

**CONTRA COSTA COUNTY MENTAL HEALTH COMMISSION  
MINUTES FROM NOVEMBER 13, 2014 – Final**

Agenda Item	Discussion	Action / Follow-up
<p><b>I. Call to Order / Roll Call</b></p>	<p>The meeting was called to order by MHC Chairperson Sam Yoshioka at 4:35 p.m.</p> <p><u>Commission Members Present:</u>  Greg Beckner, District IV  Peggy Black, District V  Evelyn Centeno, District V  Dave Kahler, District IV  Peggy Kennedy, District II  Tess Paoli, District III  Teresa Pasquini, District I  Lauren Rettagliata, District II  Gina Swirsing, District I  Sam Yoshioka, District IV  Supv. Karen Mitchoff, BOS Representative</p> <p><u>Commission Members Absent:</u>  Louis Buckingham, District III  Jerome Crichton, District III</p> <p><u>Non-Commission Members Present:</u>  Cynthia Belon, Behavior Health Director  Lia Bristol, Supv. Mitchoff's Office  Lindsey Broadbent, St. Mary's College  Lisa Cabral, MHA  Travis Curran, Crestwood Healing Center  Nicole Fischer, St. Mary's College  Ralph Hoffmann, CPAW, SMAC  Julie Peck, Telecare Hope House  Frank Ramirez, Field Study  Karen Shuler, MHC Executive Assistant</p>	<p><i>Transfer tape recording to computer</i></p> <p><i>Update Commissioner attendance</i></p> <p><i>Update database</i></p>
<p><b>II. Public Comment Followed by Commissioner Comment</b></p>	<p>Public Comment: None.</p> <p>Commissioner Comment: Teresa spoke of a letter from the Contra Costa Mental Health Coalition that was submitted to Gov. Brown, BOS, BHD, etc. The following edited version appeared as an Op Ed in the Contra Costa Times.</p> <p><i>The Contra Costa Mental Health Community Coalition is a group of people with severe mental illness, their family members and patient-rights advocates. We have served the community as commissioners, stakeholders, and leaders of faith-based and community-based nonprofit organizations. We seek the assistance of all who govern, oversee and protect the rights of the psychiatrically disabled in accordance with established codes to direct the Contra Costa County Board of Supervisors to exercise their moral and legal obligation to</i></p>	

*provide equal access to community-based outpatient treatment for those people who lack the capacity to accept the currently designed voluntary only Full Service Partnerships (FSP) provided for in the county's Mental Health Services Act (MHSA) plan.*

*We believe that the county's current FSP programs are discriminatory by denying adequate and equal access to those who may require a higher level of medically necessary community care. This results in unnecessary involuntary forced treatment in higher, more restrictive levels of care at higher costs.*

*This also exposes the county to public safety, financial and legal liability as detailed in multiple public testimonies including the Contra Costa Board of Supervisors meeting on Oct. 7.*

*Furthermore, we believe that Contra Costa's Behavioral Health Division has failed to adequately meet its obligation to serve its most vulnerable psychiatrically disabled population to prevent institutionalization, incarceration, suicide, suffering and death.*

*We do not see evidence that the Contra Costa Mental Health Plan is meeting its obligation detailed in the current performance contract with the state. We believe that adoption and adequate funding of Assisted Outpatient Treatment as permitted by Laura's Law (AB 1421) could help reduce the current system discrimination.*

*Following the national outcry for treatment before tragedy in the wake of massacres in Tucson, Newtown and other cities, the 300-member affiliate of the National Alliance on Mental Illness in Contra Costa and the Contra Costa Mental Health Commission voted to support county implementation of Laura's Law.*

*The Board of Supervisors directed the Contra Costa Behavioral Health Division to study implementation. The division staff presented findings to the board on Oct. 7. The presentation lacked adequate information, misrepresented facts and appeared to be grossly misunderstood by some supervisors. Although the MHSA mandates accountability and transparency, the county was not forthcoming with financial data related to implementing Laura's Law. So Douglas Dunn, a career financial analyst, filed numerous Freedom of Information Act requests for basic accountings of mental health revenues and expenditures and put together a financial picture of services for Laura's Law target population. The results revealed a staggering portrayal of fiscal and human waste.*

*Numerous independent reports in recent years recommended system and policy changes for this highly vulnerable psychiatric population, but the county governing body refuses to act swiftly and decisively to implement such changes.*

*That is why our coalition came together to work with our county behavioral health administrators and our community*

	<p><i>partners to educate about the state of the delivery system of mental health services. But after 10 years of our hard work and documented meetings, the system is more impacted, more fragmented and more divided, and there is no trusted oversight and accountability.</i></p> <p><i>We now have no choice but to seek the highest level of legal protection and direction from the state and federal governments to ensure that public funds are not being used to discriminate against those who are among a protected class. We call on the people to demand Contra Costa adhere to the federally protected rights described by the Supreme Court ruling in Olmstead v. LC (Teitelbaum, Burke, &amp; Rosenbaum, 2004).</i></p> <p><i>Assisted Outpatient Treatment is consistent with this ruling. Without implementing Laura's Law, Contra Costa may violate the intent of the Supreme Court ruling that demands that ALL consumers who require medically necessary treatment are provided that treatment in the least restrictive setting so that they may avoid institutionalization.</i></p>	
<p><b>III. Announcements</b></p>	<ol style="list-style-type: none"> <li>1) Project Hope's 10<sup>th</sup> Annual Memorial Service, a special day to remember and celebrate the lives of homeless men and women who have passed this year. Friday, November 14<sup>th</sup> from 10:00-1:00 at Concord United Methodist Church, 1645 West Street, Concord. Lunch will be served at 12:00. For more information call Shayne Kaleo at 925-435-3650.</li> <li>2) Recovery Innovations Wellness Centers is excited to announce their first Citizen Contributor Graduation and Class Accomplishment celebration! You are invited! Friday, December 19 from 10:00 a.m. to 12:00 noon at the West County Wellness Center, 2101 Vale Road, Ste. 300, San Pablo.</li> <li>3) MHC Applicant Barbara Serwin is scheduled to be appointed December 2<sup>nd</sup>.</li> </ol>	
<p><b>IV. Approval of the MHC Minutes from October 23, 2014</b></p>	<p>➤ A motion was made to approve the October 23, 2014 minutes.          Motion: Dave          Second: Peggy K.          Discussion: A correction was made to the spelling of Epic.          Vote: By a unanimous vote of 11-0-0, the Minutes were approved as corrected.</p>	<p>Approval of Minutes:  <u>Yes (11):</u>          Greg          Peggy B.          Evelyn          Dave          Peggy K.          Tess          Teresa          Lauren          Gina          Sam          Supv. Mitchoff  <u>No (0)</u>  <u>Abstain (0)</u>  <u>Absent (2):</u>          Louis          Jerome</p>

		<i>Correct and post Minutes to web</i>
<b>V. Behavior Health Director's Report</b>	<p><b>Presentation by Behavior Health/Mental Health Director Cynthia Belon</b></p> <p>1) <b>Patients' Rights Update</b> The contract with Consumers Self Help Centers (CSHC) was approved by the Board of Supervisors on 11-4-14.</p> <p>2) <b>Medi-Cal Outreach and Enrollment Grant</b> The three Patient Financial Services Specialist positions funded by this grant were approved by the Board of Supervisors on September 9, 2014. These positions will work with the target population to assist them in enrolling in Medi-Cal. Two positions have been filled and we continue to recruit to fill the third position.</p> <p>3) <b>AB1421</b> Behavioral Health has been directed to return to the Board of Supervisors in January.</p> <p>4) <b>Mental Health Family Services Coordinator</b> Vic Montoya, Adult Program Chief, and Commissioner Buckingham will conduct joint interviews on Monday, November 10, 2014.</p> <p>5) <b>Update on Behavioral Health Electronic Medical Record</b> The Behavioral Health Director gave a verbal update on the implementation of Tapestry, a module of Epic, the EMR that the Hospital and Clinics is using.</p>	
<b>VI. Appoint an Ad Hoc Committee to consider recognition of Commissioners</b>	<p>➤ A motion was made to appoint an Ad Hoc Committee to consider recognition of Commissioners. Motion: Lauren Second: Evelyn Discussion: Supv. Mitchoff asked for clarification. It was explained that this Ad Hoc Committee would come up with a protocol to determine who and how Commissioners would be recognized when they leave the Commission. Vote: By a vote of 9-0-2 the motion passed.</p> <p>There were no volunteers to serve on the Ad Hoc. If no volunteers contact Karen, the Executive committee will take up the issue.</p>	<p>Appointing Ad Hoc <u>Yes (9):</u> Greg Peggy B. Evelyn Dave Tess Teresa Gina Sam Supv. Mitchoff <u>No (0)</u> <u>Abstain (2)</u> Peggy K. Lauren <u>Absent (2):</u> Louis Jerome</p>
<b>VII. Results of Doodle Poll. Set a date for the MHC Retreat</b>	<p>Sam asked Karen to present the results of the Doodle Poll. Karen reported that all but one Commissioner responded with their available dates for the Retreat. Peggy B. is unable to attend a daytime meeting due to work obligations. One date that was consistent with all Commissioners was Wednesday, January 14<sup>th</sup>.</p> <p>➤ A motion was made to hold the at Lauren's home on early</p>	<p>Vote on Retreat date. <u>Yes (11):</u> Greg Peggy B. Evelyn Dave Peggy K.</p>

	<p>evening of Wednesday, January 14<sup>th</sup>.          Moved: Peggy B.          Second: Tess          Discussion: Peggy B. thanked the Commission for considering her schedule in choosing the date.          Vote: By a unanimous vote of 11-0-0 the motion passed.</p>	<p>Tess          Teresa          Lauren          Gina          Sam          Supv. Mitchoff  <u>No (0)</u>  <u>Abstain (0)</u>  <u>Absent (2):</u>          Louis          Jerome</p>
<p><b>VIII. 2015 Slate of Leadership Nominees</b></p>	<p>Because Sam is a nominee for the Executive Committee, he asked Karen to conduct the election. Lisa Cabral will assist in counting the ballots.</p> <p>Each nominee had to receive a quorum vote of 7 in order to win. It took one ballot to determine the Chair and Vice Chair and three ballots to determine the membership of the Executive Committee for 2015.</p> <p>➤ Vote for Chair and Vice Chair:          By a unanimous vote of 11-0-0, Lauren Rettagliata was voted in as Chair and Peggy Kennedy was voted in as Vice Chair of the Commission for 2015.</p> <p><b>Below is the corrected tabulation (see note below).</b></p> <p>➤ First ballot for Executive Committee (Voting for 3):</p> <ul style="list-style-type: none"> <li>• Nominee Evelyn Centeno (5)              Peggy B., Evelyn, Peggy K., Lauren, Supv. Mitchoff</li> <li>• Nominee Dave Kahler (9)              Greg, Evelyn, Dave, Tess, Teresa, Lauren, Gina, Sam, Supv. Mitchoff              Dave received enough votes to be elected to the 2015 Executive Committee.</li> <li>• Nominee Gina Swirsding (5)              Greg, Peggy K., Lauren, Gina, Sam</li> <li>• Nominee Sam Yoshioka (7)              Greg, Peggy B., Evelyn, Dave, Peggy K., Gina, Sam              Sam received enough votes to be elected to the 2015 Executive Committee</li> <li>• Write-In Nominee Teresa (3)              Tess, Teresa, Supv. Mitchoff</li> <li>• Write-In Nominee Tess Paoli (2)              Tess, Teresa</li> </ul> <p><b>Note: During the meeting, Peggy Kennedy’s vote for Sam was inadvertently placed in the wrong box by Karen on the tabulation sheet and not credited to him. A confirmation tabulation of the votes while doing the Minutes showed that Peggy’s vote gave him the required quorum vote, so he would have been elected on the 1<sup>st</sup> ballot along with Dave. Therefore, his name should not have been placed on the</b></p>	

**second ballot, and a third ballot might not have been necessary.**

**Below are the results of the second ballot.**

- Second vote for Executive Committee (voting for 2):
  - Nominee Evelyn Centeno (4)  
Peggy B., Evelyn, Dave, Supv. Mitchoff
  - Nominee Gina Swirsding (5)  
Greg, Peggy K., Tess, Gina, Sam.
  - Nominee Sam Yoshioka (5)  
Greg, Dave, Peggy K., Gina, Sam
  - Write-In Nominee Teresa (5)  
Peggy B, Evelyn, Teresa, Lauren, Supv. Mitchoff
  - Write-In Nominee Tess Paoli (3)  
Tess, Teresa, Lauren

**Note: It was determined at the meeting that no Nominee received enough votes. However, had Sam's name not been voted for (since a corrected tabulation showed he had won on the first ballot), the 5 votes he got on the second ballot would have gone to someone else and could have affected the results.**

**Below are the results of the third ballot. However, Commissioners should have been instructed to vote for the one remaining position on the Executive Committee. Either the top two vote-getters or all four Nominees should have been considered. Note: A mistake was also made on the tally for Sam on the third ballot, and had he not already won on the first ballot, another vote would have had to be done as only Teresa received enough votes.**

- For the third ballot for the Executive Committee, the top three vote-getters, who had each received 5 votes, were voted on (voting for 2):
  - Nominee Gina Swirsding (5)  
Peggy B., Peggy K., Tess, Gina, Sam. Evelyn abstained.
  - ✓ Nominee Sam Yoshioka (7).  
Greg, Dave, Peggy K., Teresa, Gina, Sam, Supv. Mitchoff. Evelyn abstained.  
Sam received enough votes to be elected to the 2015 Executive Committee.
  - ✓ Write-In Nominee Teresa (8)  
Greg, Peggy B., Dave, Peggy K., Tess, Teresa, Lauren, Supv. Mitchoff. Evelyn abstained.  
Teresa received enough votes to be elected to the 2015 Executive Committee.

Based on the November tabulation of the ballots, unless there is a re-vote, the 2015 Leadership Team for the Mental Health Commission consists of:

Chair: Lauren Rettagliata

*Place decision regarding a revote for the final Executive Committee position on Executive Committee Agenda.*

	<p>Vice Chair: Peggy Kennedy          Executive Committee:          Dave Kahler          Teresa Pasquini          Sam Yoshioka</p> <p><b><i>The Executive Assistant offers her most heartfelt apology for the mistakes made in tabulations done at the meeting. All votes were carefully verified against the original ballots as the Minutes were being typed. Ballots will be available at the office if anyone else would like to re-check them.</i></b></p>	<p><i>Nominees affected would be Evelyn, Gina, Teresa and Tess, who were all on the second ballot.</i></p>
<p><b>IX. MHC Committee Reports</b></p>	<p><b>1) Criminal Justice Committee Report – Evelyn Centeno, Chair</b>          Evelyn thanked Vic for sending David Seidner to the meeting as MHA staff support.          At the meeting, Dan Batichuk was there on behalf of Vern Wallace to discuss mental health services available at the Juvenile Hall. Lt. Jeff Moule from CCRMC discussed the CIT Training, and additional POST materials on mental health that are being considered for implementation at the academies. Evelyn mentioned the Committee still wants to take a close look at developing a survey that would help consumers develop a better relationship with law enforcement and help both consumers and law enforcement better understand how the 5150 process affects consumers and their families. Evelyn also reported they are still working on trying to get another position for the Behavior Health Court.  <i>Following Evelyn’s report, there was discussion surrounding confusion about what was being recommended. Staff was asked to get clarification on exactly what the Committee is asking for and where the money would come from (and if money is available for it and has been allocated for it). Karen was asked to bring the information back to the Criminal Justice Committee prior to any MHC action.</i></p> <p><b>2) Quality of Care Committee—Peggy Kennedy, Chair</b>          Peggy reported that her committee will be talking about Transportation issues, and plan to invite Vic and Susan. She said they are inviting Dr. Farnintano to discuss services for older adults. They are also going to be discussing dangers in the Ellis Park area that have been brought to their attention. Concord City Councilman Birsen will be attending. It was suggested that Chief Swayze be invited also. Tess lives in that area and said there are a lot of hookers, drugs and gangs. Teresa mentioned that she had attended a CPAW System of Care meeting and they are considering transportation issues also. Peggy said Karen had copied their materials for the meeting packet.</p> <p><b>3) MHSA/Finance Committee – Teresa Pasquini, Chair</b>          Teresa reported Douglas Dunn and Warren Hayes had</p>	

	<p>attended. She mentioned she had a copy of a CALMHB/C that used to be a part of the New Commissioner Orientation Binder. She asked Karen to distribute it. Douglas Dunn also provided several documents obtained through the Freedom of Information Act. They are being discussed at the meeting. They are also tracking housing availability.</p> <p>Cynthia asked if they are looking at the Homeless supply of housing.</p> <p>Lauren replied so far they are only looking at MH at this time. She said they do not have all the homeless information at the meeting.</p> <p>It was suggested that discussion of non-MHSA housing and housing for homeless be held at the MHSA/Finance Committee meetings.</p>	
<p><b>X. Commissioner Representative Reports</b></p>	<ol style="list-style-type: none"> <li><b>1) Behavior Health Integration Steering Committee – Sam</b> Sam said he had not attended. Cynthia said the SPIIDS continue to meet and are speaking about providing training for co-occurring issues. Teresa asked Sam about the document he said he would bring but didn't. She also asked when the Commission is going to receive reports. Sam said he only attends the Older Adult Committee and there are no reports being received. She would like more information from these Committees.</li> <li><b>2) Social Inclusion Committee – a volunteer is needed to represent the Commission. There were no volunteers.</b></li> <li><b>3) AOD Board – Sam</b> They met in West County. Sam said he did not attend.</li> <li><b>4) Homeless Board – Evelyn</b> Evelyn said they did not meet in November. They will be meeting December 9<sup>th</sup> and 12<sup>th</sup> and she will start attending.</li> <li><b>5) Community Corrections Partnership – Evelyn</b> They were off in November. Chief Kador will be presenting the final budget in December.</li> <li><b>6) AOT Workgroup – Lauren</b> They are finished with their task. Remove from list.</li> <li><b>7) Community Advisory Board – Evelyn</b> Evelyn said they are in the process of reorganizing.</li> <li><b>8) CPAW – Lauren/Gina</b> Lauren said she had to arrive late so asked Teresa to attend the first part of the meeting. Lauren reported that Warren distributed the 1<sup>st</sup> monthly Budget Report. There was a discussion about the Miller Regional Center. Concern had been expressed that it wasn't large enough. Lauren encouraged people to attend the System of Care and Children's Committee. She added that Erin McCarty is looking for ideas on transportation. ANKA is moving to Arnold Industrial Highway, near the Homeless Shelter and Respite Care Center.</li> </ol>	<p>Contact Homebase for <i>written information from SPIIDS. Ask for a summary of information following their meetings.</i></p> <p><i>Remove AOT Workgroup from list.</i></p>



	<p>Gina said the CPAW Children’s Committee is concentrating on placement for children who are being sent out of county. They are trying to contact with Fremont Hospital. They have 42 beds.</p> <p>Gina reported the Ranch will have staff authorized to treat with medications. Gina mentioned Santa Rosa just opened an adolescent unit. A YAP program is needed for ages 16-24.</p> <p>Teresa said she attended the CPAW and System of Care meetings and is concerned. People shouldn’t get hung up on the size of the Miller Center. She left the meetings frustrated because of their level of frustration. She added we should not make assumptions about illegality of holding a child in PES for longer than 23 hours. It is important to get the facts straight. There is often no place to send them.</p> <p>Peggy B. asked for additional clarification about where most of the kids are coming from who are 5150’d.</p> <p>Gina said from West County.</p>	<p><i>Verify that most kids who are 5150’d come from West County.</i></p>
<p><b>9) Adjourn Meeting</b></p>	<p>The meeting adjourned at 6:32 p.m.</p>	

Respectfully Submitted,  
 Karen Shuler, Executive Assistant  
 Contra Costa County Mental Health Commission