



Legislation Text

File #: 2021-0144, **Version:** 1

To: Board of Supervisors of Sonoma County
Department or Agency Name(s): Department of Health Services
Staff Name and Phone Number: Bill Carter, 565-5157
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:

Lanterman-Petris-Short Act Designations

Recommended Action:

Adopt a resolution adding to the designation of certain professional persons who, upon probable cause, may detain individuals with mental disorders.

Executive Summary:

The Department of Health Services is requesting that the Board adopt a resolution adding to the designation in Resolution Number 20-0189 certain professional persons who, upon probable cause, may detain individuals with mental disorders. Approval of this resolution will allow these additional professional persons to detain and assess on an involuntary basis, minors and adults who are a danger to others, to themselves, or gravely disabled under the Lanterman-Petris-Short Act.

Discussion:

The legislative intent of the Lanterman-Petris-Short (LPS) Act passed by the California legislature in 1968, set forth in the California Welfare and Institutions Code, was to end the inappropriate, indefinite, and involuntary commitment of individuals with mental illness to psychiatric hospitals and to provide them with prompt evaluation and treatment. These statutes and subsequent regulations established the conditions, standards, and specific legal criteria and procedures under which individuals could be involuntarily detained, assessed, evaluated and, if necessary, treated in a psychiatric hospital against their will. An individual can only be involuntarily detained and assessed if there is probable cause to believe that because of a mental disorder the individual poses a danger to self or others, or is gravely disabled, which is defined as unable to provide for one's own food, clothing and/or shelter, and, as to minors, unable to use elements of life essential to health, safety, and development even though provided by others. These requirements are referred to as the "5150 criteria" after the section of the Welfare and Institutions Code that authorizes detaining people with mental disorders.

The LPS Act gives certain persons such as peace officers and persons in charge of designated psychiatric facilities the authority to detain someone they believe to be a danger to self or others, or gravely disabled. For other professional persons to have this authority, they must be designated by the County.

Prior Board Action

In June 2020, the Board adopted Resolution Number 20-0189 designating several professional persons within the Department of Health Services, Behavioral Health Division, and within the emergency departments of the

County's general acute care hospitals with the authority to detain persons who meet 5150 criteria. The Kaiser designation extends beyond its emergency department since it is responsible for psychiatric inpatient care for its members.

Resolution 20-0189 also designates clinical staff associated with a few community-based partners who serve the seriously mentally ill, including Santa Rosa Veterans' Administration Clinic, Seneca Family of Agencies - Seneca Compass, Sonoma Assertive Community Treatment run by Telecare, and Buckelew Programs.

Requested Action

By adopting this resolution, your Board will be adding professionals from Well Path, the medical and mental health services provider in the adult detention facilities, professionals from Disaster Emergency Medical Assistance (DEMA) Consulting & Management, the medical services provider at the non-congregate shelters and alternate care sites set up during the pandemic, and professionals from the Counseling & Psychological Services Team ("CAPS") at Sonoma State University. Each of these entities come into contact with individuals in psychiatric crisis and require the ability to impose a 5150 hold in order to facilitate transfer to a psychiatric facility. Like the County's Mobile Support Team, CAPS joins Sonoma State University Police when responding to psychiatric crises on campus. Consistent with the previous resolution, Medical Doctors, Psychiatric Nurse Practitioners, Ph.D. Psychologists, Licensed Clinical Social Workers (LCSW), Licensed Marriage and Family Therapists (LMFT), and Licensed Professional Clinical Counselors (LPCC), who have completed the Department's LPS Designation Trainings and achieved "designation," may exercise this authority when acting as an employee of the entities and programs described.

Consistent with the prior resolution, the Sonoma County Behavioral Health Director will provide initial and ongoing training to these added professionals regarding the requirements of state law, regulations, and county procedures applicable to the detention of persons pursuant to the LPS Act. Professional persons who have completed the required trainings will obtain a certification card that, combined with this designation, establishes their authority to involuntarily detain a person who meets 5150 criteria.

Prior Board Actions:

The Board has issued designations in the past. Most recently, on June 2, 2020 the Board adopted resolution number 20-0189 designating certain professional persons who, upon probable cause, may detain individuals with mental disorders. The current resolution reflects system changes and updates the designations to reflect current needs and resources.

FISCAL SUMMARY

Expenditures	FY 20-21 Adopted	FY 21-22 Projected	FY 22-23 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures	0	0	0
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			

Use of Fund Balance			
Contingencies			
Total Sources	0	0	0

Narrative Explanation of Fiscal Impacts:

There are no direct fiscal impacts associated with this item.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Resolution

Related Items "On File" with the Clerk of the Board:

None