

On August 29, 2023, the Mendocino County Board of Supervisors directed staff to investigate options for merging the Behavioral Health Advisory Board with the Measure B Oversight Committee in an effort to address the following goals: (1) alleviate the issue arising from the lack of members available to serve on the Behavioral Health Advisory Board, (2) strengthen the connection between both boards regarding common issues, and (3) streamline processes.

Merging the Behavioral Health Advisory Board with the Measure B Oversight Committee  
The Behavioral Health Advisory Board (BHAB) and Mental Health Treatment Act Citizens Oversight Committee (Measure B) each have membership requirements. In review of each board/committee membership requirements, it was determined that the requirements of each board did not align. At least two of the required Measure B seats are in direct conflict with the regulations specific to individuals who shall not be a part of the BHAB. In addition, it is unclear if the members on Measure B would meet the consumer and family member requirement for BHAB.

In reviewing the additional requests and other recommendations, the following was determined:

1. BHAB could reduce from 16 members to 11 members: 10 community members, 1 member of the Board of Supervisors.
2. The Five (5) members of the Measure B committee that are selected by the Board of Supervisors could serve on BHAB.
3. The following Measure B members could also serve on BHAB: County Auditor or his/her representative; Mendocino County Chief Executive Officer or his/her representative; Sheriff or his/her representative, and Member of BHAB.
4. The following Measure B members could not serve on BHAB: County Mental Health Director or his/her representative and Representative of the Mendocino Chapter of the National Alliance on Mental Illness.
5. BHAB membership would need to meet the requirement that fifty percent of the board membership shall be consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received mental health services. At least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers, and there is pending legislation which could become effective, January, 2025, to require consumer membership to include at least one individual who is 25 years of age or younger.
6. BHAB and Measure B could have meetings on the same day, in the same location, and back-to-back with at least a half hour break in between the meetings.

In light of the varied membership requirements, related potential code changes, and keeping in mind the Board of Supervisors' goals, staff seek authorization from the Board of Supervisors to align BHAB and Measure B in the following manner:

1. Reduce the number of BHAB members from 16 members to 11 members: 10 community members, 1 member of the Board of Supervisors.
2. Offer the Five (5) members of the Measure B committee that are selected by the

Board of Supervisors to serve on BHAB. If a member is unable or does not wish to serve, the Board of Supervisor shall appoint another member.

3. For the remaining Five (5) Members
  - a. Consider membership among the following two categories:
    - i. Veteran/Veteran Advocate: The state law governing BHAB membership encourages smaller Counties (fewer than 100,000 population) to appoint a Veteran or veteran advocate.<sup>1</sup>
    - ii. Employee of Local Educational Agency: Pending legislation may require (effective January 2025) that Counties appoint at least one member who is an employee of a local education agency.<sup>2</sup>
  - b. Ensure the County fulfills the Consumer/Family Membership: Fifty percent (50%) of the board membership shall be consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received mental health services. At least twenty percent (20%) of the total membership shall be consumers, and at least 20 percent shall be families of consumers.
    - i. Transitional Age Youth Consumer: Pending legislation may require Counties (effective January 2025) to fill at least one of the consumer/family of consumer membership with a transitional age youth (25 years of age or younger).
4. BHAB and Measure B shall have meetings on the same day, in the same location, and back-to-back with at least a half hour break in between the meetings.

Implementation of the above recommendations would alleviate the issue arising from the lack of members available to serve on the Behavioral Health Advisory Board, strengthen the connection between both boards regarding common issues, and streamline the processes.

#### Current Membership Requirements:

Behavioral Health Advisory Board (Welfare and Institutions Code section 5604) provides in pertinent part:

(a)

(1) Each community mental health service shall have a mental health board consisting of 10 to 15 members, depending on the preference of the county, appointed by the governing body, except that boards in counties with a population of fewer than 80,000 may have a minimum of five members. . .

(2)

(A) The board shall serve in an advisory role to the governing body, and one member of the board shall be a member of the local governing body. Local mental health boards may recommend appointees to the county supervisors. The board membership should reflect the diversity of the client population in the county to the extent possible.

(B) Fifty percent of the board membership shall be consumers, or the parents, spouses,

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<sup>1</sup> See Cal. Welf. & Inst. § 5604 for the existing membership criteria.

<sup>2</sup> SB 326 proposes to amend Section 5604 and must be approved by the voters at the March 5, 2024, statewide primary election for these changes to take effect.

[https://leginfo.ca.gov/faces/billCompareClient.xhtml?bill\\_id=20232024\\_oSB326&showamends=false](https://leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=20232024_oSB326&showamends=false)

siblings, or adult children of consumers, who are receiving or have received mental health services. At least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers.

(C)(i) . . . In counties with a population of fewer than 100,000, the county shall give a strong preference to appointing at least one member of the board who is a veteran or a veteran advocate. . .

(D) In addition to the requirements in subparagraphs (B) and (C), counties are encouraged to appoint individuals who have experience with, and knowledge of, the mental health system. This would include members of the community that engage with individuals living with mental illness in the course of daily operations, such as representatives of county offices of education, large and small businesses, hospitals, hospital districts, physicians practicing in emergency departments, city policy chiefs, county sheriffs, and community and nonprofit service providers. . .

. . .

(e)

(1) Except as provided in paragraph (2), a member of the board or the member's spouse shall not be a full-time or part-time county employee of a county mental health service, an employee of the State Department of Health Care Services, or an employee of, or a paid member of the governing body of, a mental health contract agency.

(2) A consumer of mental health services who has obtained employment with an employer described in paragraph (1) and who holds a position in which the consumer does not have any interest, influence, or authority over any financial or contractual matter concerning the employer may be appointed to the board. The Member shall abstain from voting on any financial or contractual issue concerning the member's employer that may come before the board. . .

#### Mental Health Treatment Act Citizen's Oversight Committee

Pursuant to the Mental Health Treatment Act, Mendocino County Code section 5.180.040, subsection (D) provided for the creation of "a politically independent oversight committee which shall review the independent annual audit of expenditures and the performance management plan for compliance with the [the ordinance.] This committee shall also provide recommendations to the Board of Supervisors on the implementation of this ordinance. The committee shall be comprised of eleven (11) members, including:

- a citizen selected by each member of the Mendocino County Board of Supervisors,
- a Member of the Behavioral Health Advisory Board,
- the County Mental Health Director or his/her representative,
- the County Auditor or his/her representative,
- the Mendocino County Chief Executive Officer or his/her representative,
- the Sheriff or his/her representative, and
- a representative of the Mendocino Chapter of the National Alliance on Mental Illness.

The Mendocino County Board of Supervisors is encouraged to include professional experts such as psychiatric and health practitioners, first responders and other mental health professionals among the five (5) committee members selected by the Board. . ."