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PLUMAS COUNTY MENTAL HEALTH DEPARTMENT

Function

The Plumas County Mental Health Department (MHD) is an outpatient service providing a full range of outpatient, case management and socialization services. More intensive services such as acute hospitalization, long-term intensive residential and state hospital services are provided by contracting with the appropriate agencies in question. The services includes: emergency assessments, outpatient services, inpatient services, case management, day treatment programs, medication support and therapeutic behavioral services. The MHD is the managed care provider for all MediCal mental health services in the county.

Background

The Grand Jury received information alleging inadequate crisis intervention by the MHD. In addition, past Grand Jury records indicated that the MHD had not been reviewed since the 1999-2000 Grand Jury year. Therefore, it was appropriate and timely to review the MHD as a county entity.

The MHD operates under its director, who oversees a variety of community programs including the Sierra Drop-In Center, the Wrap-Around Program for Children, Cal-WORKS, and the Children's System of Care. In addition, the director is in charge of the fiscal portion of MHD and has provided this Grand Jury with financial statements indicating a balanced budget and a program working within its means. The current director had been the acting director of MHD since May 2000 and has been the director since October 2001.

All practicing clinicians are appropriately licensed, as is the director. At this time there are five licensed clinicians who see clients and one clinician in training. In addition to other emergency call procedures, each clinician is required to take after-hour emergency calls for a period of seven days every fifth week. Clinicians in training are excluded.

Findings

1. The MHD stands alone as a county department. The MHD has been split from the Department of Alcohol and Drugs. The MHD is not linked to the Plumas County Health Department.
2. There is inadequate interaction between the MHD and the Department of Alcohol and Drugs. The relations between the two county agencies have been acrimonious for a number of years. Relations have improved slightly in the last few months.
3. There is no Memorandum of Understanding (MOU) between the MHD and the Department of Alcohol and Drugs outlining a protocol for the needed interaction between the two departments.

4. The communication between the MHD and the Sheriff's Department is minimal. One aspect of the problem that contributes to the lack of communication is complicated by patients' confidentiality rights. The MHD clinicians cannot divulge information about a client and therefore are unwilling to release information about treatment and follow-up of that client. The perception sometimes is that "nothing is being done". This appears to be one cause for misunderstandings between the MHD and the Sheriff's Department.
5. There is no civil (non-criminal) protective locked facility for members of the community who may be a danger to themselves or to others. Currently, the MHD does not see such individuals that are considered "under the influence". As a consequence, these people remain untreated and unprotected or are taken to jail. A locked civil protective custody facility is mandated by law (Welfare and Institution Code 5170), but one does not exist in Plumas County.
6. There have been issues raised that on occasion the MHD is slow to respond to crisis intervention situations and the law enforcement officer who should be in the field is taken out of service to care for an individual during a possible mental health situation until the clinician arrives.
7. There is an MOU between the MHD and the Sheriff's Department that outlines mutual areas of coordination and responsibilities for emergency evaluations and hospitalizations.
8. As mandated by the State of California, Plumas County has a Mental Health Commission separate from the MHD. The Commission acts in an "Advise and Recommend" capacity to the Board of Supervisors on MHD issues and on the policies of the MHD. The Commission also acts in an advisory capacity directly to the MHD, as well as participates in the budgeting and planning agenda of the MHD. The Chair of the Mental Health Commission meets with the director of MHD on a regular basis and has an excellent working relationship. However, the Mental Health Commission meets with the Board of Supervisors only once a year. A Board of Supervisors member attends the Mental Health Commission's meetings irregularly.
9. There are issues of coordination within the MHD staff about clients and their treatment that may put clients at risk.
10. The MHD staff meets on a weekly basis. It was reported to the Grand Jury that communication within the staff is excellent and supportive.
11. The MHD provided a budget that indicates that the Department is efficiently run and is fiscally responsible.
12. The MHD operates a number of quality programs within its area of practice. The MHD is to be commended for the hard work of its employees and for the implementation of innovative and supportive programs. Notable, are Sierra House, the Respite Program, and the Wilderness Program.
13. The recently passed California Proposition 63 should increase revenue for the MHD.
14. The MHD staff meets face-to-face once a week for four hours. Otherwise, the small staff is spread out in the various communities it serves and rarely comes together

except for the weekly staff meetings. Most communication among staff is done by phone, a highly inefficient method for a task that requires communication and relay of client information. As a result, there have been errors.

15. MHD knowledge of Grand Jury investigations caused the stoppage of all quality control with Plumas District Hospital.
16. An administrator of MHD violated the admonition of the Grand Jury to keep discussion with the Grand Jury confidential.

Recommendations

The Grand Jury Recommends that:

1. The MHD and the Department of Alcohol and Drugs develop an MOU that outlines mutual areas of coordination and responsibilities. It is crucial that there be communication and support between the two agencies, in particular to prevent those individuals with co-occurring disorders of both mental illness and substance abuse from “falling through the cracks” between the agencies.

In most counties in California, mental health departments and alcohol and drugs departments are closely linked. The division in Plumas County between these two departments has been going on for years. The Board of Supervisors, as the governing body of these two departments, must take a proactive stance in facilitating cooperation.

2. The MHD develops a position in which an employee acts as a liaison between the MHD and the Sheriff’s Department. This employee would be approved by both departments and would be in daily contact with both departments and would address problems with communications, protocol, and allegations of misconduct.
3. As mandated by the State of California, Board of Supervisors must act to provide a civil protective custody facility for Plumas County in which to house those individuals who need protection but should not be arrested. This facility will allow law enforcement personnel to safely place individuals into protective custody and then return to law enforcement duties in the community with expediency. This will alleviate the problem of the MHD’s position of not seeing an individual for assessment until the individual is free from alcohol and/or substances.
4. It is time to computerize the MHD. The staff is dispersed and timely communication is essential. The MHD and community safety would benefit greatly with a wireless computer that would allow clinicians to submit and read records and information quickly and confidentially. New data would be available instantly assuring that every staff member would be apprised of the history of client contact or client crisis in a timely manner.
5. A Board of Supervisor’s member regularly attends the Mental Health Commission’s meetings and report back to the Board of Supervisors
6. The Mental Health Commission publish a periodic newsletter of statistical information in order to keep the public informed of its activities.
7. Training on Grand Jury interaction and scope of Grand Jury authority be performed.

8. This ongoing review of the MHD be referred to the 2005-2006 Grand Jury for further investigation.

PLUMAS COUNTY BOARD OF SUPERVISORS

Background

As stated in the California Government Code Section 54953 (a) “All meetings of the legislative body of a local agency shall be open and public and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter”.

Also stated in the above mentioned code section 54957.7 (a) “Prior to holding any closed sessions, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session...the legislative body may consider only those matters covered in its statement...”.

In the same code section 54954.2 (a) “At least seventy two (72) hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session.”

Finding

The Board of Supervisors violated the Brown Act in failing to notify the public of their intention to conduct interviews for the position of County Administrative Officer (CAO) in a timely manner. The Brown Act states that “no action or discussion shall be undertaken on any item not appearing on the posted agenda”. During the Grand Jury’s investigation it was found that negotiations for the position of CAO had begun prior to the posting of the BOS agenda of March 8, 2005 in which the agenda mentioned a “possible action” regarding the position of CAO. The Brown Act requires notice of “at least 72 hours before a regular meeting” on any intention to act.

Recommendation

The BOS must follow the legislative intent of the Brown Act in all cases. Furthermore, we recommend that the Grand Jury of 2005/2006 conduct a complete review of the BOS.

GRAND JURY OVERSIGHT COMMITTEE

Background

The Grand Jury reviews the findings and recommendations of prior years’ Grand Juries and the responses of the public entities to those findings and recommendations as required by law. These responses may be filed by the entities up to 90 days after publishing. Without the diligent review of the Grand Jury, corrective actions may not occur.

Findings

1. Responses to recommendations often contain actions intended to correct a condition brought to the attention of the governing bodies but do not specify timing and responsibility.
2. There still exists a wide variance in the understanding of “conflict of interest”.
3. There is still not a complete understanding that the law states that recommendations by the Grand Jury require a response and that “no response” is not acceptable.
4. The Law Library was established by an ordinance of the Board of Supervisors on March 9th, 1905. On October 1st, 2003, the Board of Supervisors closed the Law Library. The library’s collection of Nolo Press books and public access computers were donated to the Quincy Public Library. (Lexis Nexis, an on-line source of legal information, is available with no charge to the public.)
5. The Plumas Unified School District was under the impression that they had adequately responded to the 2003-2004 Grand Jury’s concerns through the interview process and were not aware that a formal written response was required within 90 days. Such a response has been received and has been included with those of other county entities referred to in the 2003-2004 report.

Recommendations

The Grand Jury Recommends that:

1. The Department of Human Resources is to be commended on its follow-up on the prior year Grand Jury recommendations. Additional action is still needed to revise and clarify the Plumas County Personnel Rules currently in progress.
2. The Board of Supervisors again request County Counsel to provide it with a specific legal definition of Conflict of Interest. All actions should convey no hint or appearance of a conflict of interest.
3. The Board of Supervisors stress, encourage, and/or dictate to all in County personnel that: “the findings or recommendations of the Grand Jury require action”. (Reference California Penal Code, section 933.05)
4. The Board of Supervisors makes every effort to guarantee that the public has equal benefit and access to legal assistance through the Public Library as it previously had through the Law Library and that funding remain sufficient to maintain and provide on-line service.

PLUMAS COUNTY FIRE DEPARTMENTS

Function