

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



**ITEM: 3.27  
(ID # 25377)**

**MEETING DATE:**  
Tuesday, September 17, 2024

**FROM :** RUHS-BEHAVIORAL HEALTH

**SUBJECT:** RIVERSIDE UNIVERSITY HEALTH SYSTEM - BEHAVIORAL HEALTH: Adopt Resolution No. 2024-212 to authorize the implementation and application of Article 4.7 of Chapter 2 of the Lanterman-Petris-Short Act, i.e., California Welfare and Institutions Code § 5270.10 et seq. in Riverside County to provide for an additional 30-day period of intensive inpatient psychiatric treatment as an alternative to filing a petition for Conservatorship when a limited amount of additional time is needed to stabilize an individual in involuntary inpatient care, All Districts. [\$0].

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution No. 2024-212 to authorize the implementation and application of Article 4.7 of Chapter 2 of the Lanterman-Petris-Short Act, i.e., California Welfare and Institutions Code § 5270.10 et seq. in Riverside County to provide for an additional 30-day period of intensive inpatient psychiatric treatment as an alternative to filing a petition for Conservatorship when a limited amount of additional time is needed to stabilize an individual in involuntary inpatient care.

**ACTION:Policy**

  
Matthew Chang, Director 9/5/2024

---

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington, Perez and Gutierrez  
Nays: None  
Absent: Spiegel  
Date: September 17, 2024  
xc: RUHS-BH

Kimberly A. Rector  
Clerk of the Board

By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	24/25

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The Lanterman-Petris-Short Act (LPS) authorizes involuntary psychiatric treatment in very limited circumstances. The LPS Act was enacted in 1967 and sought to “end the inappropriate, indefinite, and involuntary commitment of persons with mental health disorders”. The Public Guardian, under the umbrella of the Riverside University Health System – Behavioral Health (RUHS-BH), has been designated by the County Board of Supervisors as the County office to serve as conservator under the LPS Act for persons gravely disabled as the result of a mental disorder. These individuals may require placement in a state mental institution or other facility for psychiatric treatment. Grave disability is defined as a condition in which a person, as a result of a mental disorder, is unable to provide for his/her basic personal needs for food, clothing, or shelter.

The LPS Act states that a mentally disabled person deemed to be in serious need of mental health treatment may be involuntarily admitted for a 72-hour hold under the California Welfare and Institutions (W&I) Code § 5150, and if needed for an additional 14 days (W&I Code §5250). In some case where the combined 17 days is not a sufficient period of time to stabilize someone with a serious mental health problem, the County currently requires a petition for a Temporary Conservatorship (T-Con) to be filed by the Public Guardian in order to provide up to 30 days of additional intensive treatment. Filing a petition of conservatorship is a significant event for the affected individuals and requires extensive time and involvement from several departments. W&I Code § 5270.10 is an alternative to the significant legal steps of filing a T-Con petition. Its provisions were enacted by the Legislature in an effort to reduce the number of LPS Conservatorship applications that are filed for gravely disabled persons “simply to obtain an additional period of treatment without the belief that a conservator is actually needed and without the intention of proceeding to trial on the conservatorship petition.” (Section 5270.10 of the W&I Code). The Board of Supervisors is authorized under W&I Code § 5270.12 to implement section 5270 for up to 30 days of inpatient treatment beyond the initial W&I Code § 5150 (3-day) and § 5250 (14-day) combined 17-day period. In addition to serving as an alternative to placing individuals under a temporary conservator, section 5270 will provide additional safeguards to individual rights, including a Certification Review Hearing, and possibly an additional Writ Hearing and a Riese Hearing (required to administer involuntary medication).

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

The adoption of section 5270 is optional for each County. Based on other counties that have implemented this 30-day hold, RUHS-BH anticipates reductions in conservatorships and related costs and consider this to be a positive treatment tool that benefits both consumers and their families. Any potential costs associated with additional patient's rights hearings under section 5270, will be offset by the overall cost savings from reduced T-Con filings.

**Impact on Residents and Businesses**

RUHS-BH anticipates that implementing 5270 will reduce the number of necessary institutional placements, as well as reduce the number of conservatorships, benefitting some of our most vulnerable populations and their families.

**Additional Fiscal Information**

RUHS-BH anticipates that having an additional 30 days will reduce the costs associated with filing conservatorship petitions and managing conservatorships. Any costs incurred by implementing the 5270 hold will be offset by savings achieved through use of the hold, assuring that no current service reductions will occur as a result of implementing the 5270 hold.

**ATTACHMENTS:**

Attachment A. Resolution No. 2024-212

*Jacqueline Ruiz*

Jacqueline Ruiz, Principal Analyst

9/11/2024

*Gregg Gu*

Gregg Gu, Chief of Deputy County Counsel

9/11/2024



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**RESOLUTION NO. 2024-212**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE AUTHORIZING APPLICATION OF ARTICLE 4.7 OF CHAPTER 2 OF THE LANTERMAN-PETRIS-SHORT ACT, i.e. WELFARE AND INSTITUTIONS (W&I) CODE § 5270.10 et seq. AS AN ALTERNATIVE TO CONSERVATIVE UNDER CERTAIN CONDITIONS

WHEREAS, the Lanterman-Petris-Short Act (LPS; effective 1972) mandates that individuals deemed to be in serious need of mental health treatment may be admitted for evaluation and treatment on a 72-hour hold (W &I Code § 5150). If the individual is unwilling or unable to remain voluntarily and further treatment is indicated, that individual can be held for an additional limited period of up to 14 days (W&I Code§ 5250); and

WHEREAS, in some cases the additional 14 days is not a sufficient period to stabilize a person who is gravely disabled due to a serious mental health problem.

WHEREAS, currently, the County requires that a petition for Temporary Conservatorship under W &I Code § 5352.1 (T-Con) be filed in order to provide treatment beyond the additional 14-day section 5250 hold; and

WHEREAS, Conservatorship places responsibility for patient care decisions with a public or private guardian, and is a significant legal event for the affected individuals, and requires substantial County staff time and involvement from the Public Guardian, County Counsel, and the Superior Court; and

WHEREAS, in enacting Article 4.7 of Chapter 2 of the LPS, composed of W&I Code § 5270.10 et seq. (hereinafter section 5270), it was the intent of the legislature to reduce the number

FORM APPROVED COUNTY COUNSEL  
BY:  DATE: Sept 16, 2024  
GREGG M. GU

1 of gravely disabled persons for whom T-Con petitions are filed, and who are placed under the  
2 authority of a temporary conservator simply to obtain an additional period of treatment; and

3 WHEREAS, often patients are placed on a T-Con for a limited period of time to stabilize  
4 and then the T-Con is dismissed, therefore implementing section 5270 is intended to replace these  
5 T-cons by providing is an alternative to the significant legal steps of filing a T-Con petition.  
6

7 WHEREAS, under section 5270 a person who has completed the additional 14-day period  
8 of intensive treatment pursuant to W &I Code § 5250 may be certified for an additional 30 days  
9 of intensive inpatient treatment under specified conditions, with additional safeguards for that  
10 person's rights, as an alternative to conservatorship which can last up to one year; and

11 WHEREAS, under W&I Code§ 5270.12 a County Board of Supervisors authorization is  
12 required to implement section 5270 for up to 30 days of intensive inpatient treatment beyond the  
13 initial section 5150 3-day detention period and additional section 5250 14-day period, thereby  
14 avoiding the significant legal step of filing a T-Con petition; and  
15

16 WHEREAS, any additional costs incurred by the county in the implementation of this  
17 article are funded either by new funding sufficient to cover the costs incurred by the county  
18 resulting from this article, or funds redirected from cost savings resulting from this article, or a  
19 combination thereof, so that no current service reductions will occur as a result of the enactment  
20 of this procedure; and  
21

22 WHEREAS, the Public Guardian supports the implementation of W&I § 5270, estimating  
23 a reduction in County administrative costs accompanied by increased efficiencies in managing  
24 gravely disabled patients who require additional involuntary intensive treatment, without the  
25 significant restrictions on individual rights associated with a temporary conservatorship; and

26 NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the  
27 Board of Supervisors of the County of Riverside, in regular session assembled on September 17,  
28

1 2024, at 9:30 a.m., or soon thereafter, in the meeting room of the Board of Supervisors, located on  
2 the first floor of the County Administrative Center, 4080 Lemon Street, Riverside California,  
3 authorizes the implementation and application of Article 4.7 of Chapter 2 of the Lanterman-Petris-  
4 Short Act, i.e., Welfare and Institutions Code § 5270.10 et seq. in Riverside County as an  
5 alternative to filing a petition for Conservatorship when a limited amount of additional time is  
6 needed to stabilize an individual in involuntary inpatient care.  
7

8 THE FOREGOING RESOLUTION is approved and adopted by the Board of Supervisors  
9 of the County of Riverside this September 17, 2024, by the following vote:

- 10
- 11 AYES: Jeffries, Washington, Perez, and Gutierrez
- 12 NOES: None
- 13
- 14 ABSENT: Spiegel
- 15
- 16 ABSTAINING: None

17   
18 \_\_\_\_\_  
19 Chuck Washington, Chair  
20 Board of Supervisors

21 **ATTEST:**  
22 Kimberly Rector  
23 Clerk of the Board

24

25 By   
26 \_\_\_\_\_  
27 Deputy