

BOARD of SUPERVISORS



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## MEMORANDUM

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Date: January 8, 2024 (revised)  
To: The Honorable Members, Board of Supervisors  
From:  Angela Calvillo, Clerk of the Board  
Subject: Revisions to the Behavioral Health Commission (File No. 231076 V3)

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Board of Supervisors Rules of Order 2.21 establishes certain criteria that must be included in legislation creating and establishing, or reauthorizing, new bodies (boards/commissions/task forces/advisory bodies) and requires the Clerk of the Board to advise the Board on certain matters. In order to fulfill these requirements, the following is provided:

File No. 231076 Administrative Code - Composition of Behavioral Health Commission (Version 3)

- Does a current body address the same or similar subject matter?

*No. There are no other bodies that currently perform the same function as the Behavioral Health Commission.*

- Language requiring the body to meet at least once every four months

*No. There is no requirement to meet at least once every four months. As you have for other bodies, consider adding the following: "The Commission shall hold a regular meeting not less than once every four months."*

- Language indicating members serve at the pleasure of the appointing authority

*Yes. Section 15.13, entitled "Behavioral Health Commission – Terms of Removal," states "the board of supervisors may remove a member from the commission for cause or upon the commission's recommendation."*



- Language establishing attendance requirements

*Yes. Section 15.13, entitled “Behavioral Health Commission – Terms of Removal,” states “A member shall be removed from office if the member is absent for four meetings in a one 12-month period.”*

- Number of seats and qualifications

*The Ordinance proposes to amend the Commission’s membership to reduce the number of members from 17 down to 12, as follows:*

- *Seat 1: One member of the Board of Supervisors*
- *At least six members shall be consumers or parents, spouses, siblings, or adult children of consumers;*
  - *Seats 2-4: At least three members shall be consumers*
  - *Seats 5-7: At least three members shall be family of consumers*
- *Seats 8-12: Must be a person with experience and knowledge of the mental health system representing the public interest, which may include, but need not be limited to, people who engage with individuals living with mental illness in the course of daily operations, such as representatives of county offices of education, large and small businesses, hospitals, hospital districts, physicians practicing in emergency departments, city police chiefs, county sheriffs, and community and nonprofit service providers.*

*At least two members of the BHC shall be from the following professions: psychiatry, psychology, mental Health Social Work, nursing with a specialty in mental health, marriage and family counselling, psychiatric technology, or administration of a hospital providing mental health services or of a community mental health facility (can be fulfilled by any members from seats 1-11). This is a “**Floating Requirement**” not assigned to specific seats.*

*At least one member of the BHC shall be a veteran or veteran advocate (a parent, spouse, or adult child of a veteran, or an individual who is part of a veteran organization including but not limited to the Veterans of Foreign Wars or the American Legion); and may fulfill both the requirements to be a veteran or veteran advocate and the requirement to be a consumer or the parent, spouse, sibling, or adult child of a consumer (can be fulfilled by any member from seats 2-12). This is a “**Floating Requirement**” not assigned to a specific seat.*



*At least one member of the BHC shall be child advocate (includes a family member of a child consumer or consumer advocate for minors who use mental health services. A member may satisfy the requirements of both child advocate and the requirement under subsection c to be a consumer or parent, spouse sibling, or adult child of a consumer (can be fulfilled by any member from seats 2-12). This is a "Floating Requirement" not assigned to a specific seat.*

*The California Welfare and Institutions Code, Section 5604, requires: Fifty percent of the board membership shall be consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received mental health services. At least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers.*

*In counties with a population of 100,000 or more, at least one member of the board shall be a veteran or veteran advocate. In counties with a population of fewer than 100,000, the county shall give a strong preference to appointing at least one member of the board who is a veteran or a veteran advocate. A county shall notify its county veterans service officer about vacancies on the board, if a county has a veteran's service officer.*

- Term limits (i.e., commencement date? staggered terms?)

*Terms shall be adjusted as follows:*

*No member shall serve more than two consecutive three-year terms. A member shall be deemed to have served a full term only if the member serves at least half of a full term.*

The clerk of the Commission in consultation with the Clerk of the Board of Supervisors, shall, upon the effective date of the ordinance in Board File No. 231076, change the number of the seats on the Commission, and assign existing Commission members, including members with expired terms serving as holdover appointees, to Seats 2-12 in accordance with the requirements of Section 15.12.

Their terms of office shall be aligned with the terms of office extant prior to the effective date of the aforementioned ordinance; with the understanding that holdover appointees shall not thereby acquire any permanent or other special status. The Clerk of the Board of Supervisors shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year, as required by California Welfare and Institutions Code, Section 5604(c). Seats occupied by holdover appointees shall expire June 30, 2024. New appointments made to Commission Seats 2-12 following the effective date of the aforementioned ordinance shall be made in accordance with Section 15.12. The Board of Supervisors member shall be appointed to Seat 1.

- Administering department



*No. There is no administering department listed in the Ordinance. As you have for other bodies, consider adding the following: "The Department of Public Health shall provide administrator support to the Commission."*

- Reporting requirements

*The Commission shall review and evaluate the City and County's behavioral health needs, services, facilities and special problems and other duties as stated in Administrative Code, Section 15.14.*

*Reports: An Annual Report shall be submitted to the Board of Supervisors on the needs and performance of the City and County's mental health system.*

- Sunset date

*The Behavior Health Commission does not currently have a sunset date nor will it be suggested since this Commission is also governed and effectuated by California Welfare and Institutions Code, Section 5604 et seq.*

\*Revised to reflect amendments made at the January 8, 2024, Rules Committee Meeting.