COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

PALOMA AGUIRRE
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: **June 25, 2026**

DRAFT

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TO: Board of Supervisors

SUBJECT

ADOPT THE REVISED LANTERMAN-PETRIS-SHORT DESIGNATION GUIDELINES AND PROCESSES FOR FACILITIES WITHIN SAN DIEGO COUNTY AND AUTHORIZE THE BEHAVIORAL HEALTH SERVICES DIRECTOR TO UPDATE AND ADOPT FUTURE REVISIONS TO THE GUIDELINES (DISTRICTS: ALL)

OVERVIEW

The Lanterman-Petris-Short (LPS) Act (California Welfare and Institutions Code Section 5000 et seq.) establishes a procedure for the involuntary detention for evaluation and treatment of persons who, as a result of a mental disorder, constitute a danger to themselves or others, or are gravely disabled. The LPS Act also requires that persons detained be placed in facilities designated for LPS involuntary detention by a county's board of supervisors.

In San Diego County, LPS-designated facilities abide by the County of San Diego's (County) *LPS Designation Guidelines and Processes for Facilities within San Diego County* (Guidelines) document which serve as the operational framework for evaluating, designating, contracting with, and monitoring LPS facilities based on state regulations. The Guidelines document was adopted by the San Diego County Board of Supervisors (Board) in 2013 and since then, the Board has approved various updates to revise processes to increase efficiency and reduce administrative complexity while ensuring adherence to the LPS Act.

California Department of Health Care Services (DHCS) has issued LPS Facility Designation Interim Regulations which supersede the historical regulatory process for Board or delegated BHS Director approval of county designation of facilities to provide treatment under the LPS Act. These new regulations impact local processes by centralizing designated facility approval to DHCS and require the County's department of Behavioral Health Services (BHS) to revise the Guidelines to ensure compliance with the updated framework.

Today's item requests the Board's approval to adopt revisions to the *LPS Designation Guidelines and Processes for Facilities within San Diego County* document (Attachment A) which updates language to align with new DHCS Interim Regulations; and authorize the BHS Director to update and adopt future revisions as needed to remain consistent with any subsequent DHCS regulatory changes.

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RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Adopt the revised *Lanterman-Petris-Short Designation Guidelines and Processes for Facilities within San Diego County* (LPS Designation Guidelines).
2. Authorize the Director of Behavioral Health Services to revise, and adopt on behalf of the County of San Diego, the LPS Designation Guidelines as needed to meet any programmatic needs or to conform to current or future statutory or regulatory requirements.

EQUITY IMPACT STATEMENT
The recommended actions support the County of San Diego's (County) commitment to advancing equity in behavioral health services by ensuring that individuals experiencing a mental health crisis receive consistent, high-quality evaluation and treatment regardless of race, income, age, or geography. Data show significant inequities in behavioral health conditions and access to care across San Diego County. The 2024 California Health Interview Survey reports that more than 19 percent of San Diego adults have ever seriously considered suicide, an increase since 2020. Local mortality data indicate that suicide deaths decreased by 8 percent between 2016 and 2024 but increased by 3 percent between 2023 and 2024 and national suicide rates continued to increase during this same period).

Revisions to the *LPS Designation Guidelines and Processes for Facilities within San Diego County* ensure alignment with updated DHCS Interim Regulations, strengthen requirements related to documentation and monitoring, and enhance data collection to better identify inequities in involuntary hold patterns, facility access, and crisis outcomes. These improvements support transparency and help reduce disparities in service availability across regions of the County, particularly in communities with historically limited access to behavioral health services.

SUSTAINABILITY IMPACT STATEMENT
Today's actions support the County of San Diego (County) Sustainability Goal #2 to provide just an equitable access to County services and Sustainability Goal # 4 to protect the health and well-being of everyone in the region. These goals will be advanced by ensuring LPS designation processes are equitable and prioritize treatment quality and accountability. Ensuring access to quality behavioral health care, particularly for historically disadvantaged communities, is paramount to advancing the overall well-being of every person in the community.

FISCAL IMPACT
There is no fiscal impact associated with today's recommendations. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT
N/A

ADVISORY BOARD STATEMENT
On June 4, 2026, the Behavioral Health Advisory Board voted to _____ this item.

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BACKGROUND

The Lanterman-Petris-Short (LPS) Act (California Welfare and Institutions Code Section 5000 et seq.) establishes a procedure for the involuntary detention for evaluation and treatment of persons who constitute a danger to themselves or others or are gravely disabled. The LPS Act also requires that persons detained be placed in facilities designated for LPS involuntary detention. California Code of Regulations, Title 9, Section 821 states that a county's board of supervisors may designate such facilities for evaluation and treatment, subject to the approval of the California Department of Health Care Services (DHCS).

In San Diego County, LPS-designated facilities abide by the County of San Diego's (County) *LPS Designation Guidelines and Processes for Facilities within San Diego County* (Guidelines) document which serve as the operational framework for evaluating, designating, contracting with, and monitoring LPS facilities based on state regulations. The Guidelines document was adopted by the San Diego County Board of Supervisors (Board) in 2013 and since then, the Board has approved various updates to revise processes to increase efficiency and reduce administrative complexity while ensuring adherence to the LPS Act.

Following the enactment of Senate Bill (SB) 1238 (2024), DHCS issued the LPS Facility Designation Interim Regulations (Behavioral Health Information Notice [BHIN] 26-009, effective February 24, 2026), which supersede the historical regulatory process requiring Board to either specifically approve each facility, or delegate approval to the BHS Director, in accordance with Board adopted facility criteria and centralizes approval authority with DHCS. As regulatory guidance continues to evolve, and anticipated changes from DHCS or the Legislature emerge, the approval of designated facilities, and the criteria governing such approvals, will no longer require Board action on a recurring basis. The Interim Regulations implement SB 1238's direction to update the regulatory framework, including an expanded definition of designated facilities and the regulations apply immediately to all new designation applications, and require that existing LPS facilities reapply for approval by September 1, 2027.

Today's item requests approval to adopt revisions to the *LPS Designation Guidelines and Processes within San Diego County* (Attachment A), reflecting changes required under the new DHCS Interim Regulations. The updates include:

- A new required approval workflow,
- A revised definition of "gravely disabled" to include individuals with severe substance use disorders and co-occurring conditions,
- Additional facility types eligible for LPS designation,
- Updated processes for application, renewal, and bed capacity,
- Strengthened standards for licensing, staffing, seclusion and restraint, training, and service delivery,
- Enhanced oversight and reporting requirements,
- New corrective action and enforcement authorities for both the County and DHCS, including a mandated reapplication timeline for currently designated facilities.

DRAFT

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Today's item also requests the Board authorize the Director of Behavioral Health Services to update and adopt future Guideline revisions as needed to remain consistent with any subsequent DHCS regulatory changes.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN
Today's proposed action supports the County of San Diego (County) 2026-2031 Strategic Plan Initiatives of Equity (Health) and Community (Quality of Life) by ensuring effective, efficient, and quality-driven behavioral health services.

Respectfully submitted,

USE "INSERT PICTURE" FUNCTION TO INSERT SIGNATURE

EBONY N. SHELTON
Chief Administrative Officer

ATTACHMENT(S)
Attachment A: Lanterman-Petris-Short (LPS) Designation Guidelines and Processes for Facilities within San Diego County

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