



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

October 19, 2021 and November 2, 2021

DATE:

XX

TO: Board of Supervisors

DRAFT

SUBJECT

APPROVE AMENDING THE BEHAVIORAL HEALTH ADVISORY BOARD ORDINANCE AND THE BYLAWS (DISTRICTS: ALL)

OVERVIEW

The San Diego County Board of Supervisors (Board) established the Behavioral Health Advisory Board (BHAB) in 2014 through an ordinance that allowed the merging of the County of San Diego (County) Alcohol and Drug Advisory Board with the County Mental Health Board. At that time, bylaws were adopted to govern their internal operations in accordance with Board Policy A-74, Citizen Participation in County Boards, Commissions and Committees, which oversees special citizen boards that advise the Board and County staff on issues of policy and serve as links to the community.

If approved, today's actions will:

- Begin the process of amending the Administrative Code by introducing the Ordinance for the first reading. The Ordinance would then return to the Board for a second reading and adoption on November 2, 2021 and the amendments would become effective thirty days after adoption of the Ordinance.
- Amend the BHAB bylaws to align with language in Assembly Bill (AB) 1352, which further defined the roles of County mental health boards in 2019 and became effective in 2020.

The amended Ordinance and bylaws, as detailed in Attachments A, A-1, B, B-1, propose changes to:

- Ensure efficient BHAB operations by clarifying ambiguous language relating to terms of members, in particular to those serving on the BHAB Executive Committee, and to the formation of subcommittees;
- Align with changes to membership criteria and composition requirements for BHAB, pursuant to AB 1352; and
- Conform with additional requirements in alignment with current California Welfare and Institutions Code, as modified by AB 1352.

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Amending the Ordinance and BHAB bylaws support the countywide *Live Well San Diego* vision by enhancing community involvement in the planning and provision of behavioral health services, supporting a region that is healthy, safe, and thriving.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Approve the introduction of the ordinance (first reading), read title and waive reading of the Ordinance:

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

2. Approve the amended bylaws entitled the COUNTY OF SAN DIEGO BEHAVIORAL HEALTH ADVISORY BOARD BYLAWS.

If the Board approves the actions requested in Recommendations 1 and 2, then on November 2, 2021:

1. Submit the Ordinance for further Board consideration and adoption (second reading).
2. Approve the bylaws of the County of San Diego Behavioral Health Advisory Board.

EQUITY IMPACT STATEMENT

Since the formation of the Behavioral Health Advisory Board in 2014, the language in the Ordinance and bylaws regarding criteria for member appointments to the advisory board primarily centered on the experience of appointees as either persons in recovery, family members, prevention specialists, or treatment providers. Though these perspectives hold high value in providing input on the behavioral health needs of San Diego County, so do the experiences and inclusion of those with diverse identities, particularly those from historically disadvantaged and underrepresented groups, who need to be regarded when considering appointments to the board.

Today's action affirms the Behavioral Health Advisory Board's commitment to advancing diversity, equity, and inclusion by ensuring appointed members reflect the diversity of people and experiences from the communities they represent.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

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At their meeting on October 7, 2021, the Behavioral Health Advisory Board voted to



BACKGROUND


The San Diego County Board of Supervisors (Board) established the Behavioral Health Advisory Board (BHAB) in 2014, by merging the County of San Diego (County) Alcohol and Drug Advisory Board with the County Mental Health Board. At that time, bylaws were adopted in accordance with Board Policy A-74, Citizen Participation in County Boards, Commissions and Committees, which oversees special citizen boards which advise the Board and County staff on issues of policy and serve as links to the community.

On January 1, 2020, Assembly Bill (AB) 1352 took into effect, which further defined the roles of County mental health boards. In order to meet the requirements of AB 1352, shortly after the bill was signed into law, BHAB's *Building a Better BHAB Workgroup* was tasked with leading the revision effort and held meetings with members and staff to determine the appropriate changes to produce a final draft of the revised bylaws, which was reviewed at BHAB's Retreat in October 2020. With BHAB's approval the bylaws were provided to County Counsel which recommended amending the Ordinance relating to BHAB to align all changes to AB 1352. The final step in the process is Board approval and adoption. Today's action begins the process to amend the BHAB Ordinance and bylaws, which govern their internal operations.

The amended Ordinance and bylaws, as detailed in Attachments A, A-1, B, B-1 propose changes in the following general **amendment categories**:

1. Ensure efficient BHAB operations by clarifying ambiguous language relating to terms of members, to the terms of those serving on the BHAB Executive Committee;
2. Align with changes to membership criteria and composition requirements for BHAB, pursuant to AB 1352; and
3. Conform with additional requirements in alignment with current California Welfare and Institutions Code, as modified by AB 1352.

Additional detail provided in the table below:

 Proposed Change	Reason for Change	Amendment Category (per above)
Article II, Section D: Vacancies The changes in this section were made to align with language in Section 881.5 of the County Administrative Code and remove ambiguous language relating to member terms and vacancies.	This change was made in accordance to Section 881.5 of the County Administrative Code when a Member whose term has vacated under that Section, may continue to serve until reappointed or a successor has been appointed.	1
Article IV, Section C: Officer Terms and Vacancies	This change was made to clarify vague language in the prior bylaws that was unclear in describing the eligibility of	1

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This change replaced language describing BHAB member eligibility to serve on the BHAB Executive Committee.	members to seek consecutive and multiple terms on the Executive Committee.	
Article II, Section B: Appointment These changes remove the previous four categorical membership options for appointment and replace them with the minimum numerical requirements for consumers or family members and a broader behavioral health stakeholder category.	This change removes the arbitrary categories defined by the original 2005 bylaws which were meant to exceed the mandatory state minimums, but resulted in artificially restricting membership to narrow categories.	2
Article III, Section A: Duties The changes in this section were made to reflect the exact wording of California Welfare and Institutions Code (WIC) Section 5604.2 and replaced the previous existing duties.	This change was made to ensure clarity in duties and expectations of BHAB in the bylaws and to conform to State WIC.	3
Multiple Sections Minor clarifying edits were made to language in the bylaws to capitalization and referents.	These changes are non-material in nature, but ensure correct grammar and clear references. Language updates to refer to substance use disorder are professional and appropriate.	3

If approved, today's action would revise BHAB's Ordinance and bylaws to align with State requirements outlined in AB 1352, reflect updated duties based on existing interaction with County staff, as well as other minor clarifications to language without material impacts.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action support the Building Better Health Initiative of the County of San Diego's 2021-2026 Strategic Plan as well as the countywide *Live Well San Diego* vision by providing expertise on behavioral health service delivery in San Diego County, with the goal of improving the health and lives those with behavioral health conditions.

Respectfully submitted,

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FUNCTION TO INSERT
SIGNATURE

HELEN N. ROBBINS-MEYER
Chief Administrative Officer

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ATTACHMENT(S)

- Attachment A: County of San Diego Behavioral Health Advisory Board Ordinance (Clean Copy)
- Attachment A-1: County of San Diego Behavioral Health Advisory Board Ordinance (Informational Copy)
- Attachment B: County of San Diego Behavioral Health Advisory Board Bylaws (Clean Copy)
- Attachment B-1: County of San Diego Behavioral Health Advisory Board Bylaws (Informational Copy)

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

September 11, 2018 (9) Revising the Behavioral Health Advisory Board Bylaws; October 28, 2014 (7), San Diego County Behavioral Health Advisory Board formed and bylaws adopted; October 18, 2005 (6), By-Laws amended consistent with Welfare and Institutions Code, Section 5604.5; August 3, 2004 (5), By-Laws Amended; Welfare and Institutions Code, Section 5604.2(a)(1) through (8); Board Policy A-74, A-74(e) through (f); November 1, 1994 (11); administrative Code, Article LVI, San Diego County Alcohol and Drug Advisory Board, consisting of 881—881.12, added by Ord. No 8193 (N.S.), effective February 11, 1993, and Resolution No. 93-74 adopted March 9, 1993 (8).

BOARD POLICIES APPLICABLE:

A-74 Citizen Participation in County Boards, Commissions, and Committees.

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):

N/A

ORIGINATING DEPARTMENT: Health and Human Services Agency

OTHER CONCURRENCE(S): N/A

CONTACT PERSON(S):

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