

MEASURE B

Mental Health Treatment Act...Where Are We?

June 19, 2019

SUMMARY

Mental illness is a crisis in our county and our country. Measure B, a sales tax initiative, was an attempt by Mendocino County to address this crisis. It passed by more than two-thirds of the electorate in November 2017 and reflected the concerns of County residents. The voters agreed people suffering mental illness and/or drug addiction need treatment, not jail or confinement in facilities in other counties. At this time, Mendocino County does not have a dedicated Crisis Stabilization Unit (CSU), Crisis Residential Treatment Center (CRT) or Psychiatric Health Facility (PHF). Measure B funds are intended to construct and supplement the operations and treatment services of psychiatric behavioral health facilities. Voters are concerned that, after eighteen months, a site has not been selected, delaying construction.

Measure B, in part, states:

“Provide for assistance in the diagnosis, treatment and recovery from mental illness and addiction by developing:

1) A psychiatric facility and other behavioral health facilities; and a regional behavioral health training facility to be used by behavioral health professionals, public safety and other first responders.

2) Provide for the necessary infrastructure to support and stabilize individuals with behavioral health conditions, including addiction and neurological disorders.

3) Create a Mental Health Treatment Fund entirely dedicated to fund improved services, treatment and facilities for persons with mental health conditions into which 100% of the revenue from this measure shall be deposited.

4) Create a politically independent “Mental Health Treatment Act” Citizen’s Oversight Committee which shall review the independent annual audit of expenditures and the performance management plan for compliance with the Specific Purpose of this ordinance.”

In 2018, Mendocino County contracted with the Kemper Consulting Group to provide a recommended plan of action for allocation of Measure B revenues. The Kemper Report recommended a *continuum of care* including:

- A Crisis Stabilization Unit
- A Crisis Residential Treatment Center
- A Psychiatric Health Facility

Per the Measure B Oversight Committee 2019-2020 chair:

“The CSU would be a locked facility and provide a location in which sheriff’s deputies, hospital emergency personnel, and mental health workers could transport people in need of a safe, secure place for up to 24 hours.

“The CRT would provide a place for people to remain voluntarily for up to a month while receiving mental health and/or addiction treatment.

“The PHF would be a long-term psychiatric facility for people with more intense mental health issues where they could receive the treatment they need over the course of several weeks.” Ukiah Daily Journal April 2, 2019

These three interconnected programs would supplement existing mental health services in Mendocino County to help provide a continuum of care. This mental health system of care is effective for the client and reduces costs to the County.

The eleven-member Measure B Mental Health Act Citizens Oversight Committee (Committee) meets for two hours once a month. The Committee should act with a sense of urgency to meet the expectations of the voters and the needs of the mentally ill. The critical issue is to focus on choosing a site and then building the facility(s). The GJ believes the eleven-member committee is an unwieldy body. Utilizing ad hoc committees, meeting on a regular basis, to report back would be more effective. Forming two ad hocs, one focusing on site location/construction and the other on operations/treatment, could accelerate the process.

The Grand Jury (GJ) is concerned about the length of time it has taken the Committee to make just three recommendations. After eighteen months of meetings, the public has no clear view of the progress of Measure B facilities and programs. The CEO report would be an ideal vehicle to report status and timelines of Measure B projects.

The Board of Supervisors’ (BOS) responsibility is to prepare and publicize a plan with goals and timelines for the completion of the facility(s). The Committee has identified three potential sites in Willits and Ukiah for the facilities; however, the project cannot move forward without a decision on site location(s). The BOS has directed staff to research and recommend a site(s) for the CSU, CRT and PHF. The Committee’s authority is limited to making recommendations to the BOS which authorizes spending and implementation.

The Committee recommended two additional Mobile Outreach & Prevention Services (MOPS) to augment existing MOPS serving North County, South Coast and Anderson Valley. The MOPS have reduced law enforcement officers’ time spent on persons who are in crisis.

At the Committee’s recommendation, the BOS approved the hiring of an Administrative Project Manager. The County is currently in the process of interviewing candidates. This position would provide project management assistance for Measure B including budget and timeline compliance.

The Measure B Mental Health Treatment Fund account was established April 2018 with revenues derived from sales tax allocations and interest. As of May 2019 there is a balance of \$7,321,506 in the account.

GLOSSARY

5150: a person, as a result of a mental health disorder, who is a danger to others, or to himself or herself (California Code, Welfare and Institutions Code - WIC §5150)

CSU: Crisis Stabilization Unit

CRT: Crisis Residential Treatment

MOPS: Mobile Outreach & Prevention Services

PHF: 16-bed Psychiatric Health Facility aka the “PUFF”

Continuum of Care: Services offered for mental health and substance use disorder treatment

BACKGROUND

The BOS closed the County’s PHF in 2000. Since the closure, those whom law enforcement deemed to be 5150 are taken to an emergency room (ER). The rooms allotted for psychiatric patients are limited. Law enforcement maintains custody of the patient in the ER until released to a qualified mental health employee. The patient is then assessed and a course of treatment is determined.

METHODOLOGY

The GJ attended or viewed meetings, including the following:

- Board of Supervisors
- Measure B Oversight Committee
- Mendocino County Mental Health Board
- Redwood Community Services

The GJ interviewed Law Enforcement, Auditor, Mental Health staff, and representatives of non-profits dealing with mental health issues. The GJ examined the Measure B fiscal account including all income and expenses, the Kemper Report on Mental Health, and other relevant documents.

DISCUSSION

Measure B was placed on the November 2017 ballot to secure funds to build mental health facilities and to supplement mental health services. The cost to put Measure B on the ballot was \$161,578.

The Measure B account paid \$37,470 for the Kemper Report which detailed the condition of County mental health services and recommended better use of County revenue and expenses.

The Measure B Oversight Committee is comprised of:

- Mendocino County CEO
- Mendocino County Behavioral Health Director
- Mendocino County Mental Health Director
- Mendocino County Sheriff
- Mendocino County Auditor
- NAMI representative (National Alliance on Mental Illness)
- Five appointees, one from each of the five supervisorial districts

The Committee's responsibility is to research and make recommendations to the BOS.

The public passed Measure B in November 2017, expecting the Committee to act with a sense of urgency. After more than 18 months, meeting only two hours a month, a recommendation to the BOS was finally made to consider three locations. The BOS has directed staff to research and evaluate the three options. At this pace, the design and construction process will delay completion far into the future.

The Committee recommended hiring an Administrative Project Manager. The BOS approved this at the March 2019 meeting and applicants are currently being interviewed.

The Committee also recommended two additional MOPS to augment existing MOPS serving North County, South Coast and Anderson Valley. BOS' approval cannot be given until the 2019-2020 budget is established in July 2019.

Measure B, a half-cent sales tax for five years, is projected to bring in approximately \$7 million annually. Upon sunset, a one-eighth cent sales tax will continue unless or until the tax is repealed by a majority vote in a general election.

- 75% is to be allocated for facilities for five years
- 25% is to be allocated for services for five years, with 100% for services thereafter

FINDINGS

- F1.** Mendocino County does not have a dedicated CSU, CRT or PHF at this time.
- F2.** The Committee meets for two hours each month.
- F3.** The Committee has identified three potential sites for the CSU, CRT and PHF; however, no site has been chosen by the BOS.
- F4.** All recommendations by the Committee must be approved by the BOS.
- F5.** The Committee recommended, and the BOS approved, hiring a project manager.
- F6.** Two additional MOPS were recommended by the Committee.
- F7.** The eleven-member committee can be unwieldy with its variety of perspectives, opinions and expertise.

RECOMMENDATIONS

The GJ recommends that:

- R1.** the Committee form two ad hoc committees, one focusing on site location and construction and the other on operations and treatment,
- R2.** the Committee can address policies, procedures and job descriptions during construction,
- R3.** the BOS prepare and publicize a plan with goals and timelines for the completion of the CSU, CRT and PHF, e.g. Mendocino County website and local news media,
- R4.** the BOS' priority should be planning and construction of the three facilities.

RESPONSES

Pursuant to Penal Code §933.05, responses are *required* from the following individual(s):
From the following governing bodies:

- Board of Supervisors (F1-7 and R1-4)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

SOURCES

Link to Measure B text

[file:///C:/Users/laptop/Downloads/MeasureBMentalHlth2017\(1\).pdf](file:///C:/Users/laptop/Downloads/MeasureBMentalHlth2017(1).pdf)

Link to Kemper Report (Executive Summary)

[file:///C:/Users/laptop/Downloads/KemperExecutiveSummary28204\(1\).pdf](file:///C:/Users/laptop/Downloads/KemperExecutiveSummary28204(1).pdf)

Reports issued by the Mendocino County Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the grand jury not contain the name of any person or facts leading to the identity of any person who provides information to the civil grand jury.
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