April 3, 2019

The Honorable Hannah-Beth Jackson
Chair, Senate Judiciary Committee
Sacramento, CA 95814

RE: SB 40 (Wiener): Conservatorship: serious mental illness and substance use disorders – Support

Dear Chair Jackson:

The California Travel Association is pleased to support SB 40 which will make technical and substantive changes to the housing conservatorship program established by Senate Bill 1045 (Wiener – 2018).

Last year, the legislature passed SB 1045 that created a five-year pilot program for San Francisco, San Diego, and Los Angeles Counties for a conservatorship program focused on providing housing with wraparound services to the most vulnerable Californians living on the streets. In order to be considered for conservatorship, an individual must be suffering from serious mental illness and substance use disorder such that those co-occurring conditions have resulted in that individual being held under a 5150 at a minimum of eight times in a year.

In the process of implementing the pilot program established by SB 1045, a few issues have arisen that need to be corrected or clarified in order for the program to be successfully launched. The language of SB 1045 has been interpreted to mean that a person must have already failed an AOT treatment program in order to be conserved under the pilot program or that a judge would need to make the clinical determination to reject a petition for AOT treatment. This was not the intent of the original legislation and SB 40 provides a correction for that.

SB 40 will clarify that a petition for a housing conservatorship must begin within 180 days of the client’s eighth 5150 hold. The bill makes clear that when considering the clinically available treatment options for a conservatee, the behavioral health director or their designee may demonstrate that AOT is not clinically appropriate for their client, instead of requiring a judge to reject a petition for AOT in court. The bill also defines the term “serious mental illness” and provides clear criteria different from that of the existing AOT criteria to be used when determining if an individual is eligible for housing conservatorship.

These changes are incredibly important to making sure the SB 1045 is properly implemented so that we can begin to help some of the most vulnerable Californians. CalTravel wholeheartedly supports SB 40.

Sincerely,

[Signature]

CC: The Honorable Scott Wiener, Author
The Honorable Members, Senate Judiciary Committee
Margie Estrada Caniglia, Senate Judiciary Committee
Matt Osterli, Republican Consultant, Senate Judiciary Committee