
State of California

**MENTAL HEALTH SERVICES
OVERSIGHT AND ACCOUNTABILITY COMMISSION**

Minutes of Teleconference Meeting
July 23, 2020

MHSOAC
1325 J Street, Suite 1700
Sacramento, CA 95814

408-638-0968; Code 832702

Lynne Ashbeck
Chair
Mara Madrigal-Weiss
Vice Chair
Toby Ewing, Ph.D.
Executive Director

Members Participating:

Lynne Ashbeck, Chair
Mara Madrigal-Weiss, Vice Chair
Mayra Alvarez
Reneeta Anthony
Senator Jim Beall
Ken Berrick
John Boyd, Psy.D.

Sheriff Bill Brown
Keyondria Bunch, Ph.D.
Itai Danovitch, M.D.
David Gordon
Gladys Mitchell
Khatera Tamplen
Tina Wooton

Members Absent:

Assemblymember Wendy Carrillo

Staff Present:

Toby Ewing, Ph.D., Executive Director
Filomena Yeroshek, Chief Counsel
Norma Pate, Deputy Director, Program,
Legislation, and Technology

Brian Sala, Ph.D., Deputy Director,
Evaluation and Program Operations

CALL TO ORDER AND WELCOME

Chair Lynne Ashbeck called the teleconference meeting of the Mental Health Services Oversight and Accountability Commission (MHSOAC or Commission) to order at 9:00 a.m. and welcomed everyone.

Chair Ashbeck reviewed the meeting protocols.

Roll Call

Filomena Yeroshek, Chief Counsel, called the roll and confirmed the presence of a quorum.

GENERAL PUBLIC COMMENT

Vickie Mack, Executive Director, Sterling Solutions, PMHS Workforce, ACCESS Ambassador, Cal Voices, and Behavioral Health Commissioner for San Bernardino County, asked for increased support for rural communities. The speaker asked for a dedicated portion of the community planning process (CPP) funding for counties specifically for rural communities, increasing financial support and technical assistance for rural community residential facilities, and providing funding for consumer-operated services in rural communities. The portion currently allocated is not adequate to meet the need.

Jerry Hall, San Diego County Behavioral Health Advisory Board, spoke on their own behalf. The speaker stated the concern about the lack of connection between the original Mental Health Services Act (MHSA) and Assembly Bill (AB) 1352 and how the San Diego County Behavioral Health Advisory Board is functionally operating. This is also an issue with other boards not just the San Diego County board.

Jerry Hall stated the Commission has little if any assurance that the county boards are doing their job. Boards largely approve the items presented to them. Members are not engaged participants making meaningful contributions to county programs or ensuring that stakeholders are meaningfully engaged.

Jerry Hall stated one symptom that can be monitored by the Commission is the community planning program budget. CPP funding in San Diego County is taken out of the Operations fund. Also, the plan the Commission thinks the county is working on is not the plan approved by the Board other than a review of the Annual Report or Three-Year Plan. The speaker stated there needs to be a way for county boards to communicate with the Commission and for an audit to be completed to learn how work is being done.

Poshi Walker, LGBTQ Program Director, Cal Voices, and Co-Director, #Out4MentalHealth, asked for the chat feature to be enabled for members of the public during Commission meetings or, barring that, to allow members of the public to email their contact information to staff who can then send out the list of attendees so members of the public can have a way to communicate with each other after meetings.

Geoffrey McLennan, a Member of the MHSOAC Client and Family Leadership Committee (CFLC), stated California is facing an electronic revolution in how it governs and communicates due to COVID-19 pandemic restrictions. One of the speaker's concerns has been mental health crisis centers throughout the state. These are largely county focused. The speaker stated they frequently ask why there are not more of these and why they end at county borders. Mental health needs do not end at county borders.

Geoffrey McLennan stated it is unfortunate that California has 58 counties that do 58 different things. This is inappropriate in this modern age. The speaker suggested that the Commission's program funding should be more regionally focused, even as broad as Northern, Central, and Southern California.

Amparo Ostojic, ACCESS Ambassador, Cal Voices, echoed Poshi Walker's comment about enabling the chat feature for members of the public to use during Commission meetings, and Geoffrey McLennan's comment about not limiting programs to within county borders.

Amparo Ostojic thanked staff for allowing them to participate in the community engagement process for the MHSOAC branding and logo. The speaker stated their biggest lesson learned was much can be accomplished in sharing and embracing the spirit of the MHSOAC through community engagement and stakeholder involvement. There are creative ways to engage the public. There are opportunities to increase stakeholder involvement during this modern age.

Andrea Crook, Advocacy Director, ACCESS California, a program of Cal Voices, echoed comments made by the previous speakers. The speaker stated it goes back to the stakeholder and community planning processes. The speaker commended Commissioner Anthony for her hard work in focusing on the community planning process as Chair of the CFLC. Great strides have been made but the CFLC has not met since September of 2019. The speaker stated the hope to resume the Committee meetings soon.

Steve McNally, a parent of a child with serious mental illness, a Member of the Orange County Mental Health Board, spoke on their own behalf. The speaker stated the Orange County Mental Health Board recently read and reaffirmed their required duties. Many Board Members across the state do not know they have those duties. The speaker asked the Commission to consider surveying individual board members across the state. The speaker volunteered to help draft the survey questions.

Steve McNally thanked Commissioner Beall for his peer bill, Senate Bill (SB) 803. The speaker stated concern that, because of the COVID-19 pandemic, counties will have restricted budgets. The speaker stated the need to support SB 803 and to promote why it makes sense financially.

Steve McNally stated the California Association of Local Behavioral Health Boards and Commissions (CALBHBC) has made it easy to look at other Boards across the state to learn what they do by posting the links for Zoom meetings on their website.

Steve McNally asked the Commission to investigate what happened at Los Angeles County's last meeting. It was striking relative to the MHSOAC plan approval. The speaker

stated the California State Association of Counties (CSAC) gave a federal funds participation presentation at that meeting. The speaker asked where they can get a copy of the PowerPoint slides. The speaker asked the Commission to direct them to where they might find federal funds participation by county and to an expert in that area.

Stacie Hiramoto, Director, Racial and Ethnic Mental Health Disparities Coalition (REMHDCO), thanked the Commission for sending a letter of opposition to SB 665, about spending MHSA funds on programs inside jails.

Stacie Hiramoto thanked the Commission for reconvening the MHSOAC Cultural and Linguistic Competence Committee (CLCC) meetings after many months. The speaker stated one of the things that was not discussed at the July 15th Committee meeting was the California Reducing Disparities Project (CRDP) Phase II. In 2019, Committee members and the public strongly recommended continued support for the CRDP Phase II and for the Commission to learn more about it. The CRDP is one of the best ways to address reducing disparities. These programs and approaches must be supported.

Thomas Mahany, Executive Director, Honor for All, asked the Commission to formally adopt and submit a Governor's Office Action Request (GOAR) to Governor Newsom requesting him to issue a proclamation designating June 27th as Post-Traumatic Stress Injury Awareness Day.

Hector Ramirez, consumer and advocate, Co-Chair of the Los Angeles Department of Mental Health Latino Underserved Cultural Communities (UsCC) subcommittee, provided demographic data of the Latino community in Los Angeles County and the state of California. The speaker noted that 50 percent of the consumers who received services through MHSA funding in Los Angeles County are Spanish monolingual.

Hector Ramirez stated the Latino UsCC subcommittee has requested participation in MHSA activities from the Los Angeles Department of Mental Health and to obtain content in Spanish but the county has not provided that resource. The speaker stated they are given condensed information or information the day before public comments are taken.

Hector Ramirez stated this is a concerning issue because it takes the Latino voice away from the planning process and prevents the Department from presenting the board of supervisors with the best plans to pass, which are then brought before the Commission. The speaker urged the Commission to enforce their oversight and accountability for the people of Los Angeles. This is a compounding microaggression that affects health and puts individuals at higher risk of contracting COVID-19.

ACTION

1: Approve June 25, 2020, MHSOAC Meeting Minutes

Chair Ashbeck stated the Commission will review the minutes from the June 25, 2020, Commission teleconference meeting. Any edits to the minutes will be made and the minutes will be amended to reflect the changes and posted to the Commission website

after the meeting. If an amendment is not necessary, the Commission will approve the minutes as presented.

Commissioner Questions and Discussion

Commissioner Anthony referred to the second paragraph from the bottom of page 13 where it states that the abstracts of the research papers to be delivered at the American Public Health Association National Conference in San Francisco were to be distributed to Commissioners and posted on the website. She asked when they can be expected.

Chair Ashbeck asked staff to get that information to Commissioners.

Commissioner Wooton stated there was a discussion at the June Commission meeting about suicide prevention and staff was in contact with CalMatters this past week regarding suicide prevention. She asked, speaking as the Chair of the Suicide Prevention Subcommittee, and speaking for staff member Ashley Mills, Commissioner Tamplen, and Vice Chair Madrigal-Weiss, if the Commission could move forward with a plan to promote the bigger Suicide Prevention Plan to the counties. Commissioner Wooton volunteered to help with that.

Chair Ashbeck asked Executive Director Ewing to address Commissioner Wooton's comments in his Executive Director Report-Out later in the agenda.

Commissioner Gordon referred to the first paragraph on page 17 and asked to change "Local Control Funding Formula (LCFF) clinicians" to "Medi-Cal-funded clinicians" so it would read "... to bring in Medi-Cal-funded clinicians as employees of the Sacramento County Office of Education"

Public Comment

No public comment.

Chair Ashbeck asked for a motion to approve the minutes from the June 25, 2020, meeting.

Commissioner Alvarez made a motion to approve the June 25, 2020, meeting minutes as corrected. Commissioner Tamplen seconded.

Action: Commissioner Alvarez made a motion, seconded by Commissioner Tamplen, that:

- *The Commission approves the June 25, 2020, Teleconference Meeting Minutes as corrected.*

Motion carried 10 yes, 0 no, and 3 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Commissioners Alvarez, Beall, Berrick, Boyd, Brown, Bunch, Danovitch, Gordon, and Tamplen, and Chair Ashbeck.

The following Commissioners abstained: Vice Chair Madrigal-Weiss and Commissioners Anthony and Wooton.

ACTION

2: Award Mental Health Student Services Act (MHSSA) Category 2 Grants

Presenter:

- Tom Orrock, Chief of Commission Grants

Chair Ashbeck stated the Commission will consider awarding MHSSA grants to the highest scoring applications received in response to the Request for Applications (RFA) for the MHSSA Category 2 grants to support school/county partnerships in the implementation of programs as described in the MHSA.

Commissioners Berrick and Brown recused themselves from the discussion and decision-making on this agenda item pursuant to Commission policy.

Chair Ashbeck asked staff to present this agenda item.

Tom Orrock, Chief of Stakeholder Engagement and Grants, provided an overview, with a slide presentation, of the background, grant apportionment, RFA/award overview, and the RFA evaluation process for the eight MHSSA Category 2 Grants, which will provide funding for counties with new or emerging school mental health partnerships. He announced the counties with the highest overall scores in each population designation as follows:

- Calaveras, Madera, Tehama, and Trinity/Modoc Counties will receive the small-county designation funding level of \$2.5 million each.
- Santa Barbara and Yolo Counties will receive the medium-county designation funding level of \$4 million each.
- San Mateo and Santa Clara Counties will receive the large-county designation funding level of \$6 million each.

Commissioner Questions

Commissioner Gordon asked about the counties that applied for each category that were not recommended for funding.

Mr. Orrock stated that a total of 18 counties were awarded grants out of the 40 counties that applied for Categories 1 and 2.

Ms. Yeroshek provided a breakdown of the counties that applied for but were not awarded a grant for Category 2:

- Small: Imperial, Amador, Sutter/Yuba, Tuolumne, Shasta, and Nevada Counties.
- Medium: Sonoma and Santa Cruz Counties.
- Large: Riverside and Contra Costa Counties.

Commissioner Gordon stated the reason he asked is to make the point that, even though they were not funded, county health departments, school districts, and county offices worked hard to put plans together, which, in many cases, are quite viable. He suggested providing technical assistance, guidance, and help so those counties do not lose the momentum gained by putting together these proposals. The spirit of

collaboration shown in 40 of the 58 counties is extraordinary and should be capitalized upon in whatever ways possible.

Chair Ashbeck agreed. She echoed the suggestion made earlier by Geoffrey McLennan that the Commission's program funding should be more regionally focused. She stated this is the perfect opportunity to capitalize on regional synergy.

Commissioner Alvarez stated, given Commissioner Gordon's leadership in Sacramento and his approach working closely with the Department and the County Office of Education, there is more to tell there to provide lessons, perspective, and approaches that may be successful in other areas so that learning collaboratives can also serve as a base to talk about the model that they are implementing with their Centers of Wellness. She encouraged other counties to explore the Sacramento model and Commissioner Gordon's leadership.

Commissioner Alvarez asked about themes across the proposals in the counties that applied that could serve as topics of conversation within those learning collaboratives, given that there may be similar challenges or ideas.

Commissioner Alvarez stated part of the success in schools and ensuring that young people are ready to learn is ensuring that they are ready to enter school. She asked if any applicants were looking at early childhood and the collaboration with early learning centers to prepare students to enter school.

Mr. Orrock stated there is collaboration with First5. The application also asked for specific information about how counties would screen children pre-K through third grade. Because of this focus it looks initially like counties are including early learning and zero-to-five programs as partners in their governance structure.

Mr. Orrock stated another emerging theme seen in the triage grants that are collaborating with schools is that they are shifting their work to go remotely. He stated it is most likely that staff will have conversations with all grantees about how they will adjust their programs to provide support as children and youth go back to school during the COVID-19 pandemic. This will be an important piece moving forward.

Commissioner Alvarez asked, given the disproportionate impacts of COVID-19 on communities of color, if there are opportunities in the role of the awardees to highlight where specific efforts are in targeting communities of color and where there may be opportunities for collaboration across the board to more fully support disproportionately impacted communities during this time.

Mr. Orrock stated the MHSSA calls out a specific focus on children and youth that are typically underserved or marginalized such as foster youth, LGBTQ youth, and youth with a history of expulsion. That is a requirement of the application. He stated the hope is to find a focus on assisting youth and their families.

Executive Director Ewing agreed with the importance of looking at the broader array of applications and analyzing the proposals that were and were not funded. The Legislature has asked the Commission to provide a data analysis to give them a clear sense of unmet needs.

Executive Director Ewing stated the Commission has partnered with the Department of Health Care Services (DHCS) and, with the support and guidance of Commissioner Gordon, has recommended the use of Federal Emergency Management Agency (FEMA) dollars to build out communities of practice, rural communities, and a specialized community of practice around communities of color recognizing that those disparities need to be addressed independent from the general work.

Executive Director Ewing stated the Commission has contracted work to map out various models on the Schools and Mental Health Project working with the California Children's Trust and others consistent with Geoffrey McLennan's comments to better understand the federal drawdown.

Executive Director Ewing stated all of that is designed to create that enhanced capacity for communities to respond to the needs of children and families through school mental health. These items have not been completed but are on staff's agenda. He stated he loved the idea of looking back at the applications to glean key themes.

Public Comment

Poshi Walker stated, aside from the wonderful merits of this project, over three years ago, they advocated that the procedure for how to decide results if there is a protest on a particular proposal not be assigned to a single staff member. The speaker stated they again urged that the procedure for protests should include the convening of a committee to view the protest and relook at the proposals involved.

Poshi Walker stated, while some protests may have little merit and the decision appear obvious, there have been protests in the past that did merit greater scrutiny and would have benefited from a committee decision, including a rescoring. At the very least, a committee would allow for multiple viewpoints and would limit the appearance of possible bias or lack of knowledge by any single individual.

Stacie Hiramoto echoed Poshi Walker's comments. The speaker thanked Commissioner Alvarez for discussing reducing disparities in this important project being undertaken with the partnership of schools and mental health. The speaker stated the hope that staff always evaluates and measures whether disparities were reduced along with numbers of access and qualitative measures of effectiveness and satisfaction.

Mark Karmatz, consumer and advocate, spoke about certified peer specialists and suggested having not one but many trained peer specialists in the MHSSA grants. The speaker stated this needs to be brought in under the MHSA and the MHSSA. The speaker asked for an update on SB 803, mental health services: peer support.

Chair Ashbeck asked staff to contact Mr. Karmatz to get their public comment since it was difficult to hear them over the phone.

Pamela Miles, ACCESS Ambassador, Cal Voices, asked how counties such as Alameda County were not included in the school funding grants.

Chair Ashbeck stated Alameda County did not apply for this grant.

Commissioner Discussion

Chair Ashbeck recused herself from the vote now that she know Madera County is one of the counties that is recommended for an award.

Vice Chair Madrigal-Weiss moved the staff recommendation.

Commissioner Danovitch seconded.

Action: Vice Chair Madrigal-Weiss made a motion, seconded by Commissioner Danovitch, that:

For each of the eight grants, the Commission:

- *Authorizes the Executive Director to issue a "Notice of Intent to Award Mental Health Student Services Act Category 2 Grants" to the following applicants receiving the highest overall scores in each population category:*

Small County Population:

Calaveras County

Madera County

Tehama County

Trinity/Modoc Counties (Collaborative)

Medium County Population:

Santa Barbara County

Yolo County

Large County Population

San Mateo County

Santa Clara County

- .
- *Establishes July 30, 2020, as the deadline for unsuccessful bidders to file with the Commission an "Intent to Appeal" letter.*
- *Establishes that within five working days from the date the MHSOAC receives the Intent to Appeal letter, the protesting Applicant must file with the MHSOAC a Letter of Appeal detailing the grounds for the appeal, consistent with the standard set forth in the Request for Applications.*
- *Directs the Executive Director to notify the Commission Chair and Vice Chair of any appeals within two working days of the filing and adjudicate the appeals consistent with the procedure provided in the Request for Applications.*
- *Authorizes the Executive Director to execute the contract upon expiration of the appeal period or consideration of appeal, whichever comes first.*

Motion carried 10 yes, 0 no, and 0 abstain, per roll call vote as follows:

Commissioners Berrick, Brown, and Ashbeck recused themselves. The following Commissioners voted "Yes": Commissioners Anthony, Beall, Boyd, Bunch, Danovitch, Gordon, Mitchell, Tamplen, and Wooton, and Vice Chair Madrigal-Weiss.

Commissioners Berrick, Brown, and Chair Ashbeck rejoined the teleconference call.

10 MINUTE BREAK

3: MHSOAC Fiscal Year 2020-21 Budget Overview

Presenter:

- Norma Pate, Deputy Director

Chair Ashbeck stated the Commission will consider approval of its Fiscal Year 2020-21 Operations Budget. She asked staff to present this agenda item.

Norma Pate, Deputy Director, reviewed the information presented in the staff memo, included in the meeting packet. She provided an overview with a slide presentation of the MHSOAC Fiscal Year 2020-21 Budget and requested approval of with proposed expenditures as set forth in the slide presentation and staff memo.

Deputy Director Pate stated that Senate Bill 74, Budget Act of 2020, contains language that gives the Commission flexibility on approximately \$4 million to focus on suicide prevention efforts and to support innovative approaches to address mental health needs as a result of the COVID-19 pandemic. This will not impact current contracted programs.

Commissioner Questions

Chair Ashbeck asked about the \$2 million reduction in the Core Operations line item from fiscal year 2019-20

Deputy Director Pate stated the Core Operations line item includes travel and since the Commission is not traveling as much due to the COVID-19 pandemic, those dollars were shifted to the Research and Evaluation line item.

Commissioner Anthony referred to page 3 of the staff memo and asked for further details on the housing component for the future fiscal year.

Deputy Director Pate stated Assembly Bill 81, public health funding: health facilities and services, authorizes counties to use their prudent reserves this year to address housing assistance. This would be included in the county Three-Year Plans or Annual Updates.

Commissioner Anthony asked if those funds are for generalized housing or earmarked for persons affected by mental illness or prevention.

Executive Director Ewing stated Deputy Director Pate is presenting two things. Through the budget process, the county behavioral health directors asked the Legislature for additional flexibility, recognizing that there would be dramatic reductions in Realignment funding for the counties. The counties asked the Legislature and the Governor for permission to access their prudent reserves. The Budget Act authorized counties to tap into their prudent reserves.

Executive Director Ewing stated the rules for the prudent reserves are consistent with the MHSA – they can only be for mental-health-related needs. The Legislature clarified that housing expenditures are an allowable use for prudent reserve dollars. This is not about the MHSOAC budget, but it is part of the budget package that the Legislature and the Governor passed last month.

Commissioner Berrick asked about the amount of variance there is on the revenue assumptions for the entire budget.

Executive Director Ewing stated the Department of Finance estimates that the MHSA revenues will come in four times throughout the fiscal year. Then, they calculate the State Administrative Cap, based on overall revenues, up to 5 percent of their estimated MHSA revenues. This year, due to the COVID-19 pandemic, the state saw dramatic reductions in historical revenues in the April timeframe because the April 15th tax deadline was shifted to July.

Executive Director Ewing stated the overall State Administrative Cap has been running approximately \$100 million per year. The additional funds the Commission received last year, which allowed the Commission to have a \$122 million budget, was the cumulative unspent funds from four or five years prior to last year. The \$45 million in the Commission's budget this year is approximately half of the MHSA state administrative funds and the vast majority of that is for local assistance for counties and other local partners.

Commissioner Mitchell asked for further detail on Crossings TV, which falls under the Communications line item.

Executive Director Ewing stated the Commission has held a contract with Crossings TV for several years. It is a media company that works with television stations that primarily serve Asian American markets. The Commission funds them to do public service announcements, outreach, and education and awareness not just for television but, in non-COVID environments, they are active in approximately 70 racial and ethnic cultural festivals annually around the state.

Executive Director Ewing stated the Commission supports them to develop handouts and information notices in multiple languages to share the messages of the MHSA – recovery, how to access services, what mental health is, and how to connect with county mental health programs. They also share that information through short public service announcements that are on the stations that they contract with.

Executive Director Ewing stated staff is proposing to continue that strategy because it is part of the Commission's efforts to connect with communities that otherwise are difficult to connect with due to language barriers and cultural differences. He noted that Crossings TV has a high level of trust with the communities that they serve.

Executive Director Ewing stated, in response to the COVID-19 pandemic in partnership with the DHCS, the Commission is working with Crossings TV to reframe their traditional public service announcement to be COVID-related to support the broader efforts of the state through the California HOPE (CalHOPE) website, including helping

to develop culturally-trusted messaging that can be disseminated through the CalHOPE website.

Commissioner Mitchell suggested identifying public engagement work that targets communities that are not on the Crossings TV list, such as African American, Native American, and Latino communities.

Commissioner Tamplen agreed with Commissioner Mitchell's comments.

Chair Ashbeck suggested a presentation on communication issues at a future Commission meeting to help ensure it is as inclusive as possible.

Public Comment

Stacie Hiramoto asked for clarification on the funding for committees in the budget. The speaker suggested ensuring adequate funding for the staffing and operations of the CLCC and CFLC. The speaker suggested that the CLCC help guide the effectiveness of this project. The speaker stated the hope for transparency in the funding of grants that are awarded without a Request for Proposal (RFP) process.

Johana Lozano, ACCESS California, a program of Cal Voices, agreed with Commissioner Mitchell's concern and suggested that the money invested including grants be given to organizations that are of color or identify with individuals who are receiving the services and to consider providing individuals who work for these organizations a living wage.

Johana Lozano stated the need for transparency within the RFP process.

Poshi Walker strongly supported Commissioner Mitchell's comments. The speaker stated the need to ensure that the Commission is looking at the intersection of queer and trans people of color's identities as well as reaching out to communities that are not ordinarily reached.

Poshi Walker spoke in support of a scalpel approach rather than a 10 percent cut to staff hours across the board. The speaker provided the example of the Commission's putting funding toward research and evaluation that require staff when those staff members are already stretched thin. The speaker asked how staff can continue their work let alone increase it with a 10 percent cut to their hours.

Poshi Walker echoed the previous comments about more transparency around funding that only requires Executive Director approval, especially funding outside of things like office supplies and Internet services. The speaker asked, if any of that funding is represented in this budget, for Commissioners and the public to be able to see where those additional dollars are going, especially in light of the fact that so many dollars are having to be cut.

Pamela Miles echoed Commissioner Mitchell's comments about African Americans. The historical discrimination of African Americans in this country is being further pushed aside through gentrification.

Richard Gallo, consumer and advocate, echoed Commissioner Mitchell's comments. The speaker stated the Commission needs to have a stronger transparency during the RFP process. The speaker stated contracts have been made with bias and retaliation.

Commissioner Discussion

Chair Ashbeck asked for a motion to approve the Fiscal Year 2020-21 budget.

Commissioner Danovitch moved approval of the Fiscal Year 2020-21 expenditures as presented.

Commissioner Tamplen seconded.

Action: Commissioner Danovitch made a motion, seconded by Commissioner Tamplen, that:

- *The Commission approves Fiscal Year 2020-21 expenditures as presented.*

Motion carried 12 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Commissioners Anthony, Beall, Berrick, Brown, Bunch, Danovitch, Gordon, Mitchell, Tamplen, and Wooton, Vice Chair Madrigal-Weiss and Chair Ashbeck.

ACTION

4: Assembly Bill 2265 Quirk-Silva

Presenter:

- Toby Ewing, Ph.D., Executive Director

Chair Ashbeck stated the Commission will consider Assembly Bill 2265 (Quirk-Silva). She asked staff to present this agenda item.

Executive Director Ewing stated some individuals living with serious mental illness simultaneously experience alcohol and drug use disorders, complicating diagnosis and treatment. AB 2265 would provide counties the flexibility to treat these individuals using MHSA dollars. He reviewed the background of and amendments to AB 2265, which were included in the meeting packet.

Commissioner Questions

Commissioner Mitchell stated this is an important bill. She asked if there is opposition to the bill.

Executive Director Ewing stated to date there is no opposition on file on the bill as written. He stated there was discussion about expanding the legislation to allow even more flexible use of MHSA dollars. He noted that there are concerns among stakeholders that that could take funding from mental health services and shift them into drug treatment programs.

Executive Director Ewing stated the Commission helped the author write this bill intentionally as a slight movement in that direction with analysis required as part of the

state's effort to support the functional integration of mental health care and response to substance use disorders. He stated Commissioner Danovitch noted in the discussion with the author's staff that California is farther along in theory than in practice in terms of integrating care. He stated the reason the bill is written this way is to emphasize support and minimize opposition.

Commissioner Mitchell asked if the DHCS has provided feedback on this bill since they run both programs.

Executive Director Ewing stated the DHCS does not typically engage on these kinds of bills until they are farther along. The Governor's office preserves the right to withhold judgment until it is clear that the bill will get to their office. The Commission has not had contact with the DHCS, although the author's office might have.

Commissioner Berrick stated it would be worthwhile to look at where the audit function that made that disallowance came from and to be clear and specific about it. Sometimes it is not a legislative problem but a problem of audit and misinterpretation. He stated this points out not just the problem of allowance but the problem of the audit and oversight function that fundamentally does not understand these distinctions and exacerbates or creates problems that did not need to exist in the first place.

Commissioner Danovitch spoke in support of this initiative. He stated the need to protect the funding streams for mental health and substance use disorder and not let one stream be co-opted by another. There is an unfortunate legacy of separate funding streams, even though mental health and substance use disorder are common conditions.

Commissioner Danovitch asked if anything can be done in parallel to this to manage or prevent the risk of co-option to ensure that, as the inclusiveness of who funds can support is broadened at the patient level, it does not ultimately have the unintended consequence of causing one stream of funds to get co-opted by another.

Executive Director Ewing stated, consistent with Commissioner Berrick's comments, staff has been talking with the DHCS over the past five years in a number of ways about capacity building. AB 2265 clarifies what can and cannot be done with federal, MHSA, or other funds relative to their audits. There are many stories of difficulties because policy and audit individuals are not in agreement even within the DHCS.

Executive Director Ewing stated the DHCS more recently is interested in talking about how they can provide technical assistance and capacity building. It is a significant undertaking to begin to tailor financing and practice standards and approaches to be responsive to individuals rather than trying to get individuals to fit into administrative categories that have been established historically where they do not fit.

Executive Director Ewing stated staff helped the author design this bill as presumptive eligibility as a first step for the Commission to look at the issue of substance use disorder and its role. Behavioral health is not done in the broad sense of tailoring care around the unique needs of individuals. He stated there is a piece in this bill about doing assessments to better understand the numbers.

Executive Director Ewing stated AB 2265 is related to maximizing federal drawdown, the Commission's work on the Workplace Mental Health project, how to maximize drawdown of commercial insurance, and Commissioner Beall's parity legislation. There are facets of the Commission's work that need to come together in order to make progress on the capacity to tailor strategies towards individuals – housing, employment, and recovery and what that looks like for the individual and their family.

Public Comment

Sashary Zaroyan, Legislative Analyst, County Behavioral Health Directors Association (CBHDA), spoke in support of AB 2265.

Stacie Hiramoto spoke in support of AB 2265.

Johana Lozano stated concern about how the funds will be managed. The speaker suggested tailoring how the funds will be managed. The speaker stated concern that this bill may create more work for the Commission and more questions about transparency.

Tiffany Carter, Statewide Advocacy Liaison, ACCESS California, a program of Cal Voices, agreed with the previous speaker. The speaker stated the MHSA calls for mental health conditions being the primary condition. The speaker stated the need to maintain the fidelity of the original intent of the MHSA.

Commissioner Discussion

Chair Ashbeck asked for a motion regarding AB 2265.

Commissioner Berrick moved to support AB 2265.

Commissioner Danovitch seconded.

Action: Commissioner Berrick made a motion, seconded by Commissioner Danovitch, that:

- *The MHSOAC adopts a support position on Assembly Bill 2265.*

Motion carried 11 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Commissioners Anthony, Beall, Berrick, Brown, Bunch, Danovitch, Mitchell, Tamplen, and Wooton, Vice Chair Madrigal-Weiss and Chair Ashbeck.

INFORMATION

5: Executive Director Comments

Presenter:

- Toby Ewing, Ph.D., Executive Director

Chair Ashbeck stated Executive Director Ewing will report out on projects underway and other matters relating to the ongoing work of the Commission.

Executive Director Ewing responded to Commissioner Wooton's question about moving forward with the suicide prevention plan. The Commission asked for and received permission to dedicate up to \$2 million for suicide prevention activities. The budget proposal was put together late in the year due to the COVID-19 pandemic and ensuing economic challenges. He stated, although the budget did not include funding specifically for suicide prevention, the Commission secured flexibility to make approximately \$4 million available this year to support two initiatives – suicide prevention and COVID-19 response.

Executive Director Ewing recognized that communities will face a combination of three co-occurring challenges as a result of the COVID-19 pandemic – dramatically-increased mental health needs, altered operating realities of the community mental health system, and decreased funding due to the COVID-19-induced recession. In addition to working on suicide prevention, the Commission asked the Legislature for flexibility to support how counties respond to these three co-occurring challenges.

Executive Director Ewing stated the Commission proposed doing reconnaissance, community outreach, county and sister state agency engagement, and literature review to learn how to best support local partners in suicide prevention and COVID-19 response.

Executive Director Ewing stated much has already been learned during the suicide prevention project process and Ashley Mills, Lead Researcher and Scientist on that effort, is beginning to put together a plan for how to implement the State Suicide Prevention Report. There is more work to be done on the COVID-19 response issue since everything continues to be fluid in that area.

Executive Director Ewing stated the need to do needs assessments and impact analyses to consider where the Commission is now in terms of the COVID-19 pandemic and mental health, what the opportunities are, and where to focus. He stated, in addition to asking the Legislature for flexibility with funding, staff wanted to recognize that the Commission is making available approximately \$100 million in grants to most of the counties for important programs and most of the proposals were written pre-COVID.

Executive Director Ewing stated the need to consider how to better support community partners with potential flexibility in using those dollars in a post-COVID environment. He provided the example of the Schools and Mental Health Project being written using in-school types of strategies, but the current reality is that schools will function remotely. He stated it is important to consider how to support local partners to reframe how some of those grant dollars can be used to be more responsive to current needs in the community.

Executive Director Ewing stated, along with reconnaissance, the Commission needs to better understand the unmet needs and do an impact analysis. The intent is to bring proposals back to the Commission at the September meeting. He stated staff will work closely with Commissioner Wooton because of her leadership in writing the Suicide Prevention Plan. He stated he recognized that these investments are small relative to the need, but staff felt they had to respond, even if was only in a small way. He asked for guidance on this issue.

Committees

Executive Director Ewing stated the CLCC met last week with a focus to better understand Commission activities. One of the recent public comments was whether the Commission's contracting supports communities of color and smaller organizations. Part of the analysis of internal operations under the Capitol Collaborative on Race and Equity (CCORE) is to look at the Commission's fiscal and contracting practices and do analysis on the extent that the Commission is supporting racial equity focused on African American communities.

Executive Director Ewing stated there is more work to do including better understanding what is happening with the CRDP. Staff is talking to Committee members individually to discuss priorities and how to be smart and focused, given the operational and fiscal constraints under COVID-19.

Commissioner Mitchell, Chair of the CLCC, stated it was a great meeting and a great start. There is a lot of interest in what is going on. The Commission took interest in what the public had to say. The work is being done in other areas; a better job can be done in communicating what that work is such as the Schools and Mental Health work, Criminal Justice Diversion efforts, and stakeholder advocacy. She stated all of that ties into the issue of disparities. She stated the need to look at the Commission's internal practices.

Disparities Dashboard

Executive Director Ewing stated Dr. Dawnte Early has been working with her research and evaluation team to create a Disparities Dashboard. He stated the Disparities Dashboard was demoed for the CLCC. It is close to being ready for public presentation. The goal is to post it on the website so everyone can have access to it and use it.

Executive Director Ewing stated the Disparities Dashboard tracks participation in community mental health programs by race, age, gender, and language spoken. He stated there are fundamental data limitations, but it allows individuals to view participation in community mental health based on those demographic factors by county and over time.

Executive Director Ewing stated the underlying data needs to be strengthened. Staff is working with other departments to do that. He stated the hope that within the next six months more up-to-date, useful, and user-friendly data on fiscal information, county programs funded with MHSA, and outcome information related to criminal justice involvement and the disparities piece will be released.

Branding

Executive Director Ewing stated staff held a branding meeting. The Commission's logo is not compliant with Americans with Disabilities Act (ADA) rules. It works in grayscale but not in color. This issue is holding up the Commission's ability to release new materials. Attendees talked about what could be done quickly to ensure compliance with federal rules and so new materials can be released. He stated attendees also talked about ways to rethink the logo and materials to engage peers, consumers, and others through this branding activity.

Executive Director Ewing thanked Amparo Ostojic for taking time to talk with staff about these challenges and sharing how important it is to engage consumers in that work to help staff think of ways to work quickly that meets the legal standards and captures the value of community engagement to support that work.

Speaking Engagements

Executive Director Ewing participated on a Schools and Mental Health panel with the Superintendent of Public Instruction. The panel was focused on recognizing that there is a significant gap between the resources that the Commission has been able to make available to support school mental health and underlying needs. The panel discussed how to improve awareness and expand available funding to support schools as community resources.

Executive Director Ewing stated, as part of the Commission's support for the state's application for FEMA funding, he had the opportunity to speak with the regional administrator to highlight that mental health preparedness in disaster planning is not as robust as the work around evacuation or other components of disaster preparedness. The Region 9 FEMA administrator raised the issue of creating a potential partnership to establish templates or standards for thinking about mental health needs in response to disasters.

Executive Director Ewing stated FEMA has opened the door to partnering with the Commission, the California Office of Emergency Services (Cal OES), and the DHCS to think through what that might look like. There is a potential to shape FEMA's global response to crisis. This is a powerful way to promote the better understanding of mental health needs and what is meant by recovery and wellbeing.

Executive Director Ewing stated he will participate in the CRDP Advisory Committee convened by the California Pan-Ethnic Health Network (CPEHN). The first meeting is later this month.

Executive Director Ewing stated he will participate in a call with the African Communities Public Health Coalition, a Town Hall meeting with the National Alliance on Mental Illness (NAMI), and a Boot Camp with the California Institute for Behavioral Health Solutions (CIBHS).

Commission Meeting Calendar

The Schools and Mental Health and Innovation Subcommittees are scheduled to meet later this month.

The Youth Innovation Project has scheduled two Virtual Idea Lab meetings next month.

Commissioner Questions and Discussion

Commissioner Brown asked if a temporary solution to ADA compliance on the website might be to use a black-and-white logo to allow the posting of important reports.

Executive Director Ewing stated he was unsure. The question is if many of the Commission reports can be read with a screen reader. Reports are currently being reformatted. A modification of the current logo has been identified that may work. He

stated the importance of engaging the community on the imagery that the Commission uses in its work. Staff will work with the Chair to put this issue on the agenda at a future Commission meeting.

Commissioner Wooton stated she was excited to hear about the Commission's work with FEMA on the mental health community and emergency preparedness.

Public Comment

Sally Zinman, Executive Director, California Association of Mental Health Peer-Run Organizations (CAMHPRO), stated CAMHPRO is one of the sponsors of SB 803, mental health services: peer support. The speaker stated their appreciation for the Commission's support of the bill. The speaker asked Commissioners to think of peer support in terms of essential services. Peers are defined as having been through crisis, recovered, and learned resiliency skills and tools, and will go through standardized trainings that teach how to use those tools to assist communities in dealing with and getting through crisis situations.

Sally Zinman stated they have seen throughout the years of doing this work that consumers and peers bring diversity to the workforce. Peers are individuals from the community and on the ground ready to assist others, especially diverse communities that have been most hit by the COVID-19 pandemic.

Sally Zinman stated a peer once described peer support as the first responders. Peers are the first individuals that consumers connect with. Peers can help bolster the behavioral health system not only at a time when behavioral health needs have grown to the point where there is not enough mental health workforce, but when that has exponentially increased.

Sally Zinman stated the hope, as the Commission supports SB 803 and peer support, that it will think of peers as essential support.

Johana Lozano commended Executive Director Ewing for his commitment to suicide prevention and the Commission for their support and for taking the initiative to invest funding in suicide prevention. The speaker stated no investment is too small. The speaker shared a teaching from the Talmud that is also mentioned in the movie *Schindler's List*: "To save one life is to save the world entire."

Poshi Walker stated they were excited to hear that the Commission will be involved with the CRDP and that the Commission will continue to focus on the suicide prevention plan. The speaker stated, regarding the Commission's partnership with FEMA, the speaker brought the Commissioners' attention to #Out4MentalHealth's year-one State of the LGBTQ Communities Population Report. The report contains recommendations about the disparities that LGBTQ residents faced during the fires in California and things that FEMA needs to be aware of to ensure those disparities do not continue due to certain prejudices and discrimination.

Poshi Walker asked that the work of the stakeholder contractors be included in the Executive Director Report. The speaker stated they would love for the Commission to have the opportunity to hear from the stakeholder contractors after the Commission's investing millions of dollars and contractors spending years of hard work. The

stakeholder contracts are one of the biggest projects that the Commission funds; contractors would like to present what has been done with that investment.

Mark Karmatz asked for an update on SB 803, mental health services: peer support. The speaker suggested having more than one certified peer specialist in each school and jail.

CLOSED SESSION

Government Code Section 11126(A) related to personnel and Government Code Section 11126(e) related to litigation (Cal Voices vs. Mental Health Services Oversight and Accountability Commission)

The Commission met in closed session as permitted by law to discuss the two items listed on the agenda – the regular annual performance review of the Executive Director and to confer with legal counsel on the pending litigation brought by Cal Voices. Commissioners left this Zoom session and joined the Closed Session Zoom link sent to them. The Commission went into closed session.

REPORT BACK FROM CLOSED SESSION

Chair Ashbeck reconvened the meeting and stated the Commission took no reportable action in closed session.

ADJOURN

There being no further business, the meeting was adjourned at 1:01 p.m.