

Better Health for All



Santa Clara Valley Health & Hospital System Administration
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DATE: October 30, 2018

TO: Honorable Members of the Board of Supervisors
Jeffrey V. Smith, M.D., J.D., County Executive

FROM: René G. Santiago, Deputy County Executive/Director, SCVHHS

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Rene Santiago
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Toni Tullys, Director of Behavioral Health Services

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SUBJECT: Behavioral Health Services Department's Update on Partnership with the Office of the Public Guardian regarding Potential Use of the Jail Diversion Community Assessment Tool in Relation to Cases Involving the Assisted Outpatient Treatment Demonstration Project Act of 2002

In December 2017, the Board of Supervisors (Board) issued a referral to the Behavioral Health Services Department (BHSD) to report on how the Jail Diversion Program standardized validated screening tool assessment process will be implemented (ID# 89182). In April 2018, BHSD provided the Board with a status update on the County's Jail Diversion Community Assessment Tool that will help law enforcement identify, triage, and divert appropriate individuals from jail to community-based services (ID#90859). At the April 17, 2018 Board meeting, the Board also requested that Administration provide an off-agenda report relating to opportunities to partner with the Public Guardian's Office (PGO) regarding potential usage of the Jail Diversion Community Assessment Tool in cases involving the Assisted Outpatient Treatment (AOT) Demonstration Project Act of 2002 (Laura's Law).¹ This memo provides the requested information.

The BHSD leadership reviewed the County's Community Assessment Tool together with the Social Services Agency Director and Deputy Director, the Public Administrator/Guardian/Conservator and Deputy Public Guardian. The PGO and BHSD (collectively, the Departments) determined that they would benefit from greater information sharing to facilitate client care. PGO leaders appreciated learning about the Community Assessment Tool and wanted to be notified if any Lanterman-Petris-Short (LPS) mental health conservatees are involved in a law enforcement incident. The Departments also determined that the BHSD would benefit from having access to a list of current LPS conservatees. The PGO serves approximately 600 LPS clients and brings

¹ The County has not implemented AOT to date.
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petitions to the Superior Court, Probate Division on Thursdays, where decisions are made for LPS conservatees. BHSD clinical staff, who arrange for or provide direct care to people with mental illness, would benefit from knowing whether a person is an LPS conservatee. Currently, each of the BHSD Adult Divisions--Adults/Older Adults, Integrated Care, Jail Diversion and Justice Services, and Supportive Housing Services--contacts the PGO independently to determine if a client is an LPS conservatee. This process is also used by the Mobile Crisis Teams, Mental Health Urgent Care and 24 Hour Care, which are responsible for connecting clients to appropriate services in time-sensitive emerging situations.

Sharing the large, highly confidential list of all current LPS conservatees requires proper security and technical safeguards to ensure confidentiality of this protected health and mental health information. As a next step, the PGO and BHSD are working with their respective Counsels to determine the appropriate means of sharing current LPS conservatee information between the Departments in compliance with all applicable privacy requirements.

cc: Miguel Marquez, Chief Operating Officer
James R. Williams, County Counsel
Megan Doyle, Clerk of the Board
Chief Board Aides
Debbie Dills Thompson, OBA
Agenda Review Administrator