



April 13, 2022

The Honorable Jim Wood, DDS
Chair, Assembly Health Committee
1020 N St., Room 390
Sacramento, CA 95814

SUBJECT: AB 2242 (Santiago) – OPPOSE UNLESS AMENDED

Dear Assembly Member Wood:

Every day, hospitals across California care for an increasing number of individuals placed on involuntary psychiatric holds under the Lanterman-Petris-Short (LPS) Act, and they embrace the essential role they play in helping address these crises. For that reason, the California Hospital Association (CHA) – on behalf of its more than 400 hospital and health system members, including 162 hospitals that provide acute psychiatric inpatient treatment – strongly supports the goals of Assembly Bill (AB) 2242. This bill has the potential to enhance accountability, data reporting, and continuity of care for individuals detained because they may, due to a mental disorder, be gravely disabled or a danger to themselves or others.

However, we must respectfully oppose the bill, unless amended to address some key concerns.

CHA is working collaboratively to develop amendments that will keep the bill’s intent intact, while increasing its practical implementation. Hospitals have substantial existing requirements for discharge planning of all patients, patients experiencing homelessness, and patients with a mental disorder, but they often find it difficult to learn about and stay abreast of local resources to which they can refer individuals. To facilitate discharge planning and care linkages, we request that AB 2242 be amended to require county mental health departments to post and update local resources on their websites for use by consumers and providers (currently allowed by Section 5013 (b) of the Welfare and Institutions Code).

AB 2242 would require the Department of Health Care Services to create a “model discharging plan” for counties and hospitals to follow when discharging those held under temporary holds or a conservatorship. It would also require each county mental health department to collaborate with facilities and hospitals to develop, implement, and adhere to a discharge plan that ensures continuity of services and care. We appreciate the unique circumstances of individuals treated by hospitals while on an involuntary psychiatric hold and believe more can be done to ensure the care to which they are referred is timely and meets their needs, so they are not at risk of subsequent involuntary psychiatric holds. However, we propose AB 2242 instead address some of the practical gaps that currently hinder that coordination.

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For example, upon discharge, facilities (designated and non-designated) providing assessment, evaluation, or treatment pursuant to the LPS Act could be required to notify the county mental health department of the individuals who are discharged, including those detained involuntarily but then released from the hold. Today, there is substantial variation in whether and how counties are notified of individuals placed on holds. To develop an aftercare plan that includes community-based supports, county mental health departments (in the case of Medi-Cal enrollees) and individuals' primary care providers (for those commercially insured) should make a good faith effort to promptly contact individuals after they are discharged and engage them in aftercare.

To facilitate communication between facilities, counties, and state oversight agencies, we request that the bill designate an appropriate state agency to identify options and then implement a method for the electronic transmission of data about individuals placed on involuntary holds. This could include developing a web portal similar to the Office of the Attorney General's [Mental Health Reporting System](#), exploring modifications to the existing Patient Discharge Data Set used by hospitals for reporting to the Department of Health Care Access and Information, and identifying opportunities available through [California's Health Care Data Exchange Framework](#) initiative.

We look forward to continuing productive conversations on this bill. However, as currently written, we respectfully request that you oppose AB 2242, unless amended, when it comes before your committee. If you have questions about our concerns, please contact me at Leah@LeahBarros.com or (916) 521-6878.

Sincerely,



Leah Barros
Consulting Lobbyist, California Hospital Association

cc: The Honorable Miguel Santiago
The Honorable Members of the Assembly Health Committee
Judy Babcock, Consultant, Assembly Health Committee
Gino Folchi, Consultant, Assembly Republican Caucus