

RESPONSIBILITY AND REALITY

***How Does a Mental Health Board
Exercise Its Authority?***

**Orange County Behavioral Health Advisory Board
January 8, 2025**

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OBJECTIVES

- **Understand the statutes that describe the local mental health board**
- **Learn and discuss the responsibilities of a local behavioral health board**
- **Develop knowledge of any changes in responsibilities of the local behavioral health board.**

THE LOCAL BOARD

- **Effective 1/1/2025 all counties will have a Behavioral Health Board that includes both mental illness and substance use disorder.**
- **Local boards are part of the county health services system and acts in an advisory capacity to the Board of Supervisors.**
- **Each one is unique and represents the county health services system and county demographics.**

THE LOCAL BOARD

As a board member, you will define the way the board works:

- **Membership**
- **Participation**
- **Activities, committees**
- **Reporting responsibilities**



BOARD MEMBERSHIP

- **10-15 members appointed by the governing body**
- **Serve terms of 3 years**
- **One member from the local governing board**
- **Individuals who have experience with and knowledge of the mental health system and represent the diversity of the county**
- **Half shall be consumers or family members, with at least 20% consumers and at least 20% family members**

For more detailed information see handout WIC Section 5604

BOARD MEMBERSHIP

- **May include a consumer of mental health services who is employed by the county mental health system or Dept. of Health Care Services**
- **Will have at least one member who is a veteran or veteran advocate**
- **Will have at least one member who is an employee of a local education agency**

For more information see handout WIC Section 5604

BOARD BYLAWS

The board shall develop bylaws to be approved by the governing body which shall:

- **Establish the specific number of members;**
- **Ensure that the composition of the board represents the demographics of the county as a whole or to the extent feasible;**
- **Establish that a quorum be one person more than one-half of the appointed members;**
- **Establish that the chairperson of the mental health board be in consultation with the local mental health director;**
- **Establish that there may be an executive committee of the mental health board.**

For more information see handout WIC 5604.5

BOARD BUDGET

Governing bodies are encouraged to provide a budget for the local behavioral health board using planning and administrative revenues identified in WIC 5892 (e)(1), that is sufficient to facilitate the purpose, duties, and responsibilities of the local behavioral health board.

For more information see handout WIC 5604.3

ETHICS TRAINING

- Board members are required to complete Ethics training to comply with AB1234.
- Free on-line training is offered . It is your obligation to print a certificate and provide it to your agency in a timely manner. Allow ample time to ensure you complete the training by the due date.

<http://www.fppc.ca.gov/learn/public-officials-and-employees-rules-/ethics-training.html>

***For more information see handout AB1234 Ethics Training:
Training for Local Officials***

WHAT ARE THE DUTIES AND RESPONSIBILITIES OF THE MENTAL HEALTH BOARD?

**Welfare and Institutions Code (WIC) Sections
5604(a)(1) et seq**

DUTIES OF THE BOARD

5604 (b)(1): The behavioral health board shall review and evaluate the local public mental health system, pursuant to Section 5604.2, and review and evaluate the local public substance use disorder treatment system.

DUTIES OF THE BOARD

5604 (b)(2): The behavioral health board shall advise the governing body on community mental health and substance uses disorder services delivered by the local mental health agency or local behavioral health agency, as applicable.

DUTIES OF THE BOARD



Review and evaluate the community's mental health needs, services, facilities, and any special problems in any facility within the county or jurisdiction where mental health or substance use services are being provided, including, but not limited to schools, emergency departments and psychiatric facilities.

DUTIES OF THE BOARD

Review county agreements entered into pursuant to Section 5650.

The local mental health board may make recommendations to the governing body regarding concerns identified within these agreements.



DUTIES OF THE BOARD



Advise the governing body and the local behavioral health director as to any aspect of the local behavioral health systems.

Local behavioral health boards may request assistance from the local patients' rights advocates when reviewing and advising on mental health evaluations or substance use disorder evaluations or services provided in public facilities with limited access.

DUTIES OF THE BOARD

Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.

Involvement shall include individuals with lived experience of mental illness, substance use disorder, or both, and their families, community members, advocacy organizations and behavioral health professionals. It shall also include other professionals who interact with individuals living with mental illnesses or substance use disorders on a daily basis, such as education, emergency services, employment, health care, housing, public safety, local business owners, social services, older adults, transportation and veterans.

DUTIES OF THE BOARD

Submit an annual report to the governing board on the needs and performance of the county's behavioral health system.



**ANNUAL
REPORT**

DUTIES OF THE BOARD

Review and make recommendations on applicants for the appointment of a local director of mental health services.

The board shall be included in the selection process prior to the vote of the governing body.



DUTIES OF THE BOARD

This part does not limit the ability of the governing body to transfer additional duties or authority to a behavioral health board.

It is the intent of the Legislature that, as part of its duties pursuant to subdivision (a), the board shall assess the impact of the realignment of services from the state to the county on services delivered to clients and on the local community.



DUTIES OF THE BOARD

5963.03 (b)(1):

The behavioral health board shall conduct a public hearing on the draft integrated plan and annual updates at the close of the 30-day comment period required in subdivision (a).

5963.03 (b):

The behavioral health board shall review the adopted integrated plan or update and make recommendations to the local mental health agency, local substance use disorder agency, or local behavioral health agency , as applicable, for revisions.

For more information refer to WIC Section 5963.03

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