February 25, 2020

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Department of Health and Human Services, Division of Behavioral Health and Recovery Services (BHRS), presentation on the first year of implementing the use of an additional thirty (30) day involuntary psychiatric hold under Welfare and Institutions Code § 5270.

Dear Supervisors:

RECOMMENDATION: Receive report on the first year of implementing the use of an additional thirty (30) day involuntary psychiatric hold under Welfare and Institutions Code § 5270.

SUMMARY: Welfare and Institutions Code (WIC) § 5270 allows for inpatient psychiatric programs to provide up to an extra 30 days of involuntary treatment beyond the 14 days allowed by WIC § 5250. WIC 5270 is established by grave disability, requires the agreement of two board certified psychiatrists/psychologists, and affords the patient access to full due process. WIC 5270 can only be established on an inpatient psychiatric unit, Marin Health Hospital Unit A in this county. Prior to your Board’s approval on July 17 2018 authorizing the use of a 5270 hold, the only option for patients who required more days of acute treatment to stabilize was for Unit A to place them on a temporary conservatorship (T-Con).

The 5270 implementation workgroup, chaired by BHRS, included representation from the mental health board, patient rights advocate, NAMI, public defender, consumer advocate, county counsel, public guardian, and Marin Health. WIC 5270 was launched on October 1, 2018 and was utilized on 35 instances during the first year of implementation and reduced the concurrent number of temporary conservatorships to 24. During that same period, no patients were discharged off a 5270 and re-admitted for a T-Con and only two required conversion to a T-Con while on the unit.

The Department recommends WIC 5270 continue to be utilized on a permanent basis in Marin County. This recommendation is supported by unanimous agreement from the broadly represented 5270 stakeholder group.

COMMUNITY BENEFIT: When the 5270 implementation workgroup reconvened to review the first year data and experience, there was unanimous agreement that WIC 5270 offers a less restrictive and less stigmatizing option for patients and offers efficiencies and cost savings for staff and involved agencies.
FISCAL IMPACT: There is no fiscal component associated with acceptance of this report.

REVIEWED BY:  
County Administrator [X] N/A [ ]
Department of Finance [ ] N/A [X]
Human Resources [ ] N/A [X]
County Counsel [ ] N/A [X]

Respectfully Submitted,

Benita McLarin
Director