

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

220



FROM: Executive Office

SUBMITTAL DATE: March 24, 2003

SUBJECT: Position on AB 348 by Assembly Member Judy Chu

RECOMMENDED MOTION: That the Board of Supervisors support AB 348 and direct the Executive Office and the Board's Sacramento representative to further the Board's position.

BACKGROUND: Current law provides that a person who, as a result of mental disorder, is a danger to themselves or others, or gravely disabled, defined as being unable to provide food, clothing or shelter for themselves can be involuntarily committed to evaluation and treatment for a limited period of time. If a patient improves during that time and no longer meets the criteria for involuntary commitment, only a psychiatrist can authorize early release of the patient. Otherwise current law authorizes a psychologist to admit, diagnose, treat, and discharge an involuntarily commitment at the expiration of the required commitment.

AB 348 would allow psychologists to make early release determinations. This action would streamline hospital administration, improve quality of care, and would eliminate unnecessary holding time of patients who have successfully responded to treatment.

Gary M. Christmas
Gary M. Christmas, Legislative Manager

FINANCIAL DATA:	N/A		
CURRENT YEAR COST	\$	ANNUAL COST:	\$
NET COUNTY COST	\$	IN CURRENT YEAR BUDGET:	Yes/ No/
		BUDGET ADJUSTMENT FY:	Yes/ No/

SOURCE OF FUNDS:

C.E.O. RECOMMENDATION:

APPROVE

Tony C...

County Executive Office Signature

Department Recommendation: Policy
Per Executive Office: Policy
 Consent
 Consent

Prev. Agn. ref.

Dist.

AGENDA NO.



2003
LEGISLATIVE ANALYSIS

BILL NUMBER: Assembly Bill 348

AUTHOR: Assembly Member Judy Chu

PRESENT LAW: The Lanterman-Petris-Short Act provides for the involuntary detention and treatment of any person with a mental disorder who, as a result of the mental disorder, is a danger to others or himself or herself, or is gravely disabled.

Current law authorizes a psychologist or psychiatrist to admit, diagnose, treat, and discharge a patient from a mental health facility.

Current law, however, only allows a psychiatrist to authorize early release of a mental health patient.

PROPOSED LAW: AB 348 would allow treating psychologists to also authorize the early release of a patient who was involuntarily confined.

RECOMMENDATION: Support

BACKGROUND: According to Assembly Member Chu this bill addresses the current shortage of psychiatrists and one negative impact on patient care created by this shortage. Currently mental health patients are unnecessarily committed beyond the necessary period of treatment. Extended stays in a facility beyond the point of recovery can jeopardize the safety of a patient, violate the patient's rights and deter patients from voluntarily seeking treatment in the future.

This bill allows the treating mental health professional to authorize an early discharge. Under current law, this same professional is authorized to discharge a patient after his or her prescribed treatment. Treatment response varies by individual and as such it is reasonable to that patients may be ready for discharge before their prescribed treatment

ends. Because treating psychologists are not authorized to discharge patients they must try to locate a staff psychiatrist to make this determination. Psychiatrists are not always available and once one is located, they must be brought up to speed on the patient and conduct an evaluation of the patient.

AB 348 increases efficiency and promotes better quality of care by facilitating personalized service and increasing the flexibility of hospital staff.

FISCAL EFFECT:

Potential cost savings by reducing unnecessary hospital stays.

ORGANIZATION
POSITIONS:

This bill is sponsored by the California Psychological Association. There is no other recorded support or opposition.