



Lake County Mental Health Advisory Board

P. O. Box 1024
Lucerne, CA 95458

May 20, 2021

TO: LAKE COUNTY BOARD OF SUPERVISORS
FROM: LAKE COUNTY MENTAL HEALTH ADVISORY BOARD

SUBJECT: Resolution Opting Out of AB 1976 – Assisted Outpatient Treatment

RECOMMENDATION FOR BOARD ACTION:

Adopt Resolution Opting Out of AB 1976 - Assisted Outpatient Treatment.

DISCUSSION:

In 2002, the California Legislature passed Assembly Bill 1421 (Thomson), also known as Laura's Law, in memory of Laura Wilcox, a young woman who was killed by an individual with mental health issues who refused treatment. Laura's Law gives counties the option of implementing involuntary assisted outpatient treatment (AOT) programs for individuals who have difficulty maintaining their mental health stability and have frequent hospitalizations and contact with law enforcement related to untreated or undertreated mental illness. As defined by California Welfare and Institutions Code sections 5345-5349.5, Laura's Law creates an AOT program that provides court-ordered treatment (not medication) for persons with severe mental illness who meet certain criteria. Laura's Law requires action by the county Board of Supervisors to authorize implementation. Lake County has not previously taken action on implementing this program.

AB1976, which passed in the legislature in August, 2020, will go into effect July 1, 2021. This bill requires a county or group of counties to implement an AOT program under Laura's Law, or opt out of this requirement by a resolution passed by the governing body or bodies of the county or counties that includes a statement as to the reasons for opting out and many facts or circumstances relied on in making that decision. In addition, AB 1976 further authorizes a judge of a superior court, before whom the person who is subject of an AOT petition appears, to request a county mental health department file a petition to obtain an order authorizing AOT. This is not a funded program and counties are not allowed to reduce current services in order to enact Laura's Law, per the legislation.

Potentially significant, ongoing costs and work load would be needed to oversee AOT cases for the county. The Lake County Behavioral Health Department does not have additional funds or staff to meet the requirements of AOT. Additionally, AOT services in Lake County would be redundant, as all of these services are already available through voluntary participation programs, and provision of additional services would further tax an already impacted system. Due to limitations and shortages in the behavioral health provider and

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administrative workforces, opting in to Laura's Law, would reduce current, voluntary services in Lake County, which is not allowed under this legislation. The Lake County Mental Health Advisory Board therefore recommends that the Lake County Board of Supervisors opt out of AB 1976 by adopting the resolution proposed by Lake County Behavioral Health Services Department.

Sincerely,

Julie Colfax MS., LMFT, Chair pro tempore

Trish Turner, Vice Chair pro tempore

Approved by Lake County Mental Health Advisory Board on: May 20, 2021