

California Behavioral Health Planning Council

Executive Committee Agenda

Wednesday, October 18, 2023

8:30am to 10:15am

Embassy Suites by Hilton San Francisco Airport Waterfront

150 Anza Boulevard, Burlingame, CA 94010

Ambassador B Room

[Zoom Meeting Link](#)

Join by phone: +1 669 900 6833

Meeting ID: 814 7537 4009 Passcode: 814 7537 4009

8:30am	Welcome and Introductions <i>Deborah Starkey, Chairperson</i>	
8:35am	Approve June 2023 Meeting Minutes (Action Item) <i>Tony Vartan, Chairperson-Elect</i>	Tab 1
8:40am	FY 22-23 Expenditure Report & FY 23-24 Allotments <i>Naomi Ramirez, Chief of Operations</i>	Tab 2
8:50am	BH Modernization Proposal (Information only) <i>Tony Vartan, Chairperson-Elect</i>	Tab 3
8:55am	Attendance Policy (Action Item) <i>Deborah Starkey, Chairperson</i>	Tab 4
9:15am	CBHPC Public Forums <i>Jenny Bayardo, Executive Officer & Susan Wilson, Council Member</i>	Tab 5
9:20am	Break	
9:30am	Council Membership Update <i>Naomi Ramirez, Chief of Operations</i>	Tab 6
9:40am	Report from CA Coalition for Mental Health <i>Daphne Shaw</i>	
9:50am	Report from CA Association of Local Mental Health Boards <i>Theresa Comstock</i>	
10:00am	Public Comment <i>Deborah Starkey, Chairperson</i>	
10:05am	Wrap-Up and Plan for Next Meeting <i>Deborah Starkey, Chairperson</i>	
10:15am	Adjourn	

California Behavioral Health Planning Council

Notice: All agenda items are subject to action. Scheduled times on the agenda are estimates and subject to change. **For questions or if Reasonable Accommodation is needed, please call 916.701.8211 by October 11, 2023** in order to meet the request.

Executive Committee Members

Officers: Deborah Starkey, Chairperson Tony Vartan, Chair-Elect Noel O'Neill, Past Chair

Housing/Homelessness: Monica Caffey, Chairperson Vacant, Chair-Elect

Legislation: Veronica Kelley, Chairperson Barbara Mitchell, Chair-Elect

Patients' Rights: Daphne Shaw, Chairperson Mike Phillips, Chair-Elect

Systems and Medicaid: Karen Baylor, Chairperson Uma Zykofsky, Chair-Elect

Workforce and Employment: Vera Calloway, Chairperson

Performance Outcomes: Susan Wilson, Chairperson Noel O'Neill, Chair-Elect

At-Large: Arden Tucker

Liaisons: CBHDA: Veronica Kelley/Tony Vartan **DHCS:** Erika Cristo

CCMH: Daphne Shaw

**California Behavioral Health Planning Council
Executive Committee**

Wednesday, October 18, 2023

Agenda Item: Approve June 14, 2023 Meeting Minutes

Enclosures: Draft Executive Committee Minutes for June 14, 2023 Meeting

Background/Description:

Attached are the draft meeting minutes for the Executive Committee's review and approval.

CBHPC Executive Committee Meeting

June 14, 2023

Draft

Committee Members Present:

Karen Baylor, Vera Calloway, Monica Caffey, Erika Cristo*, Barbara Mitchell, Mike Phillips, Daphne Shaw, Deborah Starkey, Arden Tucker, Tony Vartan, Susan Wilson*, Uma Zykofsky

*=Remote Appearance

Committee Members Absent: Christine Frey, Veronica Kelley, Noel O'Neill

Staff Present: Jenny Bayardo, Naomi Ramirez

Welcome and Introductions

Chairperson Deborah Starkey called the meeting to order, welcoming Council Members. Attendees introduced themselves. A quorum was established.

Approval of the April 19, 2023, Executive Committee Meeting Minutes (Action)

Barbara Mitchell corrected for the record that she is the Chair-Elect, not the Chair, of the Legislation and Public Policy Committee. The Minutes were adopted including the on-the-record correction.

Review of Council Membership

Chief of Operations, Naomi Ramirez presented the following.

- Staff has been working to fill existing vacancies.
- We have had interviews with two consumers and a family member. They have been invited to our meeting.

Council members shared concerns about current vacancies including the number of vacancies and the time it is taking to fill vacancies, the process for notifying applicants, prolonged vacancies for state representatives, and the lack of diversity in appointments. Council Staff addressed the concerns raised.

The Executive Officer, Jenny Bayardo, stated that staff are allowing a little more time to reach out to the communities that the Council has typically not had enough representation from. Substance Use Disorder is one of the areas in which expertise is needed because the Council does not typically receive applications from persons with co-occurring mental health conditions and substance use. An effort has been made to connect with organizations that work with the SUD community in order to recruit

applicants. The Council has received more applications this year as a result of the recruitment efforts.

Items for current consideration include.

- geographic regions currently unrepresented on the council
- lived experience of substance use, justice-involvement, and homelessness
- un/underrepresented communities
- youth expertise

In regard to the process, applicants get two notifications, an email acknowledgment of receipt and an official letter of receipt that includes the process and an invitation to attend the next quarterly meeting with meeting details. Applications have been sent to the Department, it is anticipated that by the next meeting, most of the consumer and family member vacancies will be filled.

Naomi Ramirez shared that staff have reached out to the Director of the California Department of Housing and Community Development (HCD) and asked for their participation. Jenny Bayardo stated that staff is also inviting HCD to our Housing and Homelessness Committee, and she is also starting to meet with the California Interagency Council on Homelessness (Cal ICH).

In response to council member concerns, Jenny Bayardo asked Council Members to inform her about inquiries from applicants in the future so we can address any questions and/or concerns timely. Arden thanked the staff for their efforts on this.

CBHPC Attendance Requirement (Action)

Chairperson Deborah Starkey opened the discussion regarding the CBHPC attendance requirements and asked Jenny Bayardo to provide some background for the discussion. Jenny Bayardo stated that due to COVID-19, the Council was temporarily flexible with Council Member attendance. Now that in-person meetings have returned, Council Members have been requesting clarification on the attendance policy that was in place prior to the public health emergency which temporarily allowed for virtual attendance.

Executive committee members discussed the existing attendance policy, the existing leave of absence policy, virtual attendance including location disclosure, public attendance at all locations, reasonable accommodations for persons with disabilities, upcoming legislation that may change Bagley-Keene, increased public participation in virtual meetings through the pandemic, and how attendance affects quorum impacting a committee's ability to vote. In addition, Monica Caffey asked for the distinction between the Bagley-Keene Act and the Brown Act in hosting our meetings. Susan noted that the Brown Act has no impact on our meetings and the Council has to follow Bagley-Keene.

Outstanding issues to be addressed include;

- Can people who get sick at the last minute participate in meetings?
- If we do an in-person policy, we need to look into reasonable accommodations for disabilities.

The committee discussed the current leave policy at length. Daphne Shaw suggested that the policy on leave of absence be limited to six months maximum, at which point in time a Council Member could go off and reapply for the Council. There have been a lot of problems with this.

Daphne Shaw made a motion that, “we adopt a policy that a leave of absence can only last for two meetings rather than six months.”

Uma Zykofsky requested an amendment to the motion on the floor, “I would suggest three because we value consumers and family members whose commitment is really important. Having a little flexibility around holding on to people who have developed would be nice.”

Council Member Shaw accepted the amendment.

MOTION: Council Member Daphne Shaw moved that a leave of absence can only last three meetings, seconded by Council Member Uma Zykofsky.

Discussion on the Vote

Susan Wilson mentioned that Council Member Christine Frey was on leave of absence. “Why can’t we be a little more liberal and consider what the reason for the leave of absence is? I am concerned that we have one person already in this situation and what happens to that person?”

Daphne Shaw suggested that if you start a new policy, you do not do it retroactively. If a new policy is approved, it will start now going forward. You have to have policies that are fair and consistent. Individual considerations are necessary because of the potential diversity of situations. I would hesitate for the Council or staff to get involved in analyzing the reasons for an absence.

Jenny Bayardo noted that for existing Council Members who are on leave, the leave that was granted is actually less than what is being proposed.

There was no public comment on the motion. A roll call vote was taken.

VOTE: The motion carried with a vote of 11-0-0 with Council Members Baylor, Caffey, Cristo, Mitchell, Phillips, Shaw, Tucker, Wilson, Zykofsky, Chair-Elect Vartan, and Chair Starkey voting, “YES”, no “NO” votes and, no “ABSTENTIONS”.

Public Comment

Theresa Comstock with the California Association of Local Behavioral Health Boards and Commissions and the California Coalition for Mental Health spoke about membership and the requirements. She highlighted that within Code, 5571, Chapter

Four, E4, states the Department of Health Care Services should be appointing the Members. She added that there is a requirement that they be affiliated with constituency organizations. It lists a number of organizations that qualify. Theresa Comstock stated, "I just wanted to remind you of that, and I ask that this be put into the information for people."

Steve Leoni recommended that the Legislation and Public Policy Committee follow legislation to amend Bagley-Keene. He also suggested the Council advocate for policies that would help people who may be vital to the process stay engaged.

Barbara Mitchell stated she does not want this referred to the Legislation and Public Policy Committee (LPPC). She added that this is more a decision of how the Council moves to operate and it cannot be handled by the LPPC.

Break

Transparency Statement

Executive Officer Jenny Bayardo reviewed the copy of the Transparency Statement provided in the meeting packet. The Transparency Statement is an existing policy that is provided to all Council Members as a part of the orientation binder. Barbara Mitchell suggested that input be given prior to the next meeting. It was decided that Jenny Bayardo would e-mail the transparency statement to all Council Members requesting all review and provide any changes needed by the end of June. The Fiscal Year 2023-2024 Transparency Statement will be posted by July 1, 2023.

Representing the Council

Chairperson-Elect Tony Vartan addressed the item Representing the Council with attendees: "We are trying to get information to our new members. Sometimes Council Members are approached directly by organizations to go and represent the Council speaking on a particular item."

The committee reviewed and discussed the existing policies in section 10.2 of the Operating Policies and Procedures. Council Members have the right to request that certain items be put on the agenda for discussion. A member would have to consult with the Executive Officer with a written request prior to making the request to place an item on the agenda. This request would then be discussed during the Executive meeting. At that meeting, it will be decided if the item is appropriate or not. Council Members represent the Council upon request of the Executive Officer with the Officer Teams approval.

CHPC Logo & Marketing Materials

Naomi Ramirez, CBHPC Chief of Operations, shared that Council staff have been working with the Office of State Publishing on updating our logo and our marketing materials. A draft of the brochure, letterhead, and memo designs were shown.

Public Comment

Theresa Comstock gave additional public comment regarding updates on the California Association of Local Behavioral Health Boards & Commissions (CALBHB/C) and the California Coalition for Mental Health (CCMH).

Wrap-Up and Plan for Next Meeting

The Executive Committee decided to revisit the attendance policy during the October 2023 meeting.

Adjourn

The meeting was adjourned at 10:15 a.m.

**California Behavioral Health Planning Council
Executive Committee**

Wednesday, October 18, 2023

Agenda Item: FY 22-23 Expenditure Report & FY 23-24 Allotments

Enclosures: Fiscal Year 22-23 Expenditure Report (To be provided)

Fiscal Year 23-24 Allotments

Background/Description:

The Fiscal Year 22-23 expenditure report will be provided by the Chief of Operations, Naomi Ramirez, for committee review. The committee will also review the allotments provided by the Department of Health Care Services.



FY 2023-24 Budget Act Allotments

4260LB00-CBHPC

Selected Division

Fiscal Year, Buil...

- 2018/19
- 2019/20
- 2020/21
- 2021/22
- 2022/23
- 2023/24

Division

Search

- 4260AA00-DO
- 4260AB00-LGA
- 4260AC00-OC
- 4260AD00-OCR
- 4260AE00-OMD
- 4260AF00-OOC
- 4260AG00-OLS
- 4260AH00-OMII
- 4260AZ00-DDO
- 4260BA00-ADMIN
- 4260BB00-FFD
- 4260BC00-RASD
- 4260BD00-FD
- 4260BE00-HRD
- 4260BF00-PSD
- 4260BG00-SPWDD
- 4260BH00-CD

Expenditure Category Totals

Object_Category	Adj Dollar
1-Salaries and Wages	652,127
2-Benefits	331,507
3-Operating Expense and Equipment	601,322
4.5-Distributed Overhead	615,120
Total	2,200,076

Right table "OE&E Details" provides details for left table "3-Operating Expense and Equipment" total

OE&E Details

Object_Category	Account	Object_Name	Adj Dollar
3-Operating Expense and Equipment	5301	General Expense	279,173
	5322	Training	50,000
	53202	Travel: In-State	100,000
	53404	C&P Services - External	172,149
Total			601,322

State Operations Allotment Fund Totals

Approp	Adj Dollar
001-0890	942,374
001-3085	1,257,702
Total	2,200,076

**California Behavioral Health Planning Council
Executive Committee**

Wednesday, October 18, 2023

Agenda Item: BH Modernization Proposal (Information only)

Enclosures: [Sept. 14, 2023 Governor's News Release](#)
[Fact Sheet on Governor Newsom's Transformation of Behavioral Health Services](#) (September 2023)
[September 22, 2023 informational webinar on SB 326 and AB 531– California's Behavioral Health System Reform Package](#) (Slides)

Background/Description:

Governor Gavin Newsom, in partnership with Senator Susan Talamantes Eggman (D-Stockton), proposed an initiative to amend the Mental Health Services Act (MHSA) that passed the legislature on September 14, 2023.

Senate Bill 326 and Assembly Bill 531 will appear jointly on the March 2024 ballot as Proposition 1. The Legislation and Public Policy Committee and the Housing and Homeless Committee will discuss the proposal during the October committee meetings.

This information is provided as background for Executive Committee members to stay informed of potential changes to the Mental Health Services Act (MHSA).

California Behavioral Health Planning Council Executive Committee

Wednesday, October 18, 2023

Agenda Item: Attendance Policy (Action Item)

Enclosures: Operating Policies and Procedures Manual (Attendance Policy Excerpt)

[Department of Justice \(DOJ\) Bagley-Keen Open Meeting Act Guide](#)

Background/Description:

In June of 2023, the Executive Committee discussed the current attendance policy. The committee did not take a vote. The Council will revisit the attendance policy and determine if any revisions to the existing policies are needed now that in-person meetings have resumed.

Things that may be considered and discussed include:

- Language regarding in-person versus virtual attendance
- Feasibility of hybrid meetings for members who cannot attend in person
- If virtual attendance is allowed...when why & how often
- Bagley-Keene requirements

There is no change to the Bagley-Keene Open Meeting Act as of the time of this printing. Copies of any approved pending legislation will be provided at the meeting.

Teleconference rules for advisory bodies (Excerpt of 2023 DOJ Bagley-Keen Open Meeting Act Guide)

State advisory bodies may hold teleconference meetings in the same way as decision making bodies. Alternatively, the Act has special teleconference rules for advisory bodies. An advisory body may choose to follow either the regular teleconference rules or the special teleconference rules, but not both. The special teleconference rules for advisory bodies allow a member of a state advisory body appear and participate in a public meeting remotely without appearing at an open teleconference location. (Gov. Code, § 11123.5.) The state advisory body need not disclose the location of the member appearing remotely. (Gov. Code, § 11123.5, subd. (c).) For the special teleconference rules to apply, a quorum of the advisory body must be present at the primary physical location designated in the agenda. Members attending remotely do not

count towards a quorum. (Gov. Code, § 11123.5, subd. (e).) The state advisory body must provide a 24-hour notice on its website and to persons on its email mailing list if a member will appear remotely under the special teleconference rules. (Gov. Code, § 11123.5, subd. (c).) The 24-hour notice must also describe how the public may participate in the meeting remotely. (Gov. Code, § 11123.5, subd. (f).) The minutes of the meeting must identify those members who attended the meeting remotely. (Gov. Code, § 11123.5, subd. (b).)

CBHPC OPERATING POLICIES AND PROCEDURES (Excerpt)

11. Attendance Policy

Planning Council meetings are an integral part of how the Planning Council conducts business, the bulk of the Council's work is done during these meetings. The attendance policy ensures that the Planning Council operates effectively with the voice of the members. Attendance records for Quarterly Council meetings and Committee meetings are maintained by the Executive Officer.

The full Planning Council meets four times a year (quarterly). All members are notified a year in advance of the meeting schedule each calendar year. Planning Council members

are expected to attend all quarterly meetings each year which includes committee meetings and General Session.

The normal Quarterly Meeting schedule is as follows:

Tuesday:

- Performance Outcomes Committee- 2:00 pm to 5:00 pm

Wednesday:

- Executive Committee- 8:30 am to 10:15 am
- Patients' Rights Committee- 10:30 am to 12:15 pm
- Legislation Committee- 1:30 pm to 5:00 pm
- Workforce and Employment Committee- 1:30 pm to 5:00 pm

Thursday AM:

- Housing and Homelessness Committee- 8:30 am to 12:00 pm
- Systems and Medicaid Committee- 8:30 am to 12:00 pm

Thursday PM:

- General Session- 1:30 pm to 5:00 pm

Friday AM:

- General Session- 8:30 am to 12:00 pm

11.1 Quarterly Meeting Attendance Requirements

- a. All Council members are required to contact the Executive Officer or Chief of Operations if they plan to miss a quarterly meeting. Full attendance at Council meetings is required.
- b. Council Members are to attend all quarterly meetings in their entirety. When a pattern of non-participation occurs, it will be addressed by the Council Chairperson and Executive Officer. Should the non-participation continue, the member will not be eligible for reappointment.

11.2 Committee Meeting Attendance Requirements

In addition to the quarterly committee meetings, committee meetings can be scheduled, as needed. Meetings held outside of the quarterly meetings are scheduled based on members' availability to insure maximum participation. Committee members are expected to attend as many committee meetings as possible.

**California Behavioral Health Planning Council
Executive Committee**

Wednesday, October 18, 2023

Agenda Item: CBHPC Public Forums

Enclosures: [Behavioral Health Public Services Act Public Forums SB 326 Questions Proposed Behavioral Health Services Act Public Forums Summary August 16, 2023, Letter of Concern Re: SB 326 \(Eggman\) to Assembly](#)

Background/Description:

In response to the Governor's modernization proposal, the California Behavioral Health Planning Council organized public forums statewide at the recommendation of the Legislation and Public Policy Committee (LPPC). Council staff along with Council Members from the LPPC held seven public forums between August 1-14th statewide. The information gathered was summarized and posted to the Council's website and shared with the Health and Human Services Agency, Department of Health Care Services, and legislators.

The Executive Committee will discuss the recent public forums and have an opportunity to ask questions. The Committee will also discuss the potential for future public forums including frequency, goals, and potential topics.

**California Behavioral Health Planning Council
Executive Committee**

Wednesday, October 18, 2023

Agenda Item: Council Membership Update

Enclosures: Council Appointment List as of September 25, 2023

Background/Description:

To ensure fulfillment of the provisions in Welfare and Institution Code Section 5771, Council staff updates the Executive Committee on appointments at each quarterly meeting. The Chief of Operations is responsible for recruitment activities. The Executive Committee reviews membership needs and identifies any actions needed.

The Chief of Operations, Naomi Ramirez, will provide a report on the Planning Council appointments, separations, and recruitment efforts.

**CALIFORNIA BEHAVIORAL HEALTH PLANNING COUNCIL
BREAKDOWN OF PLANNING COUNCIL APPOINTMENTS
2023**

	First Name	Last Name	Appointment Category	County	Gender	Ethnicity	Appointment Date	Expiration Date
1	Joanna	Rodriguez	Family Member Parent of SED Child	Los Angeles	Female	Latina	09/01/20	12/31/23
2	Susie	Baker	Family Member Parent of SED Child	Kern	Female	Caucasian/ Latina	01/01/2024	01/31/2027
3	VACANT	VACANT	Family Member Parent of SED Child	VACANT	VACANT	VACANT	VACANT	VACANT
4	Darlene	Prettyman	Family Member	Fresno	Female	Caucasian	01/01/14	01/31/26
5	Vandana	Pant	Family Member	Santa Clara	Female	Asian	04/01/22	4/30/25
6	Deborah	Starkey	Family Member	Sacramento	Female	Caucasian	01/01/17	01/31/26
7	Jessica	Miller	Family Member	San Francisco	Female	Not Specified	10/1/23	10/31/26
8	Maria	Sierra	Family Member	San Joaquin County	Female	Latina	10/1/23	10/31/26
9	Donald	Morrison	Direct Consumer	Butte	Male	Caucasian	10/01/23	10/31/26
10	VACANT	VACANT	Direct Consumer	VACANT	VACANT	VACANT	VACANT	VACANT
11	Christine	Frey	Direct Consumer	San Diego	Female	Caucasian	10/07/19	10/31/25
12	VACANT	VACANT	Direct Consumer	VACANT	VACANT	VACANT	VACANT	VACANT
13	Arden	Tucker	Direct Consumer	Sacramento	Female	Afr. Amer.	05/14/14	05/31/26
14	Vera	Calloway	Direct Consumer	Los Angeles	Female	Asian/ Afr. Amer.	03/01/16	03/31/25
15	Walter	Shwe	Direct Consumer	Yolo	Male	Asian	10/23/03	10/31/24
16	John	Black	Direct Consumer	Stanislaus	Male	Caucasian	08/14/18	08/31/24
17	Susan	Wilson	Cons-Rel. Advocate	Shasta	Female	Caucasian	01/13/10	01/31/25
18	Monica	Caffey	Cons-Rel. Advocate	San Bernadino	Female	Afr. Amer.	05/08/09	05/31/24
19	Steve	Leoni	Cons-Rel. Advocate	Contra Costa	Male	Caucasian	01/01/14	01/31/26
20	Liz	Oseguera	Cons-Rel. Advocate	Sacramento	Female	Latina	02/01/17	02/28/26

Breakdown of Planning Council Appointment

	First Name	Last Name	Appointment Category	County	Gender	Ethnicity	Appointment Date	Expiration Date
21	Noel	O'Neill	Profess/Provider	Mendocino	Male	Caucasian	07/27/14	07/31/26
22	Barbara	Mitchell	Profess/Provider	Monterey	Female	Caucasian	01/01/00	01/31/25
23	Erin	Franco	Profess/Provider	San Bernadino	Female	Black Amer.	12/21/22	12/31/25
24	Javier	Moreno	Profess/Provider	Kern	Male	Not Specified	04/01/22	4/30/25
25	Deborah	Pitts	Profess/Provider	Los Angeles	Female	Caucasian	01/01/13	01/31/24
26	Dale	Mueller	Profess/Provider	San Bernadino	Female	Caucasian	04/06/01	04/30/25
27	Karen	Baylor	Profess/Provider	Alameda	Female	Caucasian	08/01/19	08/31/25
28	Catherine	Moore	Profess/Provider	San Diego	Female	Caucasian	02/01/17	02/28/26
29	Uma	Zykofsky	Profess/Provider	Sacramento	Female	Asian	08/01/20	08/31/23
30	Veronica	Kelley	Profess/Provider	Orange	Female	Asian/Caucasian	01/01/17	01/31/26
31	Tony	Vartan	Profess/Provider	Stanislaus	Male	Not Specified	03/01/19	03/31/25
32	Daphne	Shaw	CA Coalition for MH	Statewide	Female	Caucasian	01/01/93	01/31/26
33	Cindy	Wang	Dept. of Social Services	Statewide	Female	Not Specified	State Employee	N/A
34	VACANT	VACANT	Dept. of Housing & Community Development	VACANT	VACANT	VACANT	State Employee	N/A
35	Marina	Rangel	Dept. of Corrections & Rehabilitation	Statewide	Female	Latina	State Employee	N/A
36	VACANT	VACANT	Health & Human Services Agency	VACANT	VACANT	VACANT	State Employee	N/A
37	Jessica	Grove	Dept. of Rehabilitation	Statewide	Female	Not Specified	State Employee	N/A
38	VACANT	VACANT	Dept. of Education	VACANT	VACANT	VACANT	State Employee	N/A
39	Stephanie	Blake	Dept. of Aging	Statewide	Female	Not Specified	State Employee	N/A

Breakdown of Planning Council Appointment

	First Name	Last Name	Appointment Category	County	Gender	Ethnicity	Appointment Date	Expiration Date
40	Erika	Cristo	Dept. of Health Care Services	Statewide	Female	Not Specified	State Employee	N/A