June 17, 2020

The Honorable Jim Woods  
Chair - Assembly Health Committee  
State Capitol, Room 6005  
Sacramento, CA  95814

Re:   SB 665 (Umberg) Mental Health Services Fund - OPPOSE

Dear Chair Wood and Members of the Assembly Health Committee:

All persons signing this letter are members of the MHSA Partners Forum, a broad coalition of organizations and individuals that have met for over a decade to discuss policy issues regarding the Mental Health Services Act (MHSA). The MHSA Partners Forum is made up of representatives of both community and governmental organizations including: consumers; family members; racial, ethnic, and LGBTQ communities; behavioral health providers; and state agencies.

We must oppose SB 665 (Umberg) as it authorizes a county to use MHSA funds to provide services to persons who are incarcerated in a county jail (except those who were convicted of a felony). We believe this measure undermines the essence of the MHSA which is to provide voluntary services to people in the
community. The California Code of Regulations Section 3610 clearly states: “(g) The County may use MHSA funds for programs/services provided in juvenile halls and/or county jails only for the purpose of facilitating discharge.”

Furthermore, existing law prohibits the use of MHSA funds to supplant other funding sources. Welfare and Institutions Code Section 5891, subdivision (a) states: “These funds shall not be used to supplant existing state or county funds utilized to provide mental health services. ...These funds shall only be used to pay for the programs authorized in Sections 5890 and 5892. These funds may not be used to pay for any other program.”

The exemption of the jail and prison populations from the MHSA is in place because the Department of Corrections and Rehabilitation already must provide sufficient services toward rehabilitation. We do not object to MHSA funds used to support individuals with mental health conditions or substance use disorders when they transition from jail and prison to community settings.

The Mental Health Services Oversight and Accountability Commission (MHSOAC) voted to oppose SB 665 at their meeting on August 22, 2019. The MHSOAC had never taken a position of “Oppose” on legislation before, but because this bill is so incongruent with the core values of the MHSA, the Commissioners felt it necessary to do so.

We believe MHSA funds should be used as they were intended: to support a variety of approaches to diverting individuals from unnecessary incarceration into appropriate treatment.

Sincerely

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