting requirements.

Passed into law in September 2022, SB 929 amended W&I Code § 5402 to expand LPS data reporting requirements and mandate the publication of an annual report by May 1 of each year. Passed into law in July 2023, AB 118 further amended § 5402 to clarify the data reporting requirements previously established in SB 929. Passed into law in October, SB 43 amended subdivision (h) of W&I Code § 5008 to expand the definition of "gravely disabled" to include individuals who are unable to care for themselves because of a severe substance use disorder (SUD), or a co-occurring mental health disorder and a severe SUD. SB 43 also added subdivision (a)(18) to W&I Code § 5402 to include the above conditions. References to SB 929 in this report include the additional changes to the law made by AB 118. This report separately describes the way DHCS integrated SB 43 into implementation efforts.

To implement SB 929, DHCS created a phased implementation plan. DHCS published a report in March 2024, the [Senate Bill 929 Report to Legislature](#), that described this initial implementation plan. Since the 2024 report, DHCS has further streamlined data collection efforts and integrated SB 43 requirements into the Department's implementation work. DHCS amended the original phased implementation plan in response to input from county and behavioral health stakeholders across the state that was shared with DHCS during the [October 2023 Listening Session: Implementation of Senate Bill \(SB\) 929 and Assembly Bill \(AB\) 118](#). Implementation is now comprised of five phases as described throughout this second annual report.

The data elements reported for calendar year 2023 and displayed in the data tables in the Appendix¹ of this report include:

¹ All data tables referenced in this report are available on the California Health & Human Services Open Data Portal: <https://data.chhs.ca.gov/dataset/lanterman-petris-short-act-data>.

- » Summary of Persons Admitted or Detained in LPS Designated and Approved Jail Inpatient Units
- » Summary of Persons Admitted or Detained in LPS Designated and Approved Facilities
- » Summary of Persons Detained by Other Entities

The tables in the Appendix² provide a summary of hold types across counties, focusing on key elements such as conditions for admission or detainment, demographic information as set forth in W&I Code § 5402(a)(10), and the number of individuals that were subjected to an LPS hold under § 5402(a)(5). The hold types include 72-hour admission, 72-hour detainment, 14-day intensive treatment, additional 14-day intensive treatment, 30-day intensive treatment, additional 30-day intensive treatment, 180-day post-certification treatment, transfer pursuant to Penal Code § 4011.6, and both temporary and permanent conservatorships.

DHCS did not receive complete data from all counties during this reporting period: 32 out of 58 counties submitted data for 2023. During this time, reporting requirements were relatively new; counties developed policies and procedures for data collection and reporting and sought extensive technical assistance from DHCS. DHCS also deployed a new electronic data submission platform in 2023 and implemented an additional platform transition in 2024. As efforts to implement W&I Code § 5402 continued, DHCS identified key challenges faced by counties, their facilities, and other entities involved in carrying out W&I Code § 5150. In response, DHCS has provided ongoing technical assistance, including through listening sessions and regular county calls, ensuring counties receive the most current information. DHCS has also issued notices of non-compliance to counties that have not reported the required data. Should counties fail to come into compliance with reporting requirements, DHCS may impose a plan of correction or assess civil money penalties. Compliance with reporting requirements improved significantly in 2024, and DHCS anticipates the 2026 version of this report, which will include 2024 data, will be relatively more complete. The 2026 report will also describe ongoing implementation efforts undertaken in 2025.

In addition to the data collected and reported by DHCS, this report includes data reported by the Judicial Council of California (JCC). W&I Code § 5402 requires the JCC to

² All data tables referenced in this report are available on the California Health & Human Services Open Data Portal: <https://data.chhs.ca.gov/dataset/lanterman-petris-short-act-data>.

"provide the Department, by October 1 of each year, with data from each superior court ..., including the number and outcomes of certification review hearings held pursuant to § 5256, petitions for writs of habeas corpus filed pursuant to § 5275, judicial review hearings held pursuant to § 5276, petitions for capacity hearings filed pursuant to § 5332, and capacity hearings held pursuant to § 5334 in each Superior Court." The data elements described above are not currently reported to the JCC at the level of aggregation needed to fulfill the reporting requirement. Therefore, the JCC contacted all 58 Superior Courts and requested manual, aggregated reporting of the required elements from April 2023 to December 2023. The tables that begin on page 25 of this report summarize the data collected and reported by the JCC for this period.

BACKGROUND: OVERVIEW OF THE LPS ACT

The LPS Act was enacted in 1967 and went into effect on July 1, 1972, to achieve objectives including the following:³

- » Ending the inappropriate, indefinite, and involuntary commitment of persons with mental health disorders, developmental disabilities, and chronic alcoholism;
- » Providing prompt evaluation and treatment of persons with mental health disorders and persons impaired by chronic alcoholism;
- » Guaranteeing and protecting public safety;
- » Safeguarding individual rights through judicial review;
- » Providing individualized treatment, supervision, and placement services by a conservatorship program for persons who are gravely disabled;
- » Encouraging the full use of all existing agencies, professional personnel, and public funds to accomplish these objectives and to prevent duplication of services and unnecessary expenditures; and

Protecting persons with mental health disorders and developmental disabilities from criminal acts.

DHCS is responsible for approving county designation of facilities to provide evaluation and treatment pursuant to the LPS Act.⁴

Overview of California Senate Bill 929 and Assembly Bill 118

In September 2022, SB 929 amended § 5402 of the W&I Code to require DHCS to collect expanded quarterly data and publish it in an annual report by May 1 of each year. The new requirements addressed gaps in data collection regarding detentions under the LPS Act. Expanded data elements included demographic variables, clinical outcomes, waiting periods, and several data points from the Judicial Council.

In July 2023, AB 118 further amended § 5402 of the W&I Code to require facilities designated under the LPS Act and other entities involved in implementing § 5150 of the W&I Code to collect and provide LPS Act data to the county behavioral health director.

³ Welf. & Inst. Code § 5001.

⁴ Welf. & Inst. Code § 5404.

The county behavioral health director must report this data to DHCS for compiling into this annual report.

Subdivision (a) of § 5402 of the W&I Code requires DHCS to collect data quarterly and publish, on or before May 1 of each year, a report including quantitative, de-identified information concerning the number of persons detained or admitted and treated involuntarily pursuant to several provisions of the LPS Act. DHCS is also required to collect data on the number of persons transferred to mental health facilities pursuant to § 4011.6 of the Penal Code, the number of persons for whom temporary conservatorships are established, and the number of persons for whom permanent conservatorships are established in each county. Furthermore, the report must evaluate the effectiveness of achieving the legislative intent of W&I Code § 5001.

This report includes 2023 data elements. As described in detail below, DHCS has implemented a five-phase implementation plan for complete data collection and reporting. For the full text of W&I Code § 5402 listing all required data elements, visit: [leginfo.legislature.ca.gov/5402](https://leginfo.ca.gov/legislature/5402)

Overview of California Senate Bill 43

Before the enactment of SB 43, grave disability in the LPS Act was limited to individuals unable to provide for themselves due to a mental health disorder. SB 43 expanded the definition of “gravely disabled” to include individuals unable to provide for their basic personal needs for food, clothing, shelter, personal safety, or necessary medical care due to a severe SUD or a co-occurring mental health disorder and severe SUD.⁵ Pursuant to SB 43, DHCS’ annual reports must include the number of persons admitted or detained, as specified, for each of the following conditions: danger to self; danger to others; grave disability due to a mental health disorder; grave disability due solely to a severe SUD; and grave disability due to both a mental health disorder and severe SUD.⁶ As SB 43 took effect in January 2024, this report does not include the last two data elements because this information was not collected in 2023.

⁵ See Welf. & Inst. Code § 5008(h).

⁶ Welf. & Inst. Code § 5402(a)(18).

IMPLEMENTATION PLAN FOR DATA COLLECTION REQUIRED BY SB 929 AND SB 43

After SB 929 went into effect on January 1, 2023, DHCS developed an implementation plan for collecting new data requirements across the state's LPS designated facilities and other entities required by statute to provide data. This process included examining current data collection forms and procedures, identifying current data provided by the counties, and determining the necessary phases to bring LPS Act reporting into compliance. DHCS described these initial efforts in the 2024 report. In response to the enactment of AB 118 and SB 43, DHCS updated its phased implementation plan for collecting data required by these laws. The updates to the implementation plan included input from county and other behavioral health stakeholders across the state, received from an October 5, 2023 Listening Session and stakeholder comments on implementation guidance.

Current Data and Identifying Data Needs

Prior to the implementation of SB 929, DHCS collected data related to LPS Act detentions and conservatorships through DHCS Forms 1008, 1009, and 1010. This data was collected by designated and approved facilities and submitted quarterly to their respective county behavioral health directors. County behavioral health agencies completed the above-mentioned forms and submitted them via email to DHCS on a quarterly basis. DHCS collected and tabulated the number of detentions from quarterly reports submitted by each county's behavioral health agency. This included data from public and private facilities and clients served in those facilities receiving services reimbursed by private or public funds.

To support county compliance with SB 929, DHCS determined that restructuring its data collection processes was necessary due to the increased data requirements in statute. DHCS transitioned to an online data collection platform, Nintex, to allow county behavioral health directors to submit data received from individual facilities directly to DHCS. DHCS utilized Nintex to collect data for January 2023 to December 2023.⁷

⁷ All data tables referenced in this report are available on the California Health & Human Services Open Data Portal: <https://data.chhs.ca.gov/dataset/lanterman-petris-short-act-data>.

SB 929/SB 43 Implementation Timeline: Updates Since the 2024 Report

DHCS developed a phased implementation plan that includes regular stakeholder input and a stepwise process to add additional data elements over time. DHCS reviewed its implementation efforts after completing the first annual report in 2024 and soliciting stakeholder feedback. DHCS' review led to further refinements in the implementation plan to ensure that DHCS and stakeholders could collaborate in capturing high-quality data to assess and evaluate the services provided under LPS Act, and to effectively integrate SB 43's data elements. The implementation plan is comprised of five phases (Figure 1) and allows inter-departmental and county stakeholders to restructure LPS data reporting to meet the newly expanded requirements of SB 929 and SB 43.

Figure 1: SB 929/SB 43 Implementation Plan



Phase 1: Identify Data Collection Efforts and Implementation of Data Elements 1-4 (Population Elements) And 10 (Population Demographic Data)

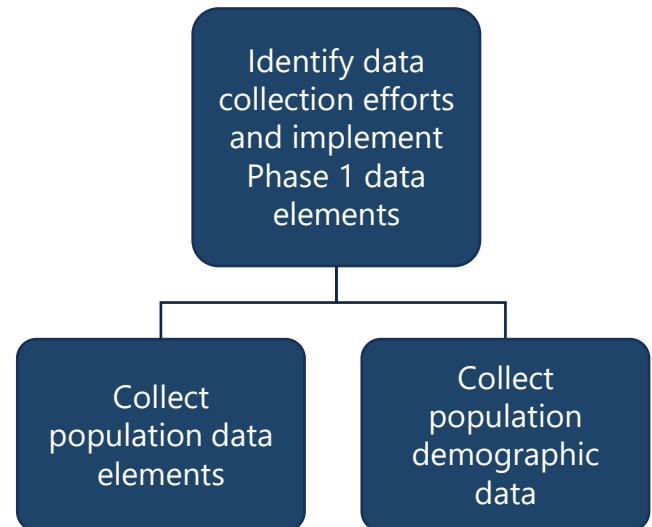
During Phase 1 (see Figure 2) from January to April 2023, DHCS assessed current data collection procedures to determine how many phases were necessary to collect all the new SB 929 data elements. During this assessment, DHCS determined that the new requirements necessitated a significant restructuring of data collection procedures. Previously, DHCS captured county LPS data through designated and approved facility-level reporting. This reporting only required designated and approved facilities to report total counts for each LPS activity. SB 929's new shift in focus required reporting activities and outcomes with more detailed information from each county behavioral health director, each designated facility, and other non-designated entities involved in providing evaluation and treatment under W&I Code § 5150.

In April 2023, DHCS changed the methodology for collecting data from a manual process to an online platform called ArcGIS Survey 123. Previously, DHCS collected data via e-mail, in which counties would submit PDFs which DHCS transcribed into a Microsoft Excel document and summarized. DHCS informed the counties of the new reporting process through [Behavioral Health Information Notice \(BHIN\) 23-015](#).

Due to issues related to Health Insurance Portability and Accountability Act (HIPAA) compliance, DHCS paused data collection in 2023 and focused its attention on the development of a new HIPAA compliant platform, Nintex. In April 2024, DHCS launched Nintex, instructing counties to submit their data through the new data collection platform. DHCS asked counties to retroactively submit data from January to December 2023. DHCS added the following demographic data elements to the Nintex platform:

- » Age
- » Sex
- » Gender Identity

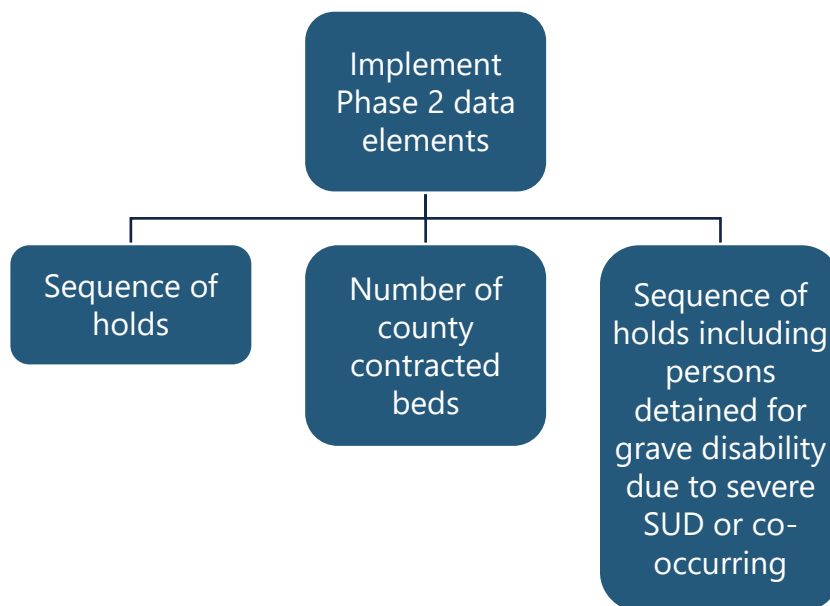
Figure 2: Phase 1



- » Race
- » Ethnicity
- » Sexual Orientation
- » Veteran Status
- » Housing Status

Phase 2: Implementation of Data Elements 5 (Sequence of Holds), 11 (Number of County Contracted Beds), and 18 (Sequence of Holds Including Persons Detained for Grave Disability Due to Severe SUD and Co-Occurring Mental Health Disorder and Severe SUD)

Figure 3: Phase 2



Phase 2 (see Figure 3) of the implementation plan moved the requirements of SB 929 and SB 43 into an actionable data collection plan. DHCS informed the counties of Phase 2 requirements in [BHIN 23-015](#). During Phase 2, SB 43 went into effect, expanding the definition of gravely disabled to include the diagnoses of a severe SUD and a co-occurring mental health disorder and severe SUD. Phase 2 thus

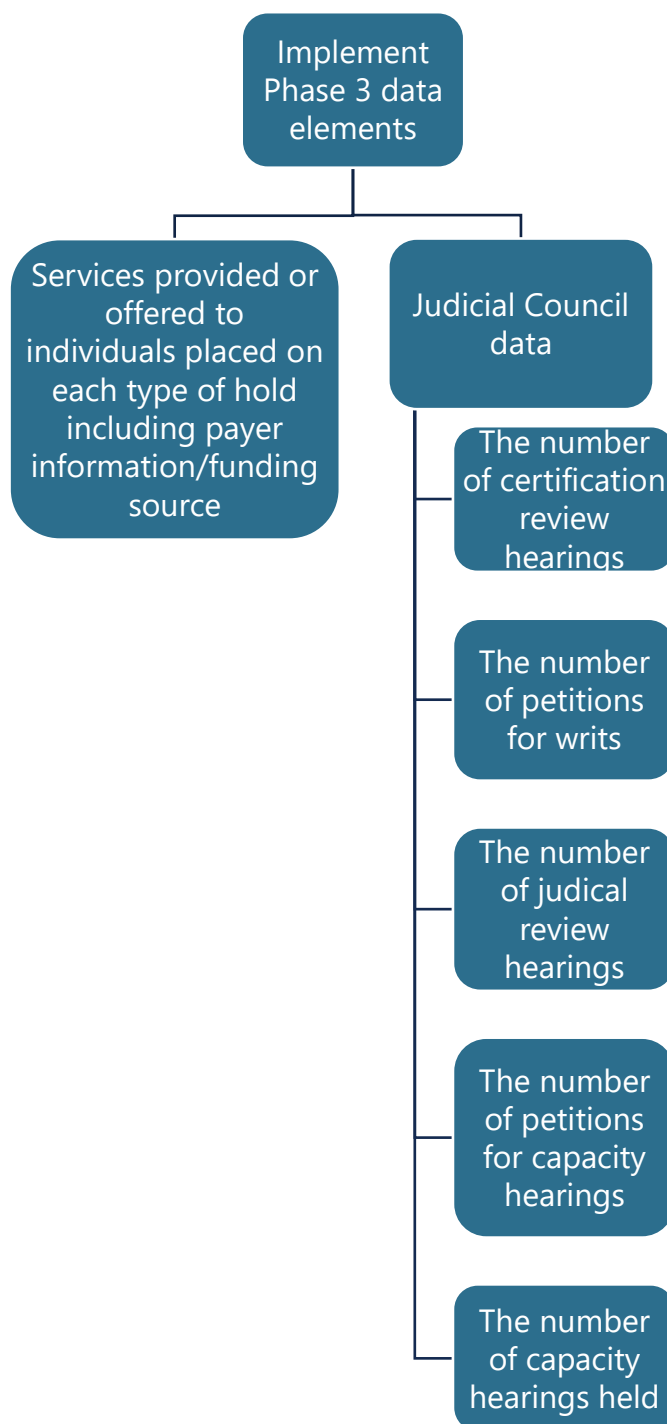
included data element 18: including persons detained for grave disability due to a severe SUD or a co-occurring mental health disorder and severe SUD. These data elements were included in the Nintex platform, and counties were asked to submit Phase 2 data starting in October 2023. DHCS will report on these data variables in the 2026 annual report.

Phase 3: Implementation of Data Element 7 (Services Provided)

For Phase 3 (see Figure 4), DHCS continued to expand the new data elements collected and follow the same data collection processes outlined in Phase 2. DHCS issued additional reporting guidance and clarification of terminology to counties and other reporting entities through the Phase 3 BHIN. DHCS also coordinated with the Judicial Council to establish an efficient data reporting process to collect the data which the Judicial Council is responsible for submitting (see Figure 4).

During this phase, DHCS began to prepare this annual report of 2023 LPS Act data for publication in 2025. In preparation, DHCS conducted outreach to reporting entities to obtain missing data and resolve data questions to improve data accuracy. Because SB 929 requires data elements that may not be currently collected by reporting entities, DHCS will continue to provide technical assistance so that required data is submitted to DHCS to include in the annual report.

Figure 4: Phase 3



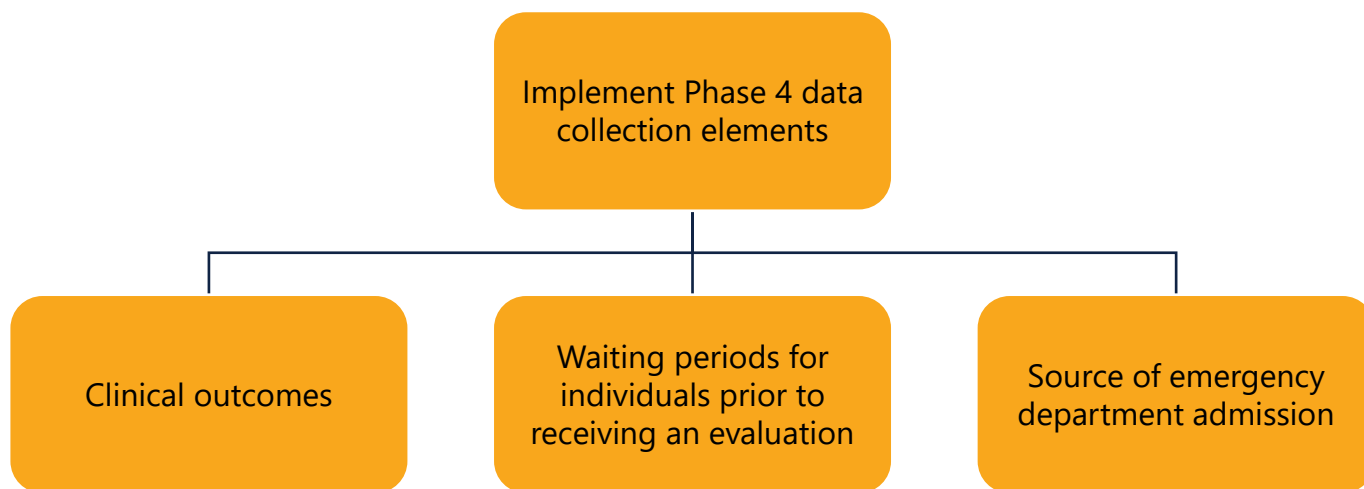
Phase 4: Implementation Of Data Elements 6 (Clinical Outcomes), 8 (Waiting Periods), and 9 (Source of Admission)

Phase 4, set to be implemented in 2025, will expand on the data collection requirements in W&I Code § 5402(a)(1)-(4):

- (1) The number of persons in designated and approved facilities admitted or detained for 72-hour evaluation and treatment, admitted for 14-day and 30-day periods of intensive treatment, and admitted for 180-day post-certification intensive treatment in each county.
- (2) The number of persons transferred to mental health facilities pursuant to § 4011.6 of the Penal Code in each county.
- (3) The number of persons for whom temporary conservatorships are established in each county.
- (4) The number of persons for whom conservatorships are established in each county.

For data elements 1-4, DHCS will collect clinical outcomes (W&I Code § 5402(a)(6)), waiting period (W&I Code § 5402(a)(8)), and source of admission information (W&I Code § 5402(a)(9)).

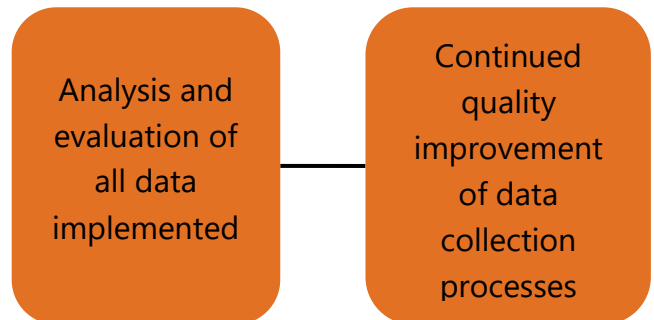
Figure 5: Phase 4



Phase 5: Analysis and Evaluation of all Phased Implementation Data.

By Phase 5, the implementation of all new data elements for collection will be complete. Phase 5 will turn towards analyzing and evaluating that data, as required by SB 929, to make recommendations regarding the improvement of LPS services. Further, DHCS will continue to monitor and assess the data collection process and make improvements to enhance data quality.

Figure 6: Phase 5



2024 IMPLEMENTATION EFFORTS

In 2024, DHCS advanced implementation of SB 929's data collection requirements and integrated updates from SB 43. Since the last report, DHCS completed Phase I data collection and focused on Phases II and III, which involved defining data elements related to service utilization and issuing guidance to stakeholders through additional BHINs. Phase II prioritized developing the Nintex platform and operationalizing data elements 1–4 (population) and 10 (demographics), while Phase III focused on data element 7 (services provided, per W&I Code § 5402(a)(7)). Although data for these phases was collected using Nintex, during 2024 DHCS also began developing a different permanent platform due to Nintex's technical limitations. Following the enactment of SB 43 in January 2024, DHCS began collecting new data on individuals detained or admitted due to danger to self or others, or grave disability related to a mental health disorder, severe substance use disorder (SUD), or both. This data will be included in the 2026 annual report based on 2024 collection.

DHCS continues its stepwise approach to ensure all data collection efforts meet new statutory requirements, while also developing tools to support county behavioral health directors in reporting high-quality data. To support this, DHCS developed and issued guidance to counties in October 2024 to allow for the delegation of data submission to county behavioral health director appointed designees. DHCS continues to provide guidance to county staff on meeting W&I Code § 5402 reporting requirements. Implementation of SB 929 and SB 43 will continue as planned, with ongoing stakeholder engagement and technical assistance.

LPS DATA REPORT FOR JANUARY 1, 2023 – DECEMBER 31, 2023

W&I Code § 5402(a) requires DHCS to collect data quarterly and publish, on or before May 1 of each year, a report including quantitative, de-identified information concerning the operation of the LPS Act. This includes the number of persons detained or admitted and treated pursuant to several provisions of the LPS Act. DHCS must also collect data on the number of persons transferred to mental health facilities pursuant to § 4011.6 of the Penal Code, the number of persons for whom temporary conservatorships are established, and the number of persons for whom permanent conservatorships are established in each county. This report includes these data elements from 2023, as presented in the Appendix⁸.

Counties utilized the Nintex platform to submit data from January 1, 2023, to December 31, 2023. DHCS aggregated the data into the tables in the Appendix⁸. Certain data cells were suppressed to protect health information and personal information in accordance with DHCS's [Data De-identification Guidelines](#).

Data Reported

DHCS collected and tabulated data from quarterly reports of LPS Act detentions compiled and reported from each county behavioral health agency, designated and approved facilities that provide evaluation and treatment and other entities involved in implementing W&I Code § 5150 within each county. This includes data from both publicly operated and privately owned facilities, and for clients in those facilities receiving services reimbursed by either private or public funds (i.e., the reporting applies to all instances of detainment or admission under the LPS Act regardless of funding source).

Three surveys are used to summarize and report the involuntary detention data:

- » Summary of Persons Admitted or Detained in LPS Designated and Approved Jail Inpatient Units
- » Summary of Persons Admitted or Detained in LPS Designated and Approved Facilities

⁸ All data tables referenced in this report are available on the California Health & Human Services Open Data Portal: <https://data.chhs.ca.gov/dataset/lanterman-petris-short-act-data>.

» Summary of Persons Detained by Other Entities

The tables in the Appendix⁸ provide a summary of hold types across counties, focusing on key elements such as conditions for admission or detainment, demographic information as set forth in W&I Code § 5402(a)(10), and the number of individuals that were subjected to an LPS hold under § 5402(a)(5). The hold types include 72-hour admission, 72-hour detainment, 14-day intensive treatment, additional 14-day intensive treatment, 30-day intensive treatment, additional 30-day intensive treatment, 180-day post-certification treatment, transfer pursuant to Penal Code § 4011.6, and both temporary and permanent conservatorships.

The tables include the conditions for which individuals were admitted or detained for each hold type, where available. The conditions reported here include danger to self, danger to others, and grave disability due to a mental health disorder. Demographic information, including age group, gender identity, race, ethnicity, and sexual orientation, sex, primary language, veteran status and housing status as well as the frequency of sequential holds (as required by § 5402(a)(5)), where available, is detailed for each county. In addition, the number of county-contracted beds is summarized across counties.

Data Methodology

DHCS uses the Facility-Based Reporting (FBR) method to ensure more accurate reporting. The FBR method places the responsibility upon the county where the treatment facility, jail, or court is located to report the number of persons admitted and detained under the LPS Act. For example, if client "A" is taken to county "B" under W&I Code § 5150, then the facility in county "B" is required to report that client as one 5150 admission. County "B" obtains data from all facilities within their county. Next, county "B" is responsible for submitting a single report based on information from every reporting facility on a quarterly basis.

Data Limitations

DHCS notes the following limitations applicable to the data in this report:

- » W&I Code § 5402(a)(10) requires DHCS to collect and report demographic data of persons on LPS Act holds, including age, sex, gender identity, race, ethnicity, primary language, sexual orientation, veteran status, and housing status. DHCS

⁸ All data tables referenced in this report are available on the California Health & Human Services Open Data Portal: <https://data.chhs.ca.gov/dataset/lanterman-petris-short-act-data>.

must also collect, and publish, de-identified data. When stratified by demographic categories, many counties' data included very small cell sizes. For the data to be deemed de-identified in this public-facing report, small cells must be suppressed; therefore, some data may not be usable.

- » SB 929 requires reporting on clinical outcomes, including data pertaining to services provided or offered to individuals placed on each type of LPS Act hold. These data elements are impacted by the same issues with data collection, small cell sizes, and de-identification described above.
- » DHCS did not receive complete data from all counties during this reporting period. 32 out of 58 counties submitted data for 2023. As noted below and depicted in the data tables, these 32 counties included some counties that submitted information to DHCS but had no data to report for certain elements, either because they had no designated facilities in the county or were unable to report data from existing facilities. (See discussion of county compliance and ongoing technical assistance efforts in the "Looking Ahead" section of this report, below.)

Data Submission Reporting Summary

For the 2023 reporting period, 32 counties reported data. Individuals from a county that does not have [LPS designated facilities](#) may be treated in another county with an LPS designated facility. As noted above, it is the responsibility of the county in which a treatment facility is located to include all the information about the facility in its data submission. Persons are to be counted in the unit or facility where each specific detention was initiated to avoid duplicate reporting.

Among the counties that reported data, 21 provided data for the 72-hour admission type, while 11 reported either no facilities or indicated they had no data (9 counties have reported no facilities and 2 counties indicated they have no data for 72-hour admission). For 72-hour detainments, 18 counties provided data, while 14 counties either had no facilities or indicated they had no data (4 counties have reported no facilities and 10 counties indicated they have no data for 72-hour detainments).

In addition, 17 counties provided data for 14-day intensive treatment, with 15 counties reporting either no facilities or no data (9 counties have reported no facilities and 6 counties indicated they have no data for 14-day intensive treatment). Ten counties provided data for an additional 14-day intensive treatment, while 22 counties reported no facilities or indicated no data (9 counties have reported no facilities and 13 counties indicated they have no data for additional 14-day intensive treatment).

In the case of 30-day intensive treatment, 12 counties provided data, with 20 counties reporting no facilities or indicating no data (9 counties have reported no facilities and 11 counties indicated they have no data for 30-day intensive treatment). Three counties reported data for the additional 30-day intensive treatment, whereas 29 counties either had no facilities or no data for this hold type (9 counties have reported no facilities and 20 counties indicated they have no data for additional 30-day intensive treatment). For 180-day post-certification, six counties provided data, with 26 counties reporting no facilities or indicating they had no data.

Thirteen counties provided data for transfer pursuant to Penal Code § 4011.6, while 19 counties reported having either no facilities or no data (4 counties have reported no facilities and 15 counties indicated they have no data for transfer pursuant to Penal Code § 4011.6). Regarding temporary conservatorship and permanent conservatorship reporting, 14 and 13 counties provided data, respectively, while 18 counties for temporary and 19 counties for permanent conservatorships reported no facilities or indicated they had no data (9 counties have reported no facilities, while 9 counties for temporary and 10 counties for permanent conservatorships indicated they have no data).

The data reporting summary in Table 2 shows data reporting efforts as DHCS switched from ArcGIS Survey 123 to the Nintex online data collection platform due to a change of data collection methodology.

Looking Ahead

Due to limitations with the data submitted for this reporting period and lack of longitudinal data, DHCS is unable to meaningfully evaluate the data included in this report. DHCS will include analysis and evaluation in a future report (following Phase 5 of the Department's phased implementation plan) and is currently implementing multiple strategies to address data quality issues and improve the utility of future reports:

- » **Data validation:** The 2023 data is considered preliminary and serves as the baseline dataset to meet new data collection requirements for the LPS Act. Initial quality controls were implemented through the screening of submissions to prevent duplication and maintain baseline data integrity. Statute, as written, limits the Department from having access to patient name identifiers, which makes data validation more challenging; however, data quality review and validation efforts are actively progressing with the availability of 2024 data. DHCS is now able to identify and address duplicates, outliers, and missing values—enabling more reliable comparisons across reporting periods.

- » **Platform functionality:** Both electronic data platforms ArcGIS Survey 123 and Nintex lack functionality needed to complete important data quality checks. DHCS is currently working to develop a new data collection platform with improved capabilities, scheduled for launch in 2025. Among other functionalities, the new platform should have the ability to flag certain abnormalities in real time for those submitting the data to facilitate prompt correction. In addition, the new platform will allow for submitters to thoroughly review their data following submission. DHCS anticipates that the new platform, combined with process improvements to facilitate timely correction and resubmission of county data, will result in more complete and accurate reporting in future years.
- » **Technical assistance:** During the 2023 reporting period, counties were still developing policies and procedures to implement new data collection and reporting. Counties also experienced a shift in reporting mechanisms due to the Department's implementation of a new electronic data submission platform. DHCS has worked to understand and address data collection and reporting challenges cited by counties and facilities during this early phase of implementation, and the Department continues to provide counties and providers with technical assistance via updated guidance, listening sessions, training webinars and office hours.
- » **Corrective action and compliance:** As noted above, DHCS may impose a plan of correction and/or assess civil money penalties to counties and/or facilities for non-compliance with reporting requirements. While DHCS did not immediately apply penalties during these first phases of implementation, the Department issued notices of non-compliance to counties that failed to report data and plans to proceed with penalizing counties and/or facilities that fail to comply with reporting requirements (W&I Code § 5402 (f)(1-3)). Compliance with reporting requirements improved significantly in 2024, and DHCS anticipates the 2026 version of this report (which will include 2024 data) will be relatively more complete.

JUDICIAL COUNCIL OF CALIFORNIA (JCC)

Overview

W&I Code section 5402 requires the JCC to “provide the department, by October 1 of each year, with data from each superior court ..., including the number and outcomes of certification review hearings held pursuant to Section 5256, petitions for writs of habeas corpus filed pursuant to Section 5275, judicial review hearings held pursuant to Section 5276, petitions for capacity hearings filed pursuant to Section 5332, and capacity hearings held pursuant to Section 5334 in each Superior Court. The department shall not have access to any patient name identifiers.”

Data Methodology

The data elements described above are not currently reported to the JCC at the level of aggregation needed to fulfill the reporting requirement. Therefore, the JCC contacted all 58 Superior Courts and requested the specific data elements provided in the “Data Definitions” section. The JCC asked the courts to fill out an Excel template for the required elements from April 2023 to December 2023.

Data Definitions

Section	Item	Data Element	Description
5256	Certification review hearings ¹	Total hearings held	Total number of certification review hearings held pursuant to W&I Code section 5256.
		Probable cause	Number of certification review hearings concluding there is probable cause to believe that the persons certified are a danger to others or themselves, or gravely disabled.
		Not probable cause	Number of certification review hearings concluding there is not probable cause to believe that the persons certified are danger to others or themselves, or gravely disabled.

Section	Item	Data Element	Description
5275	Petitions for writs of habeas corpus	Total petitions filed	Total number of petitions for writs of habeas corpus filed pursuant to W&I Code section 5275.
		Petition granted without hearing	Number of petitions for writs of habeas corpus granted without hearing
5276	Judicial review hearings	Total hearings held	Total number of judicial review hearings held pursuant to W&I Code section 5276.
		Petition granted after hearing	Number of judicial review hearings concluding with order for petitioner's release.
		Petition denied after hearing	Number of judicial review hearings concluding with petitioner remaining involuntarily detained.
5332	Petitions for capacity hearings	Total petitions filed	Total number of petitions for capacity hearings filed pursuant to W&I Code section 5332.
5334	Capacity hearings	Total hearings held	Total number of capacity hearings held pursuant to W&I Code section 5334.
		Incapacity to refuse treatment	Number of capacity hearings concluding with a determination of the person's incapacity to refuse treatment.
		Capacity to refuse treatment	Number of capacity hearings concluding with a determination of the person's capacity to refuse treatment.

¹Many superior courts do not conduct certification hearings in-house; rather, the County contracts with hearing officers. Only courts that conduct certification hearings in-house provided data.

Data Summary and Limitations

The JCC received all requested data elements from 11 courts, partial data from 39 courts, and no data from 8 courts for the period of April to August 2023. For the period from September to December 2023, the JCC received all requested data elements from 13 courts, partial data from 34 courts, and no data from 11 courts. The tables below summarize the completeness of data provided by the courts for each section/item (out of 58 courts):

April 2023 – August 2023			
Section/Item	Full data	Partial data	No data
5256-Certification review hearings	11	1	*46
5275-Petitions for writs of habeas corpus	49	1	8
5276-Judicial review hearings	47	0	11
5332-Petitions for capacity hearings	46	0	12
5334-Capacity hearings	40	1	17

* 34 courts indicated that they do not conduct certification review hearings in-house.

September 2023 – December 2023			
Section/Item	Full data	Partial data	No data
5256-Certification review hearings	13	2	*43
5275-Petitions for writs of habeas corpus	43	4	11
5276-Judicial review hearings	42	2	14
5332-Petitions for capacity hearings	45	-	13
5334-Capacity hearings	37	2	19

* 35 courts indicated that they do not conduct certification review hearings in-house.

Reasons courts could not provide data include pending Centers for Medicare and Medicaid Services (CMS) transitions, lack of ability to run report for specific data elements, not conducting hearings in-house (Certification review hearings/Capacity hearings), or not responding to the data request.

Therefore, the JCC calculated the data element Total hearings held under 5256-Certification review hearings as the sum of Probable cause and Not probable cause outcomes under 5256-Certification review hearings. In future collections, the JCC will ask the courts directly for the total number of certification review hearings held.

Table 1: Judicial Council Data

Judicial Council Data Reported By County								
		Alameda	Alpine	Amador	Butte ¹	Calaveras	Colusa	Contra Costa ¹
5256-Certification review hearings	Total hearings held	#	#	0	#	0	0	#
	Probable cause	#	#	0	#	0	0	#
	Not probable cause	#	#	0	#	0	0	#
5275-Petitions for writs of habeas corpus	Total petitions filed	43	0	0	***	***	0	64
	Petition granted without hearing	0	0	0	0	0	0	0
5276-Judicial review hearings	Total hearings held	45	0	0	***	0	0	#
	Petition granted after hearing	***	0	0	***	0	0	#
	Petition denied after hearing	***	0	0	0	0	0	#
5332-Petitions for capacity hearings	Total petitions filed	189	0	0	***	0	0	69
5334-Capacity hearings	Total hearings held	177	0	0	***	0	0	#
	Incapacity to refuse treatment	***	0	0	***	0	0	#

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

*** Data cells were suppressed to protect health information (PHI) and personal information (PI) in accordance with DHCS's Data De-identification Guidelines

Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County								
	Capacity to refuse treatment	***	0	0	0	0	0	#

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

*** Data cells were suppressed to protect health information (PHI) and personal information (PI) in accordance with DHCS's Data De-identification Guidelines

Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County								
		Del Norte	El Dorado	Fresno ¹	Glenn ¹	Humboldt	Imperial	Inyo ¹
5256-Certification review hearings	Total hearings held	^	0	#	#	#	^	#
	Probable cause	^	0	#	#	#	^	#
	Not probable cause	^	0	#	#	#	^	#
5275-Petitions for writs of habeas corpus	Total petitions filed	^	***	55	0	***	^	0
	Petition granted without hearing	^	0	0	0	***	^	0
5276-Judicial review hearings	Total hearings held	^	0	66	0	***	^	0
	Petition granted after hearing	^	0	0	0	0	^	0
	Petition denied after hearing	^	0	28	0	***	^	0
5332-Petitions for capacity hearings	Total petitions filed	^	***	45	0	***	^	0
5334-Capacity hearings	Total hearings held	^	***	49	0	***	^	0
	Incapacity to refuse treatment	^	***	30	0	***	^	0
	Capacity to refuse treatment	^	0	0	0	***	^	0

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

*** Data cells were suppressed to protect health information (PHI) and personal information (PI) in accordance with DHCS's Data De-identification Guidelines

Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County								
		Kern ¹	Kings ¹	Lake	Lassen	Los Angeles	Madera	Marin ¹
5256-Certification review hearings	Total hearings held	#	#	0	0	19,710	#	#
	Probable cause	#	#	0	0	17,712	#	#
	Not probable cause	#	#	0	0	573	#	#
5275-Petitions for writs of habeas corpus	Total petitions filed	29	0	0	0	1,213	***	16
	Petition granted without hearing	0	0	0	0	0	0	0
5276-Judicial review hearings	Total hearings held	***	0	0	0	1,214	***	***
	Petition granted after hearing	***	0	0	0	532	***	***
	Petition denied after hearing	***	0	0	0	198	0	***
5332-Petitions for capacity hearings	Total petitions filed	209	0	0	0	1,632	0	26

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

*** Data cells were suppressed to protect health information (PHI) and personal information (PI) in accordance with DHCS's Data De-identification Guidelines

Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County								
5334-Capacity hearings	Total hearings held	***	0	0	0	104	#	25
	Incapacity to refuse treatment	***	0	0	0	39	#	25
	Capacity to refuse treatment	***	0	0	0	18	#	0

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

*** Data cells were suppressed to protect health information (PHI) and personal information (PI) in accordance with DHCS's Data De-identification Guidelines

Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County								
		Mariposa ¹	Mendocino ¹	Merced ¹	Modoc ¹	Mono	Monterey ¹	Napa ¹
5256-Certification review hearings	Total hearings held	#	#	#	#	#	#	#
	Probable cause	#	#	#	#	#	#	#
	Not probable cause	#	#	#	#	#	#	#
5275-Petitions for writs of habeas corpus	Total petitions filed	0	***	***	0	0	***	12
	Petition granted without hearing	0	0	0	0	0	***	0
5276-Judicial review hearings	Total hearings held	0	#	0	0	0	***	***
	Petition granted after hearing	0	#	0	0	0	***	***
	Petition denied after hearing	0	#	0	0	0	***	***
5332-Petitions for capacity hearings	Total petitions filed	0	#	***	0	0	76	25
5334-Capacity hearings	Total hearings held	0	#	***	0	0	#	21
	Incapacity to refuse treatment	0	#	***	0	0	#	***
	Capacity to refuse treatment	0	#	0	0	0	#	***

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

*** Data cells were suppressed to protect health information (PHI) and personal information (PI) in accordance with DHCS's Data De-identification Guidelines

Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County								
		Nevada ¹	Orange ¹	Placer ¹	Plumas	Riverside ¹	Sacramento ¹	San Benito ¹
5256-Certification review hearings	Total hearings held	#	0	#	^	#	#	#
	Probable cause	#	#	#	^	#	#	#
	Not probable cause	#	#	#	^	#	#	#
5275-Petitions for writs of habeas corpus	Total petitions filed	0	508	***	^	11	***	***
	Petition granted without hearing	0	#	0	^	0	***	0
5276-Judicial review hearings	Total hearings held	0	501	0	^	***	262	#
	Petition granted after hearing	0	192	0	^	***	77	#
	Petition denied after hearing	0	64	0	^	***	185	#
5332-Petitions for capacity hearings	Total petitions filed	0	754	#	^	273	413	#
5334-Capacity hearings	Total hearings held	0	754	#	^	184	131	#
	Incapacity to refuse treatment	0	#	#	^	***	120	#
	Capacity to refuse treatment	0	#	#	^	***	11	#

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

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Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County								
		San Bernardino ¹	San Diego	San Francisco	San Joaquin	San Luis Obispo ¹	San Mateo ¹	Santa Barbara
5256-Certification review hearings	Total hearings held	#	1,630	796	31	#	#	^
	Probable cause	#	1,418	532	***	#	#	^
	Not probable cause	#	197	264	***	#	#	^
5275-Petitions for writs of habeas corpus	Total petitions filed	212	308	22	212	***	0	^
	Petition granted without hearing	0	0	0	0	0	0	^
5276-Judicial review hearings	Total hearings held	224	82	11	220	***	0	^
	Petition granted after hearing	***	***	***	17	0	0	^
	Petition denied after hearing	***	***	***	103	***	0	^
5332-Petitions for capacity hearings	Total petitions filed	867	397	841	118	21	123	^

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

*** Data cells were suppressed to protect health information (PHI) and personal information (PI) in accordance with DHCS's Data De-identification Guidelines

Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County								
5334-Capacity hearings	Total hearings held	885	274	472	125	19	105	^
	Incapacity to refuse treatment	611	***	384	61	***	***	^
	Capacity to refuse treatment	252	***	88	25	***	***	^

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

*** Data cells were suppressed to protect health information (PHI) and personal information (PI) in accordance with DHCS's Data De-identification Guidelines

Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County								
		Santa Clara	Santa Cruz ¹	Shasta ¹	Sierra	Siskiyou ¹	Solano ¹	Sonoma ¹
5256-Certification review hearings	Total hearings held	804	#	#	0	#	#	#
	Probable cause	***	#	#	0	#	#	#
	Not probable cause	***	#	#	0	#	#	#
5275-Petitions for writs of habeas corpus	Total petitions filed	***	20	***	0	0	***	156
	Petition granted without hearing	***	0	0	0	0	0	0
5276-Judicial review hearings	Total hearings held	***	***	***	0	0	***	76
	Petition granted after hearing	0	***	***	0	0	0	***
	Petition denied after hearing	***	***	***	0	0	***	***
5332-Petitions for capacity hearings	Total petitions filed	0	39	***	0	0	0	79
5334-Capacity hearings	Total hearings held	0	#	***	0	0	0	***
	Incapacity to refuse treatment	0	#	***	0	0	0	***
	Capacity to refuse treatment	0	#	***	0	0	0	0

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

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Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County								
		Stanislaus	Sutter	Tehama ¹	Trinity	Tulare	Tuolumne ¹	Ventura
5256-Certification review hearings	Total hearings held	1,103	#	#	0	432	#	1,329
	Probable cause	1,088	#	#	0	404	#	#
	Not probable cause	15	#	#	0	28	#	#
5275-Petitions for writs of habeas corpus	Total petitions filed	19	11	***	0	55	0	***
	Petition granted without hearing	0	0	0	0	0	0	0
5276-Judicial review hearings	Total hearings held	***	***	0	0	***	0	***
	Petition granted after hearing	0	***	0	0	***	0	***
	Petition denied after hearing	***	***	0	0	***	0	***
5332-Petitions for capacity hearings	Total petitions filed	62	0	***	0	42	0	109
5334-Capacity hearings	Total hearings held	50	0	0	0	30	0	166
	Incapacity to refuse treatment	***	0	0	0	***	0	82
	Capacity to refuse treatment	***	0	0	0	***	0	84

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

*** Data cells were suppressed to protect health information (PHI) and personal information (PI) in accordance with DHCS's Data De-identification Guidelines

Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Judicial Council Data Reported By County				
		Yolo ¹	Yuba ¹	Statewide
5256-Certification review hearings	Total hearings held	#	#	25,835
	Probable cause	#	#	21,974
	Not probable cause	#	#	1,089
5275-Petitions for writs of habeas corpus	Total petitions filed	***	***	5,006
	Petition granted without hearing	0	0	***
5276-Judicial review hearings	Total hearings held	0	***	2,820
	Petition granted after hearing	0	***	894
	Petition denied after hearing	0	***	976
5332-Petitions for capacity hearings	Total petitions filed	108	***	6,551
5334-Capacity hearings	Total hearings held	67	0	3,672
	Incapacity to refuse treatment	***	0	2,086
	Capacity to refuse treatment	***	0	605

^No data provided by the Court/Court does not conduct any hearings or receive any petitions related to these elements.

¹ No data for certification review hearings because the court does not conduct certification hearings in-house; the County contracts with individuals to serve as hearing officers.

*** Data cells were suppressed to protect health information (PHI) and personal information (PI) in accordance with DHCS's Data De-identification Guidelines

Specific data not reported by Court

Note: Totals might not add up to the number of outcomes due to additional outcomes not collected in the template.

Table 2: County Data Reporting Summary

County	Reported to ArcGIS Survey 123	Reported to Nintex
Alameda	Yes	Yes
Alpine	Yes	No
Amador	Yes	No
Butte	Yes	Yes
Calaveras	Yes	Yes
Colusa	Yes	Yes
Contra Costa	Yes	Yes
Del Norte	No	No
El Dorado	Yes	Yes
Fresno	Yes	Yes
Glenn	Yes	No
Humboldt	Yes	Yes
Imperial	Yes	Yes
Inyo	No	No
Kern	Yes	Yes
Kings	Yes	No
Lake	No	No
Lassen	Yes	No
Los Angeles	Yes	Yes

County	Reported to ArcGIS Survey 123	Reported to Nintex
Madera	Yes	No
Marin	Yes	Yes
Mariposa	Yes	No
Mendocino	Yes	No
Merced	Yes	No
Modoc	Yes	Yes
Mono	Yes	Yes
Monterey	Yes	Yes
Napa	Yes	Yes
Nevada	No	Yes
Orange	Yes	No
Placer	Yes	Yes
Plumas	Yes	Yes
Riverside	Yes	Yes
Sacramento	Yes	Yes
San Benito	Yes	Yes
San Bernardino	Yes	No
San Diego	Yes	Yes
San Francisco	Yes	No
San Joaquin	Yes	Yes

County	Reported to ArcGIS Survey 123	Reported to Nintex
San Luis Obispo	Yes	Yes
San Mateo	Yes	Yes
Santa Barbara	Yes	No
Santa Clara	Yes	No
Santa Cruz	Yes	No
Shasta	Yes	No
Sierra	Yes	No
Siskiyou	Yes	Yes
Solano	Yes	Yes
Sonoma	No	Yes
Stanislaus	No	Yes
Sutter	No	No
Tehama	Yes	No
Trinity	Yes	Yes
Tulare	Yes	Yes
Tuolumne	Yes	No
Ventura	Yes	No
Yolo	Yes	No
Yuba	Yes	No

APPENDIX: DATA TABLES⁹



⁹ All data tables referenced in this report are available on the California Health & Human Services Open Data Portal: <https://data.chhs.ca.gov/dataset/lanterman-petris-short-act-data>.