

RESOLUTION NO. 2023-257

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS DEFERRING
IMPLEMENTATION OF THE CHANGES MADE TO LANTERMAN-PETRIS-SHORT
(LPS) ACT PER WELFARE AND INSTITUTIONS CODE SECTION 5008 BY SENATE
BILL 43 (2023-2024 REG SESSION)

WHEREAS, the Lanterman-Petris-Short (LPS) Act (Welfare and Institutions Code section 5100, et seq.) provides for the evaluation and treatment of a person who is gravely disabled, which is currently defined to mean a condition in which a person, as a result of a mental health disorder, is unable to provide for his or her basic personal needs for food, clothing, or shelter; and

WHEREAS, Senate Bill 43 (2023-2024 Reg. Session), Statutes 2023, Chapter 637 (SB 43), signed by the Governor on October 10, 2023, expands the definition of gravely disabled to include a person who, as a result of a mental health disorder, a severe substance use disorder, or a co-occurring mental health disorder and a severe substance use disorder, or as a result of impairment by chronic alcoholism, is unable to provide for their basic personal needs for food, clothing, shelter, personal safety, or necessary medical care; and

WHEREAS, this expanded definition of gravely disabled becomes effective on January 1, 2024; and

WHEREAS, the responsibility for administering the LPS system falls largely with counties; and

WHEREAS, SB 43's expansion of the definition of grave disability will require a significant effort in building and expanding the treatment, workforce, delivery networks, housing capacity and models for locked treatment settings or models of care for involuntary substance use disorder treatment to successfully meet the conservatorship needs of the population; and

WHEREAS, the breadth of that effort requires more time than SB 43's effective date allows; and

WHEREAS, in recognition of this, Welfare and Institutions Code section 5008, subdivision (h)(4), as enacted by SB 43, provides that a county, by adoption of a resolution of its governing body, may elect to defer implementation of the changes made to this section by SB 43 until January 1, 2026, thereby postponing implementation of the new definition of grave disability.

RESOLVED by the Board of Supervisors for County of Solano as follows: Pursuant to Welfare and Institutions Code section 5008, subdivision (h)(4), as enacted by SB 43, the County of Solano hereby elects to defer implementation of the changes made by that bill to Welfare and Institutions Code section 5008 until January 1, 2026. This resolution shall go into effect on January 1, 2024.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on December 5, 2023, by the following vote:

AYES:	SUPERVISORS	<u>Hannigan, Brown, Williams, Mashburn, and Chair Vasquez</u>
NOES:	SUPERVISORS	<u>None</u>
EXCUSED:	SUPERVISORS	<u>None</u>


JOHN M. VASQUEZ, Chair
Solano County Board of Supervisors

ATTEST:
BILL EMLLEN, Clerk
Solano County Board of Supervisors

By: 
Alicia Draves, Chief Deputy Clerk