



**Update to CA WIC for CA's 59
Mental Health
Boards/Commissions**

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Update to CA Welfare & Institutions Code

1. [Bylaws \(5604.5\)](#)
2. [Duties \(5604.2\)](#)
3. [MHSA Duties \(5848\)](#)
4. [Expenses \(5604.3\)](#)
5. [Membership \(5604\)*](#)

Topic 1: BYLAWS WIC 5604.5

The local mental health board shall develop bylaws to be approved by the governing body which shall do all of the following:

- a) Establish the specific number of members on the mental health board, consistent with subdivision (a) of Section 5604.
- b) Ensure that the composition of the mental health board represents **and reflects the diversity** and demographics of the county as a whole, to the extent feasible.
- c) Establish that a quorum be one person more than one-half of the appointed members.
- d) Establish that the chairperson of the mental health board be in consultation with the local mental health director.
- e) Establish that there may be an executive committee of the mental health board.

Topic 2: DUTIES WIC 5604.2

1. Review and evaluate the community's **public** mental health needs, services, facilities, and special problems **in any facility within the county or jurisdiction where mental health evaluations or services are being provided, including, but not limited to, schools, emergency departments, and psychiatric facilities.**
2. Review any 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.**
3. Advise the governing body and the local mental health director as to any aspect of the local mental health program. **Local mental health boards may request assistance from the local patients' rights advocates when reviewing and advising on mental health evaluations or services provided in public facilities with limited access.**

Topic 2 *continued*: DUTIES WIC 5604.2

4. 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 and their families, community members, advocacy organizations, and mental health professionals. It shall also include other professionals that interact with individuals living with mental illnesses on a daily basis, such as education, emergency services, employment, health care, housing, law enforcement, local business owners, social services, seniors, transportation, and veterans.**
5. Submit an annual report to the governing body on the needs and performance of the county's mental health system.
6. 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.
7. Review and comment on the county's performance outcome data and communicate its findings to the California Behavioral Health Planning Council. *Full text of "Duties" at: www.calbhbc.com/duties.html*

Topic 3: MHSA DUTIES WIC 5848

- b. The mental health board established pursuant to [Section 5604](#) shall conduct a public hearing on the draft three-year program and expenditure plan and annual updates at the close of the 30-day comment period required by subdivision (a). Each adopted three-year program and expenditure plan and update shall include any substantive written recommendations for revisions. The adopted three-year program and expenditure plan or update shall summarize and analyze the recommended revisions. The mental health board shall review the adopted plan or update and make recommendations to the **local mental health agency or local behavioral health agency, as applicable, for revisions. The local mental health agency or local behavioral health agency, as applicable, shall provide an annual report of written explanations to the local governing body and the State Department of Health Care Services for any substantive [see (f) below] recommendations made by the local mental health board that are not included in the final plan or update.**
- f. For purposes of this section **“Substantive recommendations made by the local mental health board”** means any recommendation that is brought before the board and approved by a **majority vote of the membership present at a public hearing of the local mental health board that has established its quorum.**

Topic 4: EXPENSES WIC 5604.3

(a) The Board of Supervisors may pay from any available funds the actual and necessary expenses of the members of the Mental Health Board of a community mental health service incurred incident for the performance of their official duties and functions. The expenses may include travel, lodging, **childcare** and meals for the members of an advisory board while on official business as approved by the director of mental health programs.

(b) Governing bodies are encouraged to provide a budget for the local mental health board, using planning and administrative revenues identified in subdivision (c) of Section 5892 [see next slide], that is sufficient to facilitate the purpose, duties, and responsibilities of the local mental health board.

Topic 4 *continued*: EXPENSES WIC 5604.3 & 5892

WIC 5892 (c) The allocations pursuant to subdivisions (a) and (b) shall include funding for annual planning costs pursuant to [Section 5848](#) [MHSA]. The total of these costs shall not exceed 5 percent of the total of annual revenues received for the fund. The planning costs shall include funds for county mental health programs to pay for the costs of consumers, family members, and other stakeholders to participate in the planning process and for the planning and implementation required for private provider contracts to be significantly expanded to provide additional services pursuant to Part 3 (commencing with [Section 5800](#)) and Part 4 (commencing with [Section 5850](#)).

Topic 5: MEMBERSHIP WIC 5604.

[WIC 5604 \[Link to Full Membership Code\]](#)

WIC 5604 [Partial Updated Membership Code]:

(C) In addition to consumers and family members referenced in subparagraph (B) Counties are encouraged to appoint individuals who have experience with and knowledge of the mental health system. This would include members of the community that engage with individuals living with mental illness in the course of daily operations, such as representatives of county offices of education, large and small businesses, hospitals, hospital districts, physicians practicing in emergency departments, city police chiefs, county sheriffs, and community and nonprofit service provider

Topic 5 *continued*: MEMBERSHIP WIC 5604.

- **Size**

- 10 to 15 members
- 5 members in very small counties

- **Appointment**

- By Board of Supervisors (or Governing Body)
- [Recruitment \(Best Practices, Page 22\)](#)
 - Strategies
 - New Member Orientation PowerPoint:
www.calbhbc.com/training

Topic 5 *continued*: MEMBERSHIP WIC 5604.

- **50%** consumers or family members of consumers
 - **20%** consumers & **20%** families of consumers
- One Board of Supervisor Member
- Reflect the **diversity** of the local client population
- Include individuals from education, police, emergency +

Composition of Mental Health Board		
	15 Member Board	
Consumer	20%	3
Family Member of Consumer	20%	3
Combined Consumer & Family Member of Consumer	50%	8
Board of Supervisors		1

Topic 5 *continued*: MEMBERSHIP: Exceptions

WIC 5604. Membership

Except as noted below*, a Board member or spouse can not be employed by:

- A county mental health service
- The State Department of Health Care Services
- A local mental health contract agency

*** A mental health consumer can be employed by any of the above (if the consumer has no interest, influence or authority over any financial or contractual matter concerning the employer)**

CALBHB/C Resources

Member Orientation, Recruitment & *more*

<https://www.calbhbc.com/resources.html>

On-line Training & Handbooks:

<https://www.calbhbc.com/training.html>

Frequently Asked Questions:

<https://www.calbhbc.com/faqs.html>

Issue Briefs and more:

www.calbhbc.com

CA Association of Local Behavioral Health Boards and Commissions supports the work of CA's 59 local mental/behavioral health boards and commissions.