

Contra Costa Mental Health Commission
Monthly Meeting
1/14/10
Minutes – Approved 2/11/10

1. CALL TO ORDER/INTRODUCTIONS

The meeting was called to order at 4:35 pm by Chair Mantas.

Commissioners Present:

Dave Kahler, District IV
Peter Mantas, District III, Chair
Bielle Moore, District III
Scott Nelson, District III
Colette O’Keeffe, MD, District
Floyd Overby, MD, District II
Annis Pereyra, District II
Teresa Pasquini, District I
Sam Yoshioka, District IV

Attendees:

Ben Barr, Rainbow Community Center
Brenda Crawford, MHCC
Al Farmer, NAMI
Judith Gaillard, Public Defender/Conservatorship
John Gragnini, Local 1
Anne Heavey, Nat’l Alliance on Mental Health
Ralph Hoffman, NAMI
Mariana Moore, Human Services Alliance
Janet Marshall Wilson, JD, MHCC
Connie Steers, MHCC

Commissioners Absent:

Carole McKindley-Alvarez, District I-Excused
Anne Reed, District II - Excused
Supv. Gayle Uilkema, Dist. II - Excused

Staff:

Laura Balon-Keleti, MHA
Sherry Bradley, MHA
Susan Medlin, MHA
Erin McCarty, MHA
Holly Page, MHA
Mary Roy, MHA
Dorothy Sansoe, CAO
Caroline Sison, MHA
Donna Wigand, MHA

Chair Mantas welcomed everyone and went around the room for introductions. He explained the abbreviated MHC monthly meeting will be held followed by the Public Hearing.

2. PUBLIC COMMENT.

Al Farmer: He understands CPAW is in favor of reopening the original entrance to CSU for mental health consumers and their visitors and NAMI strongly supports this. Currently consumers must go through the Emergency Department along with all medical and physical patients. This is a very inefficient approach and can result in delays in the ER of up to 6 hours. This results in many consumers simply walking away. The NAMI Board of Directors voted unanimously to reopen these doors as soon as possible. NAMI has been serving the mentally ill in CC County for 30 years. It is an organization made up of 290 families, all of which have loved ones who suffers from serious or chronic mental illness. They have had the occasion to need the services of CSU on many occasions. Consumers have an urgent need for the CSU doors to reopen.

Connie Steers: Deferred to Janet Marshall Wilson.

Janet Marshall Wilson: She sent an email sent to Vice Chair Pasquini, who passed it on to Chair Mantas, regarding allegedly serious unlicensed residential conditions in East County (see handout). She would like the Commission and the County to be aware of the extremely serious conditions which have been reported to Community Care Licensing. The facilities are providing care and supervision, therefore they should be licensed. It's also been reported to Disability Rights California and Supervisor Glover. These conditions are outlined in the email and include the deprivation of medication, forcing one resident to sleep outside without blankets due to missing curfew by 10 minutes, verbal abuse, bullying, corporal abuse including grabbing a resident by the neck, eviction which resulted in a suicide on 12/27/09, and other conditions. This issue was brought up at the MHC Planning Meeting on 1/8/10. She hopes the MHC will look into this and it falls under the purview of the MHC under Section 5604.2.A.1 that the local mental health board shall review and evaluate the community's mental health needs, services, facilities and special problems. She hopes for the Commission's attention to these serious allegations. Her Residential Advocate, Connie Steers, has been working on these issues as well as the Coordinator of the East County Wellness Recovery Center, but these issues are huge. Vice Chair Pasquini acknowledged receipt of the email yesterday. *(See email attached to the minutes.)*

Ralph Hoffman: He believes the term mental illness should be changed to creative maladjustment, in the way that manic depression has been changed to bi-polar disorder. Martin Luther King, Jr. believed the fate of the world lies in the hands of creatively maladjusted. The term "mental illness" is responsible for the stigma of mental illness.

3. ANNOUNCEMENTS

A. Family Support Group in West County: There is a new family support group offered in West County and supported by NAMI Family to Family and funded by NAMI Contra Costa. Dr. Sum Chai has partnered with Kaiser Richmond to hold group meetings once a month, second Wed. of each month at (she believes) 7:00 pm. Anyone interested in further details is welcome to email her.

B. Commissioner Art Honegger tendered his resignation effective 1/10/10. He cited family medical issues requiring more of his time. He has done a great deal of work for the MHC and the community at large; he will be missed.

4. APPROVAL OF THE MINUTES

- **ACTION:** December 10, 2009 MHC Monthly Minutes – Motion made to approve the minutes as amended: p. 10 "staff" should be replaced with survey and remove the second "ask" from the first paragraph. (M-Mantas/ S-Yoshioka /Passed 7-0; Y- Pasquini, Pereyra, O'Keeffe, Overby, Kahler, Yoshioka, Mantas; A-Moore and Nelson as they were not present at the meeting.)

5. CHAIRPERSON'S COMMENTS – Peter Mantas

Vice Chair Pasquini and Chair Mantas met with Dr. Walker regarding the Local 1 survey of CCHMA senior staff, MHA policies and procedures and several other issues. They were interested how Dr. Walker would be addressing the survey results. John Gragnani of Local 1 will be coming back to the MHC at the Feb. meeting to lead the discussion of the assessment. Approx. 1 year ago, Dr. Walker made the decision to participate as the lead for MHA as he assessed the relationship between

MHA and the MHC. Effective immediately, Mental Health Director Donna Wigand and MHA staff will participate in the MHC meetings and planning, hopefully resulting in more inclusive planning efforts.

6. **APPROVE 2010 WORKPLAN**

- **ACTION: Motion made to adopt the 2010 MHC Focus Area Action Plan as presented (M-Nelson/S-Overby/Passed 6-2-1; Y-Mantas, Pereyra, O’Keeffe, Nelson, Kahler, Overby, N-Pasquini, A-Yoshioka and Moore)**

Discussion:

Commissioners were sent the Workplan via email and it will be posted online. Chair Mantas noted there is a huge amount of work shown on the workplan; not all of it will be accomplished.

Vice Chair Pasquini would like to recommend when the Quality of Care and Assurance Workgroup meets, they consider the issues raised by Janet Marshall Wilson’s public comments. Prioritization can include the site visits the MHC makes. Will the workgroups prioritize their own issues?

Chair Mantas said each workgroup will meet and select a chair at their first meeting as well as the different issues brought up to the MHC at large. They will look at the prioritization of the full MHC issues list, but also digging into the subjects on their own and determining what’s attainable and critical. Then their priority list will be brought back to the MHC for approval.

Vice Chair Pasquini asked when the MHC receives urgent and immediate information, how will the issues be addressed in this Workplan?

Chair Mantas said issues may need to be brought back to the MHC to address in advance of the workgroups. We need to approve the plan then move forward with specific issues.

Commissioner Yoshioka asked how many Workgroups are there. Chair Mantas said 4 for now. Governance is the only Focus Area listed that is not a workgroup yet. Need to determine how to deal with the Governance issues.

Vice Chair Pasquini said she’s not sure if the MHC approved the Workgroups at the Planning Meeting? She knows we brainstormed and plugged in ideas to the Workgroups, but were the Workgroups approved? She thought Governance was a Workgroup. Does the Commission agree these are the Workgroups we should use going forward?

Chair Mantas: We had the discussion at the Planning Meeting and plugged the action items into the Workgroups that were approved last year. If we want to make changes to the Workgroups, that will have to be brought up and discussed at a future meeting. Was everything brainstormed at the Planning Meeting incorporated into the Workplan? Julie Freestone wrote all the brainstorming ideas on the flipcharts and they were incorporated into the Workplan.

Commissioner Moore said although she was not at the Planning Meeting, she would like to clarify if these workgroups were approved.

Commissioner Nelson thought we approved categories, rather than workgroups.

Chair Mantas said the ideas were brought up as Workgroups and no one brought up that they didn't like the Workgroups.

Vice Chair Pasquini said she did try to address the Workgroup issues at the Planning Meeting.

Commissioner Pereyra said she came away from the Planning Meeting feeling they were Workgroups, but some of the workgroups had overwhelming amounts of work (Quality of Care and Quality of Life Assurance) considering there were some Commissioners who were a bit reluctant to fully participate in the Workgroups. She wondered how were those Commissioners who did choose to participate going to accomplish all of the work; some Workgroups may fall by the wayside.

Chair Mantas agreed some of them might. Are we ok with these workgroups as presented? After the Bylaws are amended and approved, the MHC may have to change how it does business, but for now let's move forward based on these Workgroups.

7. APPROVE ANNUAL REPORT

➤ **ACTION:** Motion made to approve the 2009 Annual Report as amended:

-Attendance: Vacancy is Dist. 5 not 4

-Commissioner Yoshioka is a Dist 4. Family Member

-Commissioner Reed is Dist. 2 Member at Large

-Changes to Workplan for 2010 Section V: Item 2 -Participate in the planning of efforts that address service, quality of care, Items 3a and 3c were deleted, and add 3a as "reopen CSU admissions", add 4 Improve Mental Health Commission's recruiting process to improve its cultural, racial and ethnic diversity, Item 6 is renumbered to 5 and delete presided to make preside. (M-Pasquini/S-O'Keeffe/Passed 9-0, Pasquini, Mantas, O'Keeffe, Nelson, Overby, Moore, Yoshioka, Kahler)

Discussion:

Commissioner Yoshioka would like to recognize those commissioners who attended each of the 11 meetings: Pasquini, Kahler, O'Keeffe, and Pereyra. They are the models the rest of the commissioners should emulate.

8. MHC COMMITTEE / WORKGROUP REPORTS

A. MHC/CPAW Capital Facilities and Projects Workgroup –Anis Pereyra

1. Accept Needs Assessment Survey Results and Workgroup member's informational Summaries presented in the packet: Vice Chair Pasquini read the following statement into the record as written by Commissioner Reed and agreed to by the MHC Capital Facilities Workgroup to be delivered to the full Commission on 1/14/10:

We believe this Workgroup served a valuable purpose in ensuring that the open, public process of gathering relevant information from all stakeholders has been honored. This Commission by a vote of 8-1 voted the Workgroup into existence and created its mandate. If any Commissioner who was present on 9/3/09 thought that this process was going to be a waste of time, she or he could have voted against the proposal. In 3 short months, the Workgroup was able to survey an underrepresented stakeholder group namely County staff, and create a valuable information resource to ensure that their opinions are heard. While we may have come to the same conclusion as previous Workgroups, we have answered the concerns of those

who were opposed to continuing without this part of the process. The Workgroup encountered many of the same stumbling blocks at the Commission in its pursuit of information. As responsible Commissioners we felt it would be irresponsible and rash to make specific recommendations without a clear financial picture for the project. Unfortunately the specific needs, budget, sources of financing and the like remain as ill defined today as they did in September. As one example, the cost of the IT portion of this project continues to escalate. Despite its best efforts, the Workgroup was not able to make significant headway to having the following questions answered: 1) What is the final cost of the project, 2) How much of the MHSA funds will be dedicated to this project, How much will be left over for the Capital Facilities portion? 3) What other sources of funds are available for IT? 4) Who makes the final determination how much, if any, MHSA funds are dedicated to the project? Do we have the opportunity to redirect all of the funds to Capital Facilities? We hope the groundwork which the Workgroup has done will allow the Mental Health Commission more leverage to obtain answers to these and other questions as well as participate in open discussions with all key stakeholders and not just Mental Health Administration. *(See handout presented at the meeting at the end of these minutes)*

No motion was made regarding accepting the Needs Assessment Survey Results and Informational Summaries in the packet.

2. Hear Workgroup report and recommendation on Capital Facilities and IT:
Commissioner Pereyra read the MHC/CPAW Cap Fac/IT Recommendation Statement:
The Capital Facilities/IT Workgroup understands that with any facility within Contra Costa County there are benefits and challenges to any location. We have received various information, surveys, in-person testimonies and recommended that the Mental Health Commission support a multi-disciplinary facility located in Central County, specifically at 20 Allen. That being said the Workgroup does not support the facility and programs currently proposed by Mental Health Administration as the process excluded key stakeholders from receiving important information to make a recommendation. Specifically the Mental Health Commission did not receive clarification in writing on the program design and financial information on proposed changes around a Children's Assessment and Recovery Center. We further recommend that the Mental Health Commission receives a seat at all tables where there are discussions on the facility and its programs. This would include Mental Health Administration, Health Services, Hospital Administration and the Finance Department at a minimum.

The Workgroup is unable to make a recommendation regarding allocation of the funds to IT at this time because there is insufficient information on which to base any recommendation. Specifically, despite our requests, Mental Health Administration has not informed the Workgroup of a final cost estimate for the facilities budget and how any potential allocation might affect any proposed capital facilities plan. It should be noted however, that the results of the Workgroup survey recommends an even apportionment between IT and the Capital Facilities. For your reference attached is a summary dated 12/17/09 which shows various California counties current anticipated apportionment. Note that for Contra Costa County the split remains at 80% for Capital Facilities and 20% for IT even though the Mental Health Commission has received information at previous meetings that this split may be insufficient for IT needs. We believe that we have met the goals set forth by the Commission for the Capital Facilities portion of this Workgroup and would therefore recommend that the charge be

reconsidered. Additionally we request that the Mental Health Commission authorize a member of the Workgroup to present the recommendation at the Board of Supervisors meeting on the 19th. (See handout on p. 43 in the agenda packet.)

- **ACTION: Motion made to accept the recommendations of the MHC Capital Facilities and Projects/IT Workgroup dated 1/7/10 as amended to include support to reopen the door to CSU as soon as new policies and procedures communicated to staff and public. Also amend the last sentence to remove the date "1/19/10" to allow presentation of recommendations to the BOS at any time. (M-Nelson/S-O'Keeffe/Passed 6-2-1; Y-Mantas, Pasquini, Pereyra, O'Keeffe, Nelson, Overby; N-Kahler, Yoshioka; A-Moore)**

Discussion:

Chair Mantas stated the Workgroup as it was formed was Capital Facilities and Projects Workgroup.

Commissioner Pereyra said the IT was added after it was discovered that Capital Facilities and IT funds were to be considered together as a onetime set of funds. A motion was made and approved by the MHC.

Dorothy Sansoe said the BOS item for 1/19/10 BOS meeting is only for purchase of 20 Allen. Programming issues will be brought up on 2/1/10 at the Family and Human Services meeting.

Commissioner Kahler asked if the recommendation spoke specifically against 20 Allen Street.

Commissioner Pereyra said the recommendation specifically requested Dr. Walker reserve 20 Allen for Mental Health.

Commissioner O'Keeffe requested "once the legal issues are resolved" be included in the motion.

Vice Chair Pasquini said speaking as a member of the public, not a member of the committee, she does not want to add the "legal issues are resolved" language. It's up to Health Services to let us know any legal issues.

Commissioner O'Keeffe withdrew her request.

Chair Mantas summarized the recommendation of the Workgroup: They want the MHC to send a clear message to Dr. Walker and Mental Health Administration that the MHC would like to see 20 Allen Street used for mental health services. However, the group still doesn't have enough information to make a determination on what services should be included.

Commissioner Yoshioka clarified the recommendation is for the site without being specific to the proposal for the pavilion.

Vice Chair Pasquini said this is still an ongoing issue at CPAW; they haven't taken a vote. This is still a fluid issue in the community; she and Commissioner Pereyra are participating in CPAW and will report back to the MHC what CPAW discusses and considers.

Dorothy Sansoe said the way the recommendation is written, the only time the recommendation can be presented is at the 1/19/09 BOS meeting; she suggests removing the date to allow presentation to the BOS at any time and in any forum.

Chair Mantas asked what Commissioners Kahler and Yoshioka would have liked to see in order to approve the motion.

Commissioner Kahler feels the MHC abdicated power to another body and made the process very complicated.

Commissioner Yoshioka feels they should have voted yes or no on Dr. Walker's proposal for the Pavilion. He's unclear what the MHC is really voting for and is unsure if the BOS will know either.

Chair Mantas said the MHC voted 8-1 giving the Workgroup the authority to make a recommendation. The Workgroup worked very diligently to get information on a moving target. The frustration with not getting information from MHA was brought up with Dr. Walker when Chair Mantas and Vice Chair Pasquini met with him yesterday. If the Workgroup doesn't get the information they need, they can't make recommendations to the MHC.

Vice Chair Pasquini said she appreciates the support, but would have appreciated if people had read the documents.

Commissioner Pereyra asked Commissioner Kahler what group did they abdicate power to? The Workgroup is not finished yet because there is a portion of the charge not yet finished because of a lack of information.

Commissioner Kahler said it wasn't going to work from the start, sending it down to this other group.

Chair Mantas requested the conversation stop. The Workgroup will continue to work based on the charge and bring items back to the MHC.

3. Reconsider Workgroup's charge and authorize Workgroup representative to present MCH recommendation to BOS on 1/19/10.

- **ACTION: Motion made to reconsider the Capital Facilities Workgroup's charge and terminate the joint MHC/CPAW Workgroup. We recommend the Workgroup reconvene as a Commission Workgroup only and with the charge to focus on Capital Facilities programming and services and the IT system. We further recommend that the charge include working to obtain answers to the following questions: 1) What is the final cost of the project? 2) How much of the MHSA funds will be dedicated to this project? 3) How much will be left over for the Capital Facilities portion? 4) What other sources of funds are available for IT? 5) Who makes the final determination of how much, if any, MHSA funds are dedicated to the project? 6) Do we have the opportunity to direct all of the funds to Capital Facilities? (M-Pasquini/S-O'Keeffe/Passed 7-2; Y-Pasquini, Mantas, Pereyra, O'Keeffe, Nelson, Moore, Overby, N-Yoshioka, Kahler)**

Discussion:

Commissioner Yoshioka attended one of the Workgroup's meetings and heard someone discuss the flawed process and that a consumer survey was being developed, but it never came out. Then a provider survey was proposed and done. He has questions about the survey and wonders if the MHC is really charged with doing its own surveys. In his previous work experiences they either hired an outside company to develop and administer the survey or developed their own with the aid of consultants. He wondered if our group was qualified to develop our own survey.

Chair Mantas asked who developed the survey.

Commissioner Pereyra said it was developed by Susan Medlin and Sherry Bradley with input from the entire Workgroup. Then it was run through Dr. Steve Hahn-Smith and the research department. He agreed the survey as originally written would be difficult for consumers. The Workgroup then found out consumer research had been conducted with Brenda Crawford/MHCC that the Workgroup was comfortable with. The one group that had not had any input was the County line staff that dealt with county patients on a daily basis and the Workgroup developed a survey for the staff instead. There had never been a survey done in the county to assess where the gaps in service were and how to fill them.

Commissioner Yoshioka said one of the biggest problems is sampling; the population parameters not defined....

Chair Mantas called for order. A person cannot understand the charge of a Workgroup by attending one meeting. We don't have a budget to conduct a survey. Although it may not be perfect, it's more information than we had before. Instead of assuming something, we should be asking questions of each other.

9. FUTURE AGENDA ITEMS

Any Commissioner or member of the public may suggest items to be placed on future agendas.

A. Suggestions for February Agenda **[CONSENT]**

1. Report on Behavioral Health Unit – Dr. Johanna Ferman

B. List of Future Agenda Items:

1. Case Study
2. Discussion of County Mental Health Performance Contract & Service Provider Contract Review.
3. Presentation from The Clubhouse
4. Presentation from the Behavioral Health Court.
5. Discuss MHC Fact Book
6. Review Meetings with Appointing Supervisor
7. Creative ways of utilizing MHSA funds
8. TAY and Adult's Workgroup
9. Conservatorship Issue
10. Presentation from Victor Montoya, Adult/Older Adult Program Chief
11. Presentation from Crestwood Pleasant Hill
12. Presentation from Health Services Department on the policies and procedures surrounding sentinel events using Vic Montoya's suggestions on the different reporting structures.

10. **ADJOURN MEETING**

- **ACTION: Motion made to adjourn the meeting at 5:55 pm. (M-Kahler/S-Yoshioka/Passed-unanimously 9-0)**

The next scheduled meeting will be Thursday, February 11, 2010 at Concord Police Department, Community Room; 4:30 – 6:30 pm.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the staff to a majority of the members of the Mental Health Commission less than 72 hours prior to that meeting are available for public inspection at 1340 Arnold Drive, Ste. 200, Martinez during normal business hours.