

FMHAC PRESENTATION

LAURA'S LAW:

- TWO COUNTIES
 - TWO PERSPECTIVES
 - ONE GOAL
-

- ONE GOAL
- PERSONAL PERSPECTIVE
- LAURA'S LAW CONCERNS
- SAN DIEGO COUNTY
- LPS TOOLBOX IN SAN DIEGO COUNTY
- FSP
- PERT
- IHOT
- COMPARISON OF IHOT & LAURA'S LAW
- SAN DIEGO COUNTY INITIATIVES
- SUMMARY

TODAY'S PRESENTATION

- ONE GOAL

TODAY'S PRESENTATION

How can we outreach, engage and treat individuals with SMI who are resistant or refusing treatment before they are a danger to themselves or others?

ONE GOAL

- ONE GOAL
- PERSONAL PERSPECTIVE

TODAY'S PRESENTATION

- Earliest intervention possible
- Quality medical treatment and meds
- Comprehensive community services
- Strongest possible family support or, in the absence of family, the strongest possible community support
- Robust public awareness campaign of community programs

PERSONAL PERSPECTIVE

- ✓ ONE GOAL
- ✓ PERSONAL PERSPECTIVE
- ☐ LAURA'S LAW CONCERNS

TODAY'S PRESENTATION

- ☐ One size fits all legislation does not match realities of different counties
- ☐ Does not address issues at an early stage
- ☐ Glacial in dealing with a deteriorating person or exigent situation

LAURA'S LAW CONCERNS

- ☐ People that meet criteria are already in the revolving door, savvy to the system and well down the path
- ☐ Reliant on unsubstantiated "black robe" effect
- ☐ No enforcement mechanism to backup a judge's "or else" admonition
- ☐ Noncompliance may only be addressed with further deterioration under W&I Section 5150
- ☐ Cost

LAURA'S LAW CONCERNS cont'd

- ✓ ONE GOAL
- ✓ PERSONAL PERSPECTIVE
- ✓ LAURA'S LAW CONCERNS
- ☐ SAN DIEGO COUNTY

TODAY'S PRESENTATION

- ☐ 4,261 square miles – size of Delaware, Rhode Island and District of Columbia combined and second largest in California
- ☐ 3.6 million residents by 2020
- ☐ Population with some form of mental illness estimated to be 1 in 5 children and 1 in 4 adults
- ☐ 21 cities served by 9 law enforcement agencies and the County Sheriff
- ☐ County jail population of over 5,600 inmates – a third have diagnosis

SAN DIEGO COUNTY

- ☐ Third largest homeless population in the U. S. -- over 10,000 individuals, 25% are chronic homeless
- ☐ Homeless include 1,700 veterans, many with PTSD
- ☐ Third of AB109 post release offenders struggling with SMI, 1,000 individuals
- ☐ 15 County funded walk-in clinics

SAN DIEGO COUNTY cont'd

- Variety of community service programs –FSP, PERT, IHOT and many more
- On-going public information, stigma busting County program called Its Up 2 Us
- Drug Court, Veterans Court, Mental Health and Superior Court Department 25 all handle mental health matters
- \$384M/year Behavioral Health Services budget

SAN DIEGO COUNTY cont'd

- ONE GOAL
- PERSONAL PERSPECTIVE
- LAURA'S LAW CONCERNS
- SAN DIEGO COUNTY
- LPS TOOLBOX IN SAN DIEGO COUNTY

TODAY'S PRESENTATION

- W&I Section 5150** –16,000 PERT call-outs alone: resulted in 2,600 holds in 2013
- W&I Section 5200** – Involuntary evaluations: five to ten years ago averaged 2 per day, only 4 total in 2013
- W&I Section 5250** –14 day hold after 5150 or 5200 hold: 2,200 hearings, 90% met criteria in 2013
- W&I Section 5260** – Additional 14 day hold for threat to own life or another's: no data

LPS TOOLBOX IN SAN DIEGO COUNTY

- W&I Section 5270** – 30 day hold: not adopted, County task force may recommend BOS adopt this year
- W&I Section 5300** – 180 day hold: no data
- W&I Section 5332** – 475 Reize hearings: 418 involuntarily medicated in 2013
- W&I Section 5345** – Laura’s Law: not adopted
- W&I Section 5350** – Conservatorships: 900 public and 175 family in 2013

LPS TOOLBOX IN SAN DIEGO COUNTY cont'd

- ✓ ONE GOAL
- ✓ PERSONAL PERSPECTIVE
- ✓ LAURA’S LAW CONCERNS
- ✓ SAN DIEGO COUNTY
- ✓ LPS TOOLBOX IN SAN DIEGO COUNTY
- FSP

TODAY’S PRESENTATION



FULL SERVICE PARTNERSHIPS

- Assertive community treatment model
- Outreach, engagement, treatment, intensive case management and supportive services
- Intensive multi-disciplinary treatment team that uses a “whatever it takes” approach
- Provides 24/7 intensive, integrated services and support

FULL SERVICE PARTNERSHIPS

- ✓ ONE GOAL
- ✓ PERSONAL PERSPECTIVE
- ✓ LAURA'S LAW CONCERNS
- ✓ SAN DIEGO COUNTY
- ✓ LPS TOOLBOX IN SAN DIEGO COUNTY
- ✓ FSP
- PERT

TODAY'S PRESENTATION

PERT
PERT

**PSYCHIATRIC EMERGENCY RESPONSE
TEAM**

- Emergency assessment and referral for individuals with mental illness who come to the attention of law enforcement through phone calls from community members or in-field law enforcement requests for emergency assistance
- Assistance to all County law enforcement agencies plus CHP, Border Patrol, Harbor Police and campus and military police
- 16,000 PERT call-outs resulted in 2,600 W&I Section 5150 holds in 2013

PERT

- PERT Academy training -- 3 days, 8 hours each day
- 23 licensed mental health officers teamed with PERT trained law enforcement officers/deputies throughout the County
- Operate three shifts – two staffed with licensed mental health officers
- Need 16 more licensed mental health officers

PERT cont'd

- ONE GOAL
- PERSONAL PERSPECTIVE
- LAURA'S LAW CONCERNS
- SAN DIEGO COUNTY
- LPS TOOLBOX IN SAN DIEGO COUNTY
- FSP
- PERT
- IHOT

TODAY'S PRESENTATION

IHOT
IHOT

IN-HOME OUTREACH TEAM

- ❑ February 2011 – After extensive community involvement, Mental Health Board recommended to BOS that Laura’s Law be implemented
- ❑ February 2011 – County HHSA opposed implementation of Laura’s Law because of:
 - Financial and clinical concerns
 - Cost to county and courts is great
 - No conclusive evidence that approach is beneficialInstead, proposed IHOT as an alternative to Laura’s Law

IHOT HISTORY IN SAN DIEGO

- ❑ September 2011 – BOS approved 3-year IHOT pilot project for one-half of County and Mental Health Board concurred
- ❑ January 2012 – IHOT pilot program began
- ❑ July 2013 – BOD voted to support IHOT county-wide expansion for 7 year program and Mental Health Board concurred
- ❑ July 2014 – County-wide 7 year IHOT program to begin

IHOT HISTORY IN SAN DIEGO cont’d

- Goal to connect individuals to mental health services, community support services and other needed services
- Referrals made by family members, jails, PERT clinicians, hospitals and other mental health providers
- IHOT has a strong family support component
- No prescribed time limits on services
- No cost to participant

IHOT PROGRAM MISSION

- Program staffing consists of:
 - Licensed Program Administrator
 - Licensed Clinical Director
 - Licensed Field Team Lead
- Each IHOT Team is composed of:
 - Personal Service Coordinator (case manager)
 - Family Coach
 - Peer support Specialist.

IHOT ENGAGEMENT TEAM

- Adults 18 years and older
- Presence of serious mental illness and declines to seek mental health services
- May have had sporadic contact with outpatient mental health or fee for service program but has not engaged in ongoing treatment or has discontinued recommended treatment

IHOT ELIGIBILITY CRITERIA

- Had 1 or more previous episodes in past year of:
 - Psychiatric hospitalization
 - ER visit
 - Police/PERT involvement
 - Incarceration
- Presence of serious mental health symptoms contributing to functional impairment in daily living, social relations and housing
- Individual may also have history of co-occurring disorders

IHOT ELIGIBILITY CRITERIA cont'd

- Family member
- PERT/Law enforcement
- Central, Vista jails and Women's Detention Center
- LPS hospitals
- All hospital ER departments
- Mental health programs
- APS
- MHA, NAMI and other advocacy agencies
- Optum Access and Crisis Line

IHOT REFERRAL SOURCES

- Outreach and engagement
- Support and empathic listening
- Short term intensive case management
 - Needs assessment
 - Service planning and coordination
 - Individual and family goal planning
 - Referrals and linkage to community resources, benefits and entitlements
- Psychoeducation
- Family support

IHOT PROGRAM SERVICES

- Support, guidance, empathic listening
- Psychoeducation on mental illness and mental health resources
- Referrals to other supportive community resources
- Family support planning
- Educational and supportive crisis intervention and proactive safety planning
- Coaching on improving boundary setting and communication
- Family support groups

IHOT FAMILY SERVICES

- Referral** – Entry point into the program when referral is received, further information gathered and criteria assessment made
- Not Accepted** – Participant does not meet criteria and referred out to other mental health agencies, programs, resources, etc.
- Accepted** – Participant meets criteria, goes to Outreach
- Outreach** – Services to family begin and attempts made to engage participant
- Engagement** – Participant agrees to receive services

IHOT PROGRAM DEFINITIONS

- ✓ **Referral** – Entry point into the program when referral is received, further information gathered and criteria assessment made
 - 761 Referrals received

IHOT PARTICIPATION DATA (1/1/12 – 12/31/13)

- ✓ **Referral** – Entry point into the program when referral is received, further information gathered and eligibility assessment made
 - 761 Referrals received
- ❑ **Not Accepted** – Participant does not meet criteria and referred out to other mental health agencies, programs, resources, etc.
 - 476 Referrals not accepted, referred out

IHOT PARTICIPATION DATA (1/1/12 – 12/31/13)

- ✓ **Referral** – Entry point into the program when referral is received, further information gathered and criteria assessment made
 - 761 Referrals received
- ✓ **Not Accepted** – Participant does not meet criteria and referred out to other mental health agencies, programs, resources, etc.
 - 476 Referrals not accepted, referred out
- ❑ **Accepted** – Participant meets criteria
 - 285 Referrals accepted and transitioned to Outreach

IHOT PARTICIPATION DATA (1/1/12 – 12/31/13)

- ✓ **Referral** – Entry point into the program when referral is received, further information gathered and eligibility assessment made
 - 761 Referrals received
- ✓ **Not Accepted** – Participant does not meet criteria and referred out to other mental health agencies, programs, resources, etc.
 - 476 Referrals not accepted, referred out
- ✓ **Accepted** – Participant meets criteria
 - 285 Referrals accepted and transitioned to Outreach
- ❑ **Outreach** – Services to family begin and attempts made to engage participant
 - 113 Transitioned to Engagement
 - 45 Still active in Outreach
 - 18 Closed, linked to community support services
 - 109 Closed, ineligible, moved, declined, unavailable

IHOT PARTICIPATION DATA (1/1/12 – 12/31/13)

- ✓ **Referral** – Entry point into the program when referral is received, further information gathered and eligibility assessment made
 - 761 Referrals received
- ✓ **Not Accepted** – Participant does not meet criteria and referred out to other mental health agencies, programs, resources, etc.
 - 476 Referrals not accepted, referred out
- ✓ **Accepted** – Participant meets criteria
 - 285 Referrals accepted and transitioned to Outreach
- ✓ **Outreach** – Services to family begin and attempts made to engage participant
 - 113 Transitioned to Engagement
 - 45 Still active in Outreach
 - 18 Closed, linked to community support services
 - 109 Closed, ineligible, moved, declined, unavailable
- ☐ **Engagement** – Participant agrees to receive services
 - 39 Still active or completed
 - 35 Closed, linked to community support services
 - 39 Closed, ineligible, moved, declined, unavailable

IHOT PARTICIPATION DATA (1/1/12 – 12/31/13)

- ☐ The 6 most common referrals were for, in descending order:
 - Housing assistance
 - Mental health support groups (e.g., NAMI)
 - Mental health outpatient services
 - Employment assistance
 - Entitlement assistance
 - Medical care

IHOT REFERRALS FOR ADDITIONAL SERVICES

- ☐ Successful outcomes during Outreach and Engagement for participants and their families:
 - Access and maintain treatment and medication
 - Reconnect with family or social supports
 - Obtain safe, stable housing
 - Obtain employment assistance, medical care and benefits
 - Enhance boundary and limit setting
 - Improve family communication skills
 - Connect to family support services (i.e. NAMI)
 - Enhance knowledge and ability to access emergency services (i.e. PERT)

IHOT ADDITIONAL SUCCESSES

- ✓ ONE GOAL
- ✓ PERSONAL PERSPECTIVE
- ✓ LAURA'S LAW CONCERNS
- ✓ SAN DIEGO COUNTY
- ✓ LPS TOOLBOX IN SAN DIEGO COUNTY
- ✓ FSP
- ✓ PERT
- ✓ IHOT
- COMPARISON OF IHOT & LAURA'S LAW

TODAY'S PRESENTATION

IHOT

- 18 years or older
- Has serious mental illness and declines to seek mental health services
- Had 1 or more episodes in past year of any following event:
 - Psychiatric hospitalization
 - ER visit
 - Police/PERT involvement
 - Incarceration

LAURA'S LAW

- 18 years or older
- Suffering from mental illness
- History of non-compliance:
 - Significant factor in being in hospital, prison or jail at least twice w/in last 36 months, or
 - Resulted in one or more acts, attempts, threats of serious violent behavior toward self or others w/in last 48 months

COMPARISON OF IHOT & LAURA'S LAW CRITERIA

IHOT

- Had sporadic contact with outpatient mental health or fee for service program, but has not engaged in ongoing treatment or has discontinued recommended treatment services
- Presence of serious mental health symptoms contributing to serious functional impairment in daily living, social relations and/or housing activities
- Individual may also have history of co-occurring disorders

LAURA'S LAW

- Offered opportunity to voluntarily participate in local mental health treatment plan but fails to engage
- Substantially deteriorating
- Unlikely to survive safely w/out supervision
- In view of treatment history and current behavior, in need of AOT to prevent relapse or deterioration that would likely result in serious harm to self or others or be gravely disabled
- Likely to benefit from AOT
- AOT is least restrictive placement to ensure recovery and stability

COMPARISON OF IHOT & LAURA'S LAW CRITERIA cont'd

- Outreach Participants**
 - Meet Laura's Law criteria -- 59 of 285 participants
 - Meet IHOT criteria -- 226 of 285 participants

- Engaged Participants**
 - Meet Laura's Law criteria -- 24 of 113 participants
 - Meet IHOT criteria-- 89 of 113 participants

- Still Active or Completed IHOT Program Participants**
 - Meet Laura's Law criteria -- 7 of 39 participants
 - Meet IHOT criteria -- 32 of 39 participants

COMPARISON OF IHOT & LAURA'S LAW PARTICIPANTS IN IHOT PROGRAM

- IHOT -- \$10,600 per person, including expanded FSP and Conservatorship services

- Laura's Law -- \$34,000 per person, not including judicial costs or IHOT program

- Current IHOT program = \$1.4 million

- IHOT program expansion = \$2.3M

- Total expanded IHOT program = \$3.7M

- Estimated cost avoidance
 - Incarcerations: \$31 to \$78/day
 - Hospitalizations: \$600 to \$1,100/day
 - SWAT response: \$10,000+/incident

COMPARISON OF IHOT & LAURA'S LAW COSTS

- ✓ ONE GOAL
- ✓ PERSONAL PERSPECTIVE
- ✓ LAURA'S LAW CONCERNS
- ✓ SAN DIEGO COUNTY
- ✓ LPS TOOLBOX IN SAN DIEGO COUNTY
- ✓ FSP
- ✓ PERT
- ✓ IHOT
- ✓ COMPARISON OF IHOT & LAURA'S LAW
- SAN DIEGO COUNTY INITIATIVES

TODAY'S PRESENTATION

- Adopt W&I Section 4270 regarding 30 day hold
- Seek legislative changes to Laura's Law to provide enforcement mechanism
- Conduct a national convention in 2015 in San Diego regarding Assisted Outpatient Treatment best practices

SAN DIEGO COUNTY INITIATIVES

- ONE GOAL
- PERSONAL PERSPECTIVE
- LAURA'S LAW CONCERNS
- SAN DIEGO COUNTY
- LPS TOOLBOX IN SAN DIEGO COUNTY
- FSP
- PERT
- IHOT
- SAN DIEGO INITIATIVES
- SUMMARY

TODAY'S PRESENTATION

- NEED:**
 - Earliest intervention possible
 - Quality medical treatment and meds
 - Comprehensive community services
 - Strongest possible family support or, in the absence of family, the strongest possible community support
 - Robust public awareness campaign of community programs
- CONTINUE** support of IHOT
- OPEN** up the LPS toolbox and use all tools, including Laura's Law
- SHARPEN** Laura's Law tool

SUMMARY

"How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and the strong. Because someday in life you will have been all of these."

- GEORGE WASHINGTON CARVER -

CONTACT INFORMATION



Thomas L. Behr
Attorney at Law
Specializing in Private Fiduciary Services

Serving San Diego County
9815 Carroll Canyon Road, Suite 204
San Diego, CA 92131

Serving Imperial County
444 South 8th Street, Suite A
El Centro, CA 92524

858.566.1861 (Office) / 858.531.1861 (Cell) / 866.763.4179 (Fax)

tom@tombehrlaw.com
