

**Subcommittee on Prevention and Early Intervention
And Innovation Regulations
April 12, 2017**

BACKGROUND

In October 2016 the Mental Health Services Oversight and Accountability Commission (OAC or Commission) adopted recommendations to amend the Prevention and Early Intervention (PEI) and Innovation regulations. Those recommendations, part of the MHSOAC report, *Finding Solutions Helping Counties Comply with Regulations Governing Innovation Projects and Prevention and Early Intervention Programs under the Mental Health Services Act* (“*Finding Solutions* report”), are listed below.

The focus of the April 12, 2017 Subcommittee meeting is to obtain input on the following two recommendations pertaining to very small counties:

- ❖ The Commission should amend the regulations to allow very small counties to report data on a countywide level instead of by program. (*Finding Solutions* report page 21)
- ❖ Recognizing the unique needs of very small counties, the Commission may want to consider a broader discussion, including possible amendments to the Act, to explore other ways in which such counties can work to achieve the transformational change envisioned by the Act. (*Finding Solutions* report page 21)

THE PROCESS TO AMEND THE REGULATIONS

The normal process to amend regulations includes an opportunity for the public to comment. Because the OAC is subject to the Bagley-Keene Open Meeting Act, the public has many opportunities to provide input on the Commission’s proposed amendments to the regulations. Below is a list of the steps in the Commission’s process.

- ❖ Subcommittee met in March 2017 to hear recommendations regarding the definition of “referral” as it pertains to Access and Linkage to Treatment program
- ❖ Subcommittee meeting in April 2017 to receive input on the recommendations dealing with very small counties.
- ❖ Full Commission meets in May 2017 to consider adopting proposed language to amend the regulations.
- ❖ 45-day public comment period is sometime between July and August 2017.
- ❖ Full Commission meets in October 2017 to consider adopting the amendments as initially proposed or change the language in response to the public comment received. There is an additional public comment period if changes are made.
- ❖ The Office of Administrative Law (OAL), the state entity in charge of ensuring that amendments to the regulations are consistent with the law, are clear and necessary, and adequately meet the legal procedural requirements, reviews the Rulemaking file and makes a determination in November or December 2017. Upon OAL approval, the amendments become effective in January 1, 2018.