



DEPARTMENT OF
HEALTH AND HUMAN SERVICES

Promoting and protecting health, well-being, self-sufficiency, and safety of all in Marin County.



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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 second year of implementing the use of an additional thirty (30) day involuntary psychiatric hold under Welfare and Institutions Code § 5270.

Dear Supervisors:

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

SUMMARY: The Lanterman–Petris–Short (LPS) Act (codified in California Welfare and Institutions Code sec. 5000) regulates involuntary commitment to a mental health institution. Under California Welfare and Institutions Code (WIC) § 5150, an individual can be placed involuntarily into a psychiatric facility for an evaluation for up to 72 hours. If, after the initial 72-hour period, an individual is deemed to still be a danger to others or themselves, or is gravely disabled, WIC § 5250 allows for an additional 14 days.

Upon the completion of a 14-day hold allowed by WIC § 5250, an individual may be certified for up to 30 additional days at the psychiatric facility under WIC § 5270. This up-to 30 day extension is allowed under two conditions: the individual remains gravely disabled as a result of a mental disorder or impairment by chronic alcoholism; or the person remains unwilling to accept treatment voluntarily. Any individual approved for additional involuntary treatment stay under WIC § 5270 requires the agreement of two board certified psychiatrists/psychologists. Patients are afforded the full due process throughout.

WIC 5270 can only be established on an inpatient psychiatric unit. In Marin County, MarinHealth Hospital Unit A in Greenbrae is the only inpatient psychiatric unit which meets the requirements to provide longer-term acute psychiatric care. Prior to your Board's approval on [July 17, 2018](#) authorizing the County to begin use of the additional 30-days granted under WIC 5270, patients at the MarinHealth facility who required more days of acute treatment to stabilize had to be placed under a more restrictive and often more stigmatizing temporary conservatorship.

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 MarinHealth. It has now

become a fully incorporated “tool” that continues to be a “win-win” for the involved stakeholders.

COMMUNITY BENEFIT: WIC 5270 offers a less restrictive and less stigmatizing option for patients and offers efficiencies and cost savings for involved agencies.

EQUITY IMPACT: WIC 5270 allows for individuals with acute psychiatric conditions to receive the necessary and appropriate treatment but avoid the unnecessary removal of rights associated with temporary conservatorship. This intermediate option is an advancement for the equitable care for those in need.

FISCAL IMPACT: There is no fiscal component associated with acceptance of this report.

REVIEWED BY:	County Administrator	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
	Department of Finance	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
	Human Resources	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
	County Counsel	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

Respectfully Submitted,

Benita McLarin
Director