

AMENDED IN ASSEMBLY APRIL 22, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 383**

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**Introduced by Assembly Member Salas**

February 2, 2021

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An act to add Article 5 (commencing with Section 5816) to Part 3 of Division 5 of the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

AB 383, as amended, Salas. Mental health: older adults.

Existing law, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the continuously appropriated Mental Health Services Fund to fund various county mental health programs, including the Adult and Older Adult Mental Health System of Care Act. Existing law authorizes the MHSA to be amended by a  $\frac{2}{3}$  vote of the Legislature if the amendments are consistent with, and further the purposes of, the MHSA, and also permits the Legislature to clarify procedures and terms of the MHSA by a majority vote.

This bill would establish within the State Department of Health Care Services an Older Adult Mental Health Services Administrator to oversee mental health services for older adults. The bill would require that position to be funded with administrative funds from the Mental Health Services Fund. The bill would prescribe the functions of the administrator and its responsibilities, including, but not limited to, developing outcome and related indicators for older adults for the purpose of assessing the status of mental health services for older adults, monitoring the quality of programs for those adults, and guiding

decisionmaking on how to improve those services. The bill would require the administrator to receive data from other state agencies and departments to implement these provisions, subject to existing state or federal confidentiality requirements. The bill would require the administrator to report to the entities that administer the MHSA on those outcome and related indicators by July 1, 2022, and would ~~authorize the administrator to make the report available to the Legislature, upon request.~~ *require the report to be posted on the department’s internet website.* The bill would also require the administrator to develop a strategy and standardized training for all county mental health personnel in order for the counties to assist the administrator in obtaining the data necessary to develop the outcome and related indicators.

This bill would declare that it clarifies procedures and terms of the Mental Health Services Act.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 5 (commencing with Section 5816) is  
 2 added to Part 3 of Division 5 of the Welfare and Institutions Code,  
 3 to read:

4  
 5 Article 5. The Older Adult Mental Health Services  
 6 Administrator  
 7

8 5816. (a) There is within the State Department of Health Care  
 9 Services an Older Adult Mental Health Services Administrator  
 10 who shall oversee mental health services for older adults. The  
 11 administrator position shall be funded with administrative funds  
 12 pursuant to, and shall act in accordance with the purposes described  
 13 in, subdivision (d) of Section 5892.

14 (b) The Older Adult Mental Health Services Administrator shall  
 15 work in close coordination and collaboration with stakeholders,  
 16 including, but not limited to, the following:

- 17 (1) The Mental Health Services Oversight and Accountability
- 18 Commission.
- 19 (2) The Director of the California Department of Aging.
- 20 (3) County behavioral health services departments.

1 (4) Any other relevant stakeholders to ensure that older adults  
2 have access to necessary behavioral health services and supports.

3 (c) In order to fulfill duties to consumers and family members  
4 as well as the requirements for research and evaluation of mental  
5 health services and outcomes as described in subdivision (d) of  
6 Section 5892, the Older Adult Mental Health Services  
7 Administrator's responsibilities shall include, but shall not be  
8 limited to, the following:

9 (1) Service integration for mental health services for older adults.

10 (2) Determining which outcome and related indicators counties  
11 are currently collecting, and which current services are being  
12 offered.

13 (3) Developing outcome and related indicators for older adults,  
14 using existing data, for the purpose of assessing the status of mental  
15 health services for older adults, for monitoring the quality of  
16 programs intended to serve those older adults, and to guide  
17 decisionmaking on how to improve those services.

18 (4) Ensuring that indicators shall reflect the following issues,  
19 including, but not limited to, screenings and assessments of  
20 affective disorders, suicide risk and suicide rates, medication  
21 review, cognitive review and assessment, alcohol use and substance  
22 misuse, housing and independent living assessment, social  
23 connections and social isolation, consumer and family satisfaction  
24 with care, access to care overall and for diverse populations,  
25 continuity and integration of care, health services utilization such  
26 as psychiatric hospitalizations and emergency room use for mental  
27 and behavioral health care, the number of eligible older adults with  
28 a mental health service need compared with the number of eligible  
29 older adults who received services in the measurement year, and  
30 services provided on a regional basis to determine regional areas  
31 with the greatest need for services.

32 (5) To the extent that data does not exist to sufficiently  
33 determine the outcome and related indicators identified in  
34 paragraph (4), working with all relevant stakeholders to develop  
35 a strategy to identify high-level indicators, including, but not  
36 limited to, for those indicators from paragraph (4) that cannot be  
37 sufficiently defined using existing and available data.

38 (6) Utilization of the new outcome and related indicators to  
39 prepare and disseminate, on an annual basis, reports to the State  
40 Department of Health Care Services, the Mental Health Services

1 Oversight and Accountability Commission, and counties that would  
2 also include, but are not limited to, numbers of older adults served  
3 by age, differences in age categorization of older adult groups  
4 served, and effectiveness of services.

5 (7) In close coordination and consultation with experts in the  
6 field, establishing a standardized geriatrics training module for  
7 mental health professionals that would include a plan to account  
8 for cultural, linguistic, ethnic, geographic, and socioeconomic  
9 diversity among the older adult population, and that address barriers  
10 and stigma experienced by older adult populations. The  
11 standardized training module shall be made available to mental  
12 health professionals and other providers.

13 (d) The Older Adult Mental Health Services Administrator shall  
14 receive any data, the access to which is not restricted by any state  
15 or federal law, that is necessary to develop outcome-related  
16 indicators as specified in paragraph (4) of subdivision (c),  
17 including, but not limited to, data held by other state agencies or  
18 departments.

19 (e) The Older Adult Mental Health Services Administrator shall  
20 maintain the confidentiality of information received pursuant to  
21 this section in a manner that is equal to the manner in which other  
22 state agencies or departments maintain the confidentiality of data.

23 (f) The Older Adult Mental Health Services Administrator may  
24 establish one or more advisory bodies to guide and inform the  
25 selection of outcome and related indicators and the strategy for  
26 developing and reporting those indicators. An existing state entity  
27 that involves diverse representation of older adults, including, but  
28 not limited to, the California Commission on Aging, may act as  
29 an advisory body for purposes of this section.

30 (g) The Older Adult Mental Health Services Administrator shall  
31 report to the entities listed in subdivision (d) of Section 5892, on  
32 or before July 1, 2022, all of the outcome and related indicators  
33 developed by the administrator pursuant to paragraph (4) of  
34 subdivision (c). The report shall also include recommendations on  
35 ways to establish a system for monitoring those indicators on a  
36 continual basis, including additional staffing or technology that  
37 might be necessary, and any regulatory or fiscal barriers that may  
38 hinder future progress on the development of a monitoring system.  
39 ~~The report may be made available to the Legislature, upon request~~

1 ~~by the Legislature.~~ *The report shall be posted on the department's*  
2 *internet website.*

3 (h) The Older Adult Mental Health Services Administrator shall  
4 also develop a strategy and standardized training for all county  
5 mental health personnel, including clinicians, involved in delivering  
6 Mental Health Services Act mental health care and prevention  
7 services to older adults in order for counties to assist the  
8 administrator in obtaining the data necessary to develop the  
9 outcome and related indicators specified in paragraph (4) of  
10 subdivision (c).

11 SEC. 2. The Legislature finds and declares that this act clarifies  
12 procedures and terms of the Mental Health Services Act within  
13 the meaning of Section 18 of the Mental Health Services Act.

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