



CALIFORNIA
PSYCHIATRIC
ASSOCIATION

CAPITOL INSIGHT

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I thought I would try something a little different in this column. I have summarized what CPA has done for its members in 2011 and, selected a list of bills of broad significance and interest to CPA members and have produced a legislative report card from them. Many organizations publish legislator report cards. The CPA has not in recent memory. A report card simply tabulates legislator voting records on key legislative proposals that are important to an organization. The bills selected are directly below, followed by both favorable and unfavorable voting records of the 120 members of the legislature on these bills. Check and see how your elected representatives voted on the key bills in the CPA list of priority legislation. If you don't know you may find your legislator using the following Senate website page <http://senate.ca.gov/senators> which allows you to scroll down the list of senators. Even more usefully go to the bottom of the page and find both your Assembly Member and Senator by using the "Find Your Senator" link. You will need to enter your residence address in the form because this address determines where you vote and hence who you vote for.

Key Legislation from the CPA 2011 Bill List

AB 154 (Beall D) Health care coverage: parity mental health services. Status: 2-year bill **Summary:** Would expand the coverage requirement to all Diagnostic and Statistical Manual of Mental Disorders IV, including substance abuse. **Position:** Support.

AB 366 (Allen D) Defendants: involuntary antipsychotic medication. Status: to Governor. **Summary:** Would require the court to determine if the defendant lacks capacity to make decisions regarding antipsychotic medication before seeking consent. **Position:** Support.

AB 540 (Beall D) Medi-Cal: alcohol and drug screening and brief intervention services. Status: 2-year bill. **Summary:** alcohol and drug screening and brief intervention services to Medi-Cal beneficiaries who are pregnant women or women of childbearing age. **Position:** Support.



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AB 739 (Lowenthal, Bonnie D) Pupil instruction: suicide prevention: mental illness awareness. Status: 2-year bill. **Summary:** Requires inclusion of suicide prevention and mental illness awareness instruction in grades 7 to 12. **Position:** Sponsor.

AB 989 (Mitchell D) Mental health: children's services. Status: to Governor. **Summary:** Would require county mental health programs, in providing for services for transition age youth, to consider the needs of transition age foster youth. **Position:** Support.

AB 1114 (Lowenthal, Bonnie D) Inmates: involuntary administration of psychotropics. Status: to Governor. **Summary:** shortens timelines allowing an administrative law judge to determine if inmates lack the capacity to consent or refuse treatment. **Position:** Support.

SB 9 (Yee D) Juvenile Sentencing Life without Parole. Status: lacks one vote in Assembly. **Summary:** Would authorize a petition for recall and resentencing for a juvenile sentenced to life without parole demonstrates rehabilitation and remorse. **Position:** Support.

SB 41 (Yee D) Hypodermic needles and syringes. Status: to the Governor. **Summary:** Deletes the current prohibition for possessing hypodermic needle or syringe except in accordance with new regulatory provisions broadening access to clean needles. **Position:** Support.

SB 60 (Evans D) Mental health: state hospitals. Status: 2-year bill. **Summary:** This bill would require a risk evaluation upon commitment to any state hospital, of a patient who is being committed pursuant to any provision of the Penal Code. **Position: Support.**

SB 105 (Yee D) Public safety: snow sport helmets. Status: vetoed by the Governor. **Summary:** Would require a person under 18 years of age to wear a properly fitted and fastened snow sport helmet while operating snow skis or a snowboard. **Position: Support.**

SB 866 (Hernandez D) Health care coverage: prescription drugs. Status: to Governor. **Summary:** This bill would require the Department of Managed Health Care and the Department of Insurance to, on or before July 1, 2012, develop a prior authorization form for use by every health care service plan and health insurer that provides prescription drug benefits. **Position: Support.**

SB 946 (Steinberg D) Health care coverage: mental illness. Status: to Governor. **Summary:** requires health care service plan contracts and health insurance policies, to provide coverage for behavioral health treatment, as defined, for pervasive developmental disorder or autism. **Position: Support.**

Voting Records. The numbers below represent the number of times that individual legislators voted for Key Legislation from the CPA 2011 bill list in alignment with the CPA position on those bills. While these numbers are interesting, and perhaps even illuminating, it is important to keep in mind that they can also be misleading. For instance, Assembly Member Holly Mitchell IS a strong health and mental health advocate so it is no surprise that she accumulated a large number of favorable votes on CPA's key legislation. The fact that these particular numbers put her at the top of the favorable vote list however may be an artifact because Ms Mitchell is also a member of a large number of committees through which CPA bills must pass so she got more chances to vote on these bills than many members of the legislature. These numbers represent votes in policy committees as well as in fiscal committees, and on the floor of the respective houses. The same sort of caveat must be understood to apply to those at the bottom of the list, while the voting records may be poor the numbers are influenced by such things as the numbers of committees those members sit on that review CPA bill list legislation. However, there are fewer votes that coincide with CPA positions on the lower end

of the list, more no votes where we could have wished for yes votes and some abstained votes.

Legislator	Count of Favorable Votes
Holly Mitchell	41
Gerald Hill	35
Elaine Alquist	34
Curren Price	33
Tom Ammiano	33
Darrell Steinberg	33
Steve Bradford	32
Toni Atkins	31
Ricardo Lara	31
Felipe Fuentes	31
Mike Gatto	30
Bob Blumenfeld	30
Bill Monning	30
Mike Eng	29
Das Williams	29
Mary Hayashi	28
Richard Pan	28
Christine Kehoe	28
Fran Pavley	28
Charles Calderon	28
Isadore Hall	28
Roger Hernandez	27
Ted Lieu	27
Jose Solorio	27
Mike Davis	27
Rich Gordon	27
Bonnie Lowenthal	27
Nora Campos	26
V. Manuel Perez	24
Susan Bonilla	23
Nancy Skinner	22
Roger Dickinson	22
Ben Hueso	21

Gil Cedillo	21	Michael Rubio	16
Mike Feuer	21	Norma Torres	16
Bob Wieckowski	21	Tim Donnelly	15
Jared Huffman	21	Cathleen Galgiani	15
Wilmer Amina Carter	21	Luis Alejo	15
Don Wagner	20	Henry Perea	15
Sandre Swanson	20	Jim Silva	15
Edward Hernandez	20	Anthony Portantino	15
Kevin de Leon	20	Tony Strickland	14
Betsy Butler	20	Steve Knight	14
Mariko Yamada	20	Joe Simitian	13
Mark DeSaulnier	20	Alex Padilla	13
Paul Fong	19	Ellen Corbett	13
Bill Emmerson	19	Allan Mansoor	13
Jim Beall	19	Curt Hagman	13
John Perez	19	Dan Logue	13
Alyson Huber	19	Sam Blakeslee	13
Michael Allen	19	Juan Vargas	13
Joel Anderson	19	Alan Lowenthal	13
Julia Brownley	19	Nathan Fletcher	13
Joan Buchanan	18	Gloria Negrete McLeod	12
Martin Block	18	Shannon Grove	12
Cameron Smyth	18	Mark Leno	12
Loni Hancock	18	Leland Yee	12
Fiona Ma	18	Martin Garrick	12
Jim Nielsen	17	Bill Berryhill	12
Wesley Chesbro	17	Jeff Miller	11
Warren Furutani	17	Noreen Evans	11
Carol Liu	17	Kristin Olsen	11
Chris Norby	17	David Valadao	11
Brian Nestande	17	Brian Jones	11
Mimi Walters	16	Linda Halderman	11
Ronald Calderon	16	Mike Morrell	11
Lois Wolk	16	Kevin Jeffries	11
Diane Harkey	16	Roderick Wright	11
Tony Mendoza	16	Paul Cook	11

Katcho Achadjian	11	Tom Harman	6
Sharon Runner	11	Mark Wyland	6
Ted Gaines	10	Doug La Malfa	5
Beth Gaines	10	Jean Fuller	5
Lou Correa	10	Tom Berryhill	5
Connie Conway	10	Anthony Cannella	5
Robert Huff	6	Jeff Gorell	
Bob Dutton	6		

State Institutions in Meltdown?

State and local budget cuts have wrought far reaching consequences in mental health services at the county level, but those consequences may pale in comparison to cuts that maybe be proposed in the 2012-2013 state budget. With US Department of Justice oversight ending in our state hospitals, virtually the same week in November, the State of California announced \$100 million in state hospital budget cuts for 2012-2013. In December the State then announced that state hospitals would lose 600 clinical positions while maintaining the patient census in all 5 of the state hospitals, claiming that most of those cuts would be achieved through attrition and eliminating vacant positions. However, both Napa State Hospital and Patton State Hospital in San Bernardino report that they both are virtually fully staffed. Patton would then lose 29 psychiatrists, 33 psychologists, 38 social workers and 24 rehab therapists. And, maintain a full census of about 1,500 patients many from the state prison system. This disconnect is very concerning since quality of care issues brought US Department of Justice supervision of state hospitals in the first place and media accounts point to deadly, burgeoning safety issues with violence on the rise. CPA will be asking questions and seeking answers.

California Department of Corrections and Rehabilitation is releasing prisoners, and on the other hand they are also releasing 400 headquarters staff and another 26,000 employees at local prisons have already been given pink slips. Many senior staff at headquarters are leaving or have already left as well.

Laura's Law matters.

Since August 1st, 2011 media outlets have carried 86 articles, broadcasts or opinion pieces on Laura's Law (AB 1421, Thomson, 2002), which authorizes court supervised community treatment for people who have a history of arrests or hospitalizations or of threats and/or violence. Four county boards of supervisors have implementation of Laura's Law under active consideration and in four more various degrees of consideration are occurring. The Sacramento Bee, as the newspaper of the state's capitol has published a series of opinion pieces supporting Laura's Law statewide, and plans more. These articles are some of the best ever printed and were penned by a Senior Editor at the Sacramento Bee, Dan Morain, who covered the original legislative campaign to pass Laura's Law while an Los Angeles Times reporter in 2000-2002. Laura's Law is a hot topic. The Nevada County program garnered a special innovations award from the California State Association of Counties in 2010 and an award from a national association of counties. An award was proposed to Psychiatric Services for the Nevada County program, and recently a master's thesis in public health on Laura's Law was published.

The California Psychiatric Association and the California Treatment Advocacy Coalition will co-sponsor a Laura's Law sunset extension legislation in 2012, since the authorization for the law expires on January 1, 2013. Assembly Member Michael Allen (D-Santa Rosa) has agreed to be the author. Legislative language has already been submitted to Legislative Counsel, and the bill should be introduced in late February. We will need your personal support for the bill.