

Meeting Date: 11/16/2021 (6)

ORDINANCE NO. 10760 (N.S.)

AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY
ADMINISTRATIVE CODE RELATING TO THE COUNTY OF SAN DIEGO BEHAVIORAL
HEALTH ADVISORY BOARD

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 881.3 of the San Diego County Administrative Code is amended as follows:

SEC. 881.3. MEMBERSHIP AND SELECTION.

- (a) The Advisory Board shall be limited to twenty-one (21) members.
- (b) The Board of Supervisors shall appoint twenty (20) members from the general public, consisting of four (4) members per supervisorial district and the Board of Supervisors will designate a Supervisor for the 21st seat. The supervisorial appointees from each district shall consist of one member each from the following categories:
 - (1) Mental Health Consumer: an individual who is a consumer of mental health treatment services
 - (2) Family Member: parents, spouses, siblings, or adult children of consumers of mental health services.
 - (3) Substance Use Recovery: an individual in recovery from a substance use disorder and who has been a consumer of services related to their disorder.
 - (4) Community Member: an individual with experience and knowledge of the behavioral health system and needs in the County, such as an individual who regularly engages with individuals living with mental illness in the course of daily operations, such as representatives of local schools, hospitals, health care providers, law enforcement, or community and nonprofit organizations that work with these populations.
- (c) Members should have experience and knowledge of the behavioral health system and should reflect the diversity and demographics of the county as a whole, and the diversity of the client population, to the extent feasible.
- (d) The Advisory Board may recommend persons for appointment.

Section 2. Section 881.6 of the San Diego County Administrative Code is amended as follows:

SEC. 881.6. EXCLUSIONS.

- (a) Except as provided in paragraph (b), no member of the Advisory Board or the member's spouse shall be a full-time or part-time employee of BHS, an employee of the California Department of Health Care Services, or an employee of, or a paid member of the governing body of a BHS contract agency.
- (b) A consumer of mental health services who has obtained employment with an employer described in paragraph (a) and who holds a position in which the consumer does not have any

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interest, influence, or authority over any financial or contractual matter concerning the employer may be appointed to the Advisory Board. The member shall abstain from voting on any financial or contractual issue concerning the member's employer that may come before the Advisory Board.

(c) No member of the Advisory Board shall be an employee, officer, or serve in an official advisory capacity on either a compensated or non-compensated basis to a program that seeks or possesses a license pursuant to Chapter 9 of the California Health and Safety Code (commencing with Section 11836).

(d) Members of the Advisory Board shall abstain from voting on any issue in which the member has a financial interest as defined in Section 87103 of the California Government Code.

Section 3. Section 881.8 of the San Diego County Administrative Code is amended as follows:

SEC. 881.8. DUTIES.

The Advisory Board shall have the following duties:

(a) Review the County's Behavioral Health contracts and grants awarded to support services and initiatives administered through the Behavioral Health Services Division including those entered into pursuant to Section 5650 of the California Welfare and Institutions Code Section 5650.

(b) Review and comment on reports to the Board of Supervisors and other entities as necessary and appropriate regarding the needs and performance of County funded behavioral health programs.

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

(d) Advise the Board of Supervisors and the Director of BHS as to any aspect of the local mental health and substance use programs. The Advisory Board 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.

(e) 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 or substance use disorders and their families, community members, advocacy organizations, and mental health professionals. It shall also include other professionals that interact with individuals living with mental illness or substance use disorders on a daily basis, such as education, emergency services, employment, health care, housing, law enforcement, local business owners, social services, seniors, transportation, and veterans.

(f) Submit an annual report to the Board of Supervisors on the needs and performance of the County behavioral health system.

(g) Review and make recommendations on applicants for the appointment of the Behavioral Health Services Director. The Advisory Board shall be included in the Director's selection process prior to appointment.

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(h) Review and comment on County's performance outcome data, as it relates to behavioral health matters, and communicate its findings to the California Behavioral Health Planning Council.

(i) Assess the impact of the realignment of services from the State to the County on behavioral health services delivered to clients and on the local community.

(j) Review the County's plans and outcomes for developing the three-year program and expenditure plan and updates as required by Welfare and Institutions Code section 5848.

(k) Pursuant to Welfare and Institutions Code Section 5848(b): (1) conduct a public hearing on the Mental Health Services Act draft three-year program and expenditure plan and annual updates at the close of the 30-day comment period required by Welfare and Institutions Code Section 5848(a); (2) review the County's adopted plan or update; and (3) if approved by a majority vote of the Advisory Board, make substantive recommendations to BHS for revisions to the plan or update.

(l) Any other duty assigned by the Board of Supervisors or required by State law.

Section 4. Section 881.12 of the San Diego County Administrative Code is amended as follows:

SEC. 881.12. ADVOCATES AND REPRESENTATIVES.

The Chairperson shall, subject to approval by the Advisory Board, make the following advocate and representative appointments to represent areas of special Advisory Board interest and to make recommendations to the Advisory Board. The advocates are not members of the Advisory Board and do not vote.

(a) Person in Recovery Advocate

It shall be the duty and responsibility of the Person in Recovery Advocate to make recommendations on behavioral health matters relating to or affecting the recovering population.

(b) Child Advocate

It shall be the duty and responsibility of the Child Advocate to make recommendations on behavioral health matters relating to or affecting children, youth and families.

(c) Advocate for Multi-Ethnic Concerns

It shall be the duty and responsibility of the Advocate for Multi-Ethnic Concerns to make recommendations on behavioral health matters relating to or affecting the multi-ethnic population.

(d) Older Adult Advocate

It shall be the duty and responsibility of the Older Adult Advocate to make recommendations on behavioral health matters relating to or affecting the older adult population.

(e) Representative to the California Association of Local Behavioral Health Boards/Commissions (CALBHB/C)

The representative to CALBHB/C shall represent the Advisory Board to the CALBHB/C and required regional and state-wide meetings as appropriate and provide reports to the Advisory Board.

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(f) Additional Advocates

Additional advocates shall be selected as determined by the Advisory Board and designated by the Chairperson.

Section 5. Section 881.13 of the San Diego County Administrative Code is amended as follows:

SEC. 881.13. ORGANIZATION.

(a) Officers. At a minimum, the Advisory Board shall elect from its membership a Chairperson, a First Vice-Chairperson and a Second Vice-Chairperson. The duties and responsibilities of each elected position shall be defined in the bylaws. The Advisory Board may elect from its membership other officers as deemed necessary for the conduct of its business as prescribed herein.

(b) The Advisory Board shall prepare and adopt the by-laws and other rules which may be necessary for the conduct of its business. The by-laws and any changes to the by-laws shall be approved by the Board of Supervisors.

(c) A quorum shall be one person more than one-half of the appointed members.

(d) An affirmative vote of a majority of members in attendance shall be required for the passage of any business or matter before the Advisory Board.

(e) Voting shall be on the basis of one vote per person and no proxy, telephone or absentee voting shall be permitted.

(f) No Advisory Board member shall abstain unless a member states that she/he has a conflict of interest with or is uninformed about the subject matter to be voted upon.

Section 6. Section 1 of this ordinance amending Section 881.3 of the San Diego County Administrative Code (Membership and Selection) shall only apply to appointments occurring after the effective date of this ordinance and does not prohibit members appointed before the effective date from completing their term.

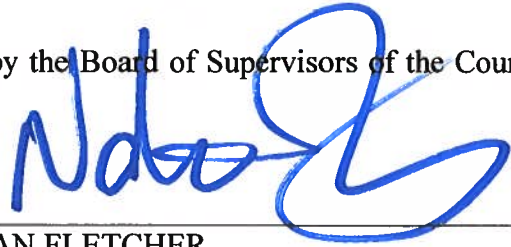
Section 7. Effective Date. This ordinance shall take effect thirty (30) days after its adoption. Within fifteen (15) days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in a newspaper of general circulation published in San Diego County.

Approved as to Form and Legality

LONNIE J. ELDRIDGE, County Counsel

By Kyle Sand, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 16th day of November 2021.



NATHAN FLETCHER
Chair, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

ATTEST my hand and the seal of the Board of Supervisors this 16th day of November 2021.

ANDREW POTTER
Clerk of the Board of Supervisors

By 
Nancy Vizcarra, Deputy



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