

**Sutter-Yuba Behavioral Health
Behavioral Health Advisory Board**

Minutes of the Regular Meeting

Thursday, March 9, 2023

5:00 p.m.

1. **Call to Order**

Chair Clarkson called the meeting to order at 5:00 p.m. and welcomed everyone to the meeting.

2. **Roll Call**

The following members were in attendance: Chair Lesley Clarkson, Mary Page, Supervisor Don Blaser, Supervisor Mike Ziegenmeyer, Jay Kaze, Heather Esemann, Manny Cardoza, Renick House and Maggie Walker.

The following members were absent: Tom McWhorter

Also, in attendance: Rick Bingham, HHS Assistant Director, and Behavioral Health Director; Phillip Hernandez, Program Manager SUDS; Donna Johnston, Sutter County Clerk Recorder, and Sue Hopper, Executive Secretary.

3. **Public Comment:** No public comments were provided.

4. **Action Items:**

- a. **Approve February 9, 2023, Meeting Minutes.** Member Cardoza moved to approve the February 9, 2023, meeting minutes as submitted. Member Ziegenmeyer seconded the motion.

Aye votes: Board Members Clarkson, Page, Blaser, Ziegenmeyer, Kaze, Esemann, House and Walker

Nay votes: None

Abstentions: None

5. **Program Presentation** – Remote Meeting Allowances and Brown Act Rules for Meetings – Donna Johnston, Sutter County Clerk Recorder. Ms. Johnston reported on the following:

- During COVID-19 the Governor issued an executive order temporarily waiving some of the Brown Act restrictions on teleconferencing abilities for Boards and Commissions. AB361 authorized local agencies to use teleconferencing without complying with all of the Brown Act's restrictions.
- AB2449 – Beginning January 1, 2023 – the legislative body of a local agency can use teleconferencing without noticing each teleconference location or making it publicly accessible provided that 1) at least a quorum participates in person, 2) at a single location identified on the agenda that is open to the public and within boundaries of the agency, and 3) the legislative body follows requirements regarding accessibility.
- Agencies must still comply with the general noticing and agenda requirements of the Brown Act.

- Officials that are attending remotely must 1) participate through both audio and visual technology. Board members must have video, 2) disclose, before any action is taken, whether a person aged 18 or older is present during the meeting and their relationship to the member.
- Individual members may participate remotely only in one of two ways. 1) for “just cause”, or 2) emergency circumstances. “Just Cause” is defined as a family childcare or caregiving need; a contagious illness; a need related to physical or mental disability that is not otherwise accommodated, or travel on official business of the legislative body or another state or local agency.
- A member must notify the legislative body at the earliest opportunity of the need to participate remotely for Just Cause and include a general description of the circumstances relating to the need to appear remotely.
- AB2449 also provides that a member cannot participate solely by teleconferencing for more than 3 consecutive months or more than 20% of the agency’s regular meetings. For the BHAB this would compute to 2 meetings per year.
- Outside of the limited circumstances authorized by AB2449 public meetings can still occur via teleconference if the legislative body complies with the general agenda, notice and quorum requirements of the Brown Act.

6. **SUDS Program Update** – Phillip Hernandez, Deputy Branch Director, Adult Services. Mr. Hernandez reported on the following:

- SUDS will be imbedding a substance use disorder counselor in the Youth Services offices located at 1445 Veteran’s Memorial Circle in an attempt to improve engagement for youth 12 – 18 years of age.
- Medication Assisted Treatment – for opioid use disorder for 16 years and younger – all FQHC’s can prescribe – this would be Peachtree, Ampla Health and Harmony Health. Aegis is the county contracted Methadone clinic.

7. **MHSA Program Update** – No update provided.

8. **Behavioral Health Director’s Report** – Rick Bingham, Assistant Director/BH Director. Mr. Bingham reported on the following:

- Dr. Singh, Supervisor Bains and Mr. Bingham participated in a Punjabi Radio interview on January 25, 2023, as part of outreach efforts to the Punjabi community.
- As part of the MHSA Community Planning Process and ongoing outreach efforts, one of the CPP meetings was held with Sikh community leaders.
- Regulatory Changes – AB 2275 changes how 5150 holds occur in the emergency department. When it is determined that hospitalization is needed, SYBH staff begin a bed search. However, due to statewide shortage of psychiatric inpatient beds, it may take several days to find hospital placement. AB 2275 requires that a hearing be held at the hospital when the 5150 expires to ensure that patients have due process rights. SYBH has been working with the hospital to conduct the hearings and ensure that patient’s rights and hearing officer are present. Once the hearing at the emergency department occurs, the patient may file a writ. This process must occur in the Superior Court. Since Yuba County Superior Court has not previously dealt with

writs related to behavioral health civil commitments, SYBH has been providing support to the courts and the hospital on the process.

- Mobile Crisis Team – new benefit for Medi-Cal beneficiaries. State wants this implemented by the end of the year. Every county must have a mobile crisis team. The response model could be that behavioral health staff respond on their own and call law enforcement when needed, behavioral health staff and law enforcement can respond together, or law enforcement can respond and request behavioral health assistance. More work needs to be done to determine which model will be used. State hasn't fully determined funding for this program. Medi-Cal typically reimburses at 50% of cost of service. State is saying this program would be reimbursed at 100% for services. However, when services aren't being provided, such as when staff are on standby, it is unclear how reimbursement, if any, will be provided.

9. New Business

- a. **Appoint Ad-Hoc Committee to Develop Annual Year End Report for FY 22-23.** Ms. Clarkson and Mr. Kaze volunteered to develop the Annual Year-End Report for FY 22-23.
- b. **Discussion on Program Presentations for Calendar for FY 23-24.**
 - Programs would provide presentations to the BHAB each month.
 - Request was for follow up presentation in November for Mobile Crisis Team.
 - Request was for presentation from the Probation Department.
 - Request was for report from Probation on number of individuals being served. Mr. Bingham will provide this as part of his update.
 - Provide program presentation requests to Ms. Clarkson or Ms. Hopper on/before the April meeting.

10. Old Business

- a. Review Site Visit Form
 - Site visits would be conducted prior to program presentations.
 - Form for agency information is now a fillable form that will be provided to the site before each site visit.

11. Other Announcements/Correspondence

- a. MHSA Steering Committee Attendees – Committee meets monthly on the third Tuesday from 3:00 p.m. – 4:00 p.m. Virtual or in-person. Informational only.
- b. Megan Andersen has resigned her position – Yuba County is posting vacancy.

12. **Adjournment** - There being no further business brought forward Chair Clarkson thanked everyone for their participation and adjourned the meeting at 6:11 p.m.