



COUNTY OF SAN DIEGO

2019 OCT 21 PM 12 10

CLERK OF THE BOARD  
OF SUPERVISORS

# COUNTY OF SAN DIEGO

## BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

### AGENDA ITEM

**DATE:** October 29, 2019

**04**

**TO:** Board of Supervisors

#### **SUBJECT**

**CONSERVATORSHIP - A NEW TOOL FOR ADDRESSING SERIOUS MENTAL ILLNESS AND SUBSTANCE USE DISORDER (DISTRICTS: ALL)**

#### **OVERVIEW**

The County of San Diego has several behavioral health programs and resources, including Laura's Law and the In-Home Outreach Teams (IHOT), to help those who are suffering from serious mental illness and substance use disorders by offering them voluntarily treatment or in cases where an individual is unable to function in the community safely court ordered treatment is sought. These co-occurring disorders are difficult to manage and often lead to other challenges, such as finding or sustaining permanent housing.

Even with Laura's Law and programs like IHOT, individuals suffering from co-occurring disorders can have multiple lapses in maintaining their treatment and may require additional assistance and intervention. Senate Bill (SB) 40, which was recently signed by the Governor, allows certain counties, including San Diego County, the ability to implement a pilot conservatorship procedure for eligible individuals who are unable to care for their own health and well-being due to serious mental illness and substance use disorder.

While prevention and voluntary behavioral health interventions are always the preferred option, some individuals could benefit from a conservatorship that require, through a court order, treatment, wrap-around services, case management and housing. The procedure for establishing the qualifications for an individual to be recommended for this conservatorship pilot include several administrative steps and findings by the court. Despite these laborious steps, the County should move forward with adding this important tool to the continuum of behavioral health services it offers.

Today's action directs the Chief Administrative Officer to develop a conservatorship procedure pilot program for individuals who are incapable of caring for their own health and well-being due

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to serious mental illness and substance abuse disorder as outlined by SB 40, and report back to the board with recommendations for implementation within one year.

**RECOMMENDATION(S)**

**CHAIRWOMAN JACOB AND SUPERVISOR FLETCHER**

Direct the Chief Administrative Officer to develop a conservatorship procedure pilot program for individuals who are incapable of caring for their own health and well-being due to serious mental illness and substance abuse disorder, and report back to the board with recommendations for implementation within one year.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ADVISORY BOARD STATEMENT**

N/A

**BACKGROUND**

The County of San Diego has several behavioral health programs and resources, including Laura's Law and the In-Home Outreach Teams (IHOT), to help those who are suffering from serious mental illness and substance use disorders by offering them voluntarily treatment or in cases where an individual is unable to function in the community safely court ordered treatment is sought. These co-occurring disorders are difficult to manage and often lead to other challenges, such as finding or sustaining permanent housing.

Even with Laura's Law and programs like IHOT, individuals suffering from co-occurring disorders can have multiple lapses in maintaining their treatment and may require additional assistance and intervention. Senate Bill (SB) 40, which was recently signed by the Governor, allows certain counties, including San Diego County, the ability to implement a pilot conservatorship procedure for eligible individuals who are unable to care for their own health and well-being due to serious mental illness and substance use disorder.

While prevention and voluntary behavioral health interventions are always the preferred option, some individuals could benefit from a conservatorship that require, through a court order, treatment, wrap-around services, case management and housing. The procedure for establishing the qualifications for an individual to be recommended for this conservatorship pilot include several administrative steps and findings by the court. Despite these laborious steps, the County should move forward with adding this important tool to the continuum of behavioral health services it offers.

Eligible individuals must be diagnosed seriously mentally illness with a co-occurring substance use disorder and have eight or more 72-hour involuntary holds under the Welfare and Institutions Code 5150 in the proceeding 12-month period. In addition, the court must decide, upon

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recommendation from the behavioral health director, that either the individual would not qualify for Assertive Outpatient Treatment (AOT) or that AOT would be insufficient to treat the instant matter.

Today's action directs the Chief Administrative Officer to develop a conservatorship procedure pilot program for individuals who are incapable of caring for their own health and well-being due to serious mental illness and substance abuse disorder as outlined by SB 40, and report back to the board with recommendations for implementation within one year.

We urge your support.

**LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN**

Today's item supports the Building Better Health and Living Safely Initiatives in the County of San Diego's 2019-2024 Strategic Plan, as well as the County's *Live Well San Diego* vision, by designing and developing a program to help those most vulnerable in the region.

Respectfully submitted,



DIANNE JACOB  
Chairwoman, 2<sup>nd</sup> District



NATHAN FLETCHER  
Supervisor, 4<sup>th</sup> District

**ATTACHMENT(S)**

N/A

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**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**       Yes     No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**  
 Yes     No

**PREVIOUS RELEVANT BOARD ACTIONS:**  
N/A

**BOARD POLICIES APPLICABLE:**  
N/A

**BOARD POLICY STATEMENTS:**  
N/A

**MANDATORY COMPLIANCE:**  
N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):**  
N/A

**ORIGINATING DEPARTMENT:** Districts 2 and 4, Board of Supervisors

**OTHER CONCURRENCE(S):**    N/A

**CONTACT PERSON(S):**

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