



**CALIFORNIA
HOSPITAL
ASSOCIATION**

*Providing Leadership in
Health Policy and Advocacy*

April 14, 2021

The Honorable Richard Pan, MD
Chair, Senate Health Committee
State Capitol, Room 5114
Sacramento, CA 95814

SUBJECT: SB 516 (Eggman) – OPPOSE

Dear Senator Pan:

As California prioritizes its behavioral health and homelessness crises, hospitals stand ready to do their part on the front lines, meeting the needs of their communities and developing new solutions for evolving challenges. To that end, the California Hospital Association (CHA) must regretfully oppose Senate Bill (SB) 516, which would hinder hospitals' ability to provide intensive psychiatric care.

Every day, hospital emergency departments and inpatient psychiatric units serve individuals who are in a "revolving door" of repeated hospitalizations, imprisonment, and homelessness. In many instances, 72 hours of involuntary detainment is adequate to stabilize the person, restore their rights, and set them on a path of voluntary treatment. However, some individuals require longer periods of care, and the law dictates a process for intensive treatment for a mental health disorder or chronic alcoholism for an additional 14 days.

Hospitals with inpatient psychiatric services are deeply involved in this process, advocating for the patients' needs. SB 516 would allow information about a person's medical status — and how it bears on their ability to survive safely without involuntary detention — to be considered by the officer presiding over the hearing. CHA stands with the author and sponsor to achieve this policy goal.

Current law — Welfare and Institutions Code Section 5256.4(d) — already requires hearing officers to consider all relevant evidence, which would include evidence of physical consequences of a mental health disorder. For example, a hospital may introduce evidence today that a patient who has been diagnosed as having paranoid schizophrenia refuses to take insulin or an antibiotic because they believe that it is poison, and this false belief causes them to be a danger to themselves.

SB 516 would establish specific criteria for considering how a person's physical health condition bears on certifying a 14-day psychiatric hold. These criteria would limit the evidence that can be considered, effectively restricting information that can currently be included, or deterring it from being included at all — the opposite of the bill's objective.

Psychiatric inpatient hospitals and physicians working in those hospitals do not always have ready access to current or previous information related to a patient's physical health conditions. Further, accessing these records and coordinating with the appropriate physicians takes time and is unlikely to be accomplished within the time frame for the courts.

CHA believes it is counterproductive to establish these extremely detailed criteria before a hearing officer can consider a person's medical condition. Ultimately, we believe this will result in fewer patients getting the care they need.

For these reasons, CHA and its more than 400 hospital and health system members respectfully request your "NO" vote on SB 516.

Sincerely,



Alex Hawthorne
Vice President, State Relations & Advocacy

cc: The Honorable Susan Eggman
Members, Senate Health Committee
Reyes Diaz, Consultant, Senate Health Committee
Joe Parra, Consultant, Republican Caucus