



# COUNTY OF SAN DIEGO

## AGENDA ITEM

### BOARD OF SUPERVISORS

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First District

JOEL ANDERSON  
Second District

TERRA LAWSON-REMER  
Third District

NATHAN FLETCHER  
Fourth District

JIM DESMOND  
Fifth District

**DATE:** September 27, 2022 and October 11, 2022

**03**

**TO:** Board of Supervisors

### SUBJECT

**AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE PUBLIC ADMINISTRATOR, PUBLIC GUARDIAN, AND PUBLIC CONSERVATOR (DISTRICTS: ALL)**

### OVERVIEW

The Public Conservator is responsible for directing the mental health treatment and placement of individuals deemed to be gravely disabled, or unable to care for their own basic needs. In San Diego County, the Public Conservator provides conservatorship services to all conservatees who are gravely disabled and for whom the Public Conservator has been appointed conservator of the person by court order pursuant to the Lanterman-Petris-Short Act (Welfare and Institutions Code section 5000, et seq.).

Currently within the County of San Diego, the Office of the Public Conservator is consolidated with the Office of the Public Administrator and Public Guardian. To increase operational efficiencies and enhance services to residents served by the Office of the Public Conservator, today's actions request the San Diego County Board of Supervisors (Board) approve amendments to the San Diego County Administrative Code related to the Public Administrator, Public Guardian, and the Public Conservator.

The proposed Ordinance represents a measured strategy to optimize collaborative and centralized coordination of services to ensure conservatees have access to all necessary treatment, resources, and community support to facilitate recovery. Currently, the Office of the Public Administrator and Public Guardian and the Office of the Public Conservator is situated within the County of San Diego Health and Human Services Agency (HHSA), Aging & Independence Services. Aligning the Office of the Public Conservator with HHSA, Behavioral Health Services will allow for more seamless delivery of services. As seen in other jurisdictions, oversight of the Office of the Public Conservator will shift to Behavioral Health Services to align clinical oversight and management of services in support of adults with serious mental illness. This movement follows a series of court-related mental health actions implemented over the years, and will allow Behavioral Health Services to be optimally situated in anticipation of the mandated implementation of Community Assistance, Recovery and Empowerment (CARE) Court, which will require close collaboration across care teams.

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Today's request requires two steps: on September 27, 2022, it is recommended the Board consider an Ordinance amending sections of the San Diego County Administrative Code related to the Public Administrator, Public Guardian, and Public Conservator. If the Board takes the actions as recommended, then on October 11, 2022, the proposed Ordinance will be brought back to the Board for consideration and adoption.

This item supports the County of San Diego's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by supporting the administration of the Public Conservator's Office, which supports vital services in support of adults with serious mental illness.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

On September 27, 2022:

1. Approve the introduction of the proposed San Diego County Code amendment (first reading):

AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE PUBLIC ADMINISTRATOR, PUBLIC GUARDIAN, AND PUBLIC CONSERVATOR

If, on September 27, 2022, the Board takes action as recommended, then on October 11, 2022, consider and adopt (second reading):

AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE PUBLIC ADMINISTRATOR, PUBLIC GUARDIAN, AND PUBLIC CONSERVATOR

**EQUITY IMPACT STATEMENT**

The County of San Diego (County) Health and Human Services Agency serves residents within San Diego County who are experiencing serious mental illness or serious emotional disturbance. Specifically, the Public Conservator in San Diego County ensures individuals who are gravely disabled receive appropriate food, clothing, shelter, and mental health treatment. As a steward of public health for the region, the Health and Human Services Agency must ensure that its services address the social determinants of health by being accessible, capable of meeting the needs of a diverse population, and with the intent to equitably distribute services to those most in need.

Increasing operational efficiencies in support of those facing mental health challenges will benefit the community-at-large. As seen in other jurisdictions, aligning the Office of the Public Conservator with the County Behavioral Health Services will optimize coordination of care, housing, and community supports; and enhance collaboration by aligning resources, services, and

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policies to ensure conservatees have access to all necessary treatment, resources, and community support to facilitate recovery.

#### **SUSTAINABILITY IMPACT STATEMENT**

Today's action aligns with the County of San Diego's Sustainability Goals including providing just and equitable access; and protecting the health and wellbeing of residents in San Diego County. Specifically, this action aligns with Goal #2 and Goal #4 regarding building resilience in vulnerable populations and protecting the health and wellbeing of residents in San Diego County. By ensuring an optimized structure for collaborative and centralized coordination of services to ensure vulnerable residents have access to all necessary treatment, resources, and community support to facilitate recovery, the County of San Diego will reduce the use of resources associated with higher levels of care while ensuring operations are managed most efficiently.

#### **FISCAL IMPACT**

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

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ADVISORY BOARD STATEMENT**

This item will be presented to the Behavioral Health Advisory Board as an informational item at their regular meeting on October 6, 2022.

This item will be presented to the Aging & Independence Services Advisory Council as an informational item at their regular meeting on October 10, 2022.

#### **BACKGROUND**

The Public Conservator is responsible for directing the mental health treatment and placement of individuals deemed to be gravely disabled, or unable to care for their own basic needs. In San Diego County, the Public Conservator provides conservatorship services to all conservatees who are gravely disabled and for whom the Public Conservator has been appointed conservator of the person by court order pursuant to the Lanterman-Petris-Short Act (Welfare and Institutions Code section 5000, et seq.).

Currently within the County of San Diego, the Office of the Public Conservator is consolidated with the Office of the Public Administrator and Public Guardian. To increase operational efficiencies and enhance services to residents served by the Office of the Public Conservator, today's actions request the San Diego County Board of Supervisors (Board) approve amendments to the San Diego County Administrative Code to align the Office of Public Conservator within Behavioral Health Services.

The Office of the Public Administrator and Public Guardian and the Office of the Public Conservator is currently one consolidated office situated within the County of San Diego Health

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and Human Services Agency, Aging & Independence Services. Distinguishing the Offices of the Public Administrator and Public Guardian and the Office of the Public Conservator will allow for increased alignment in services. As seen in many other jurisdictions, oversight of the Office of the Public Conservator will shift to the Health and Human Services Agency, Behavioral Health Services to align clinical oversight and management of services in support of adults with serious mental illness. Through a longstanding partnership, Behavioral Health Services and the Office of the Public Conservator have worked together to support the needs of individuals with behavioral health conditions who have been placed on temporary and permanent conservatorship. This shift will optimize coordination of care, housing, and community supports; and enhance collaboration by aligning resources, services, and policies to ensure conservatees have access to all necessary treatment, resources, and community support to facilitate recovery. This movement follows a series of court-related mental health actions implemented over the years, such as the adoption of Laura's Law which allowed for the implementation of assisted outpatient treatment services, or treatment mandated by court-order. This shift will also allow Behavioral Health Services to be optimally situated in anticipation of the mandated implementation of Community Assistance, Recovery and Empowerment (CARE) Court, which is projected to result in growth in the number of individuals needing long term care and will require close collaboration across care teams.

Today's request requires two steps: on September 27, 2022, it is recommended the Board consider an Ordinance amending provisions in the San Diego County Administrative Code related to the Public Administrator, Public Guardian, and Public Conservator. If the Board takes the actions as recommended, then on October 11, 2022, the proposed Ordinance will be brought back to the Board for consideration and adoption.

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**LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN**

Today's proposed action supports the County of San Diego's 2022-2027 Strategic Plan Initiatives of Sustainability (Resiliency), Equity (Health), and Community (Quality of Life), and the regional *Live Well San Diego* vision by ensuring efficiency of services that assist those found to be gravely disabled, or unable to care for their own basic needs.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. Robbins-Meyer', with a stylized flourish at the end.

HELEN N. ROBBINS-MEYER  
Chief Administrative Officer

**ATTACHMENT(S)**

Attachment A - Summary of Proposed Ordinance

Attachment B – AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE PUBLIC ADMINISTRATOR, PUBLIC GUARDIAN, AND PUBLIC CONSERVATOR

Attachment C – Informational Copy: AN ORDINANCE AMENDING PROVISIONS IN THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE PUBLIC ADMINISTRATOR, PUBLIC GUARDIAN, AND PUBLIC CONSERVATOR