

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

Minutes of the Regular Meeting
Thursday, October 9, 2025
5:00 p.m.

1. Call to Order

Chair Esemann 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 Heather Esemann, Secretary Mary Page, Supervisor Renick House, Bruce Adams, Maggie Walker, Susan Fleming, David House and Supervisor Jeffrey Boone

Excused: Vice Chair Manny Cardoza, Supervisor Mike Ziegenmeyer and Gwen Ziegenmeyer

Also, in attendance: Rick Bingham, HHS Assistant Director; Betsy Gowan, Branch Director, Adult Services, Jesse Hallford, Staff Services Manager, Adult Services; Dustina Cordero, Clinical Program Manager/Forensic and LPS Services; Corlie Presswood, Clinical Supervisor/Forensic and LPS Services, and Sue Hopper, Administrative Assistant, Sutter County.

3. Action Items:

- a. **Approve September 11, 2025, Meeting Minutes** – Supervisor House moved to approve the September 11, 2025, Meeting Minutes as submitted. The motion was seconded by Secretary Page.

Aye votes: Esemann, Adams, Fleming, Page, Supervisor House, D. House and Walker

Nay votes: None

Abstentions: None

- b. **Review and Approve Response for 2025 Data Notebook and authorize Ms. Esemann to submit responses to the State** – Supervisor House moved to approve the response with discussed amendment for the 2025 Data Notebook and authorize Ms. Esemann to submit responses to the State. The motion was seconded by Member Adams.

Aye votes: Esemann, Adams, Fleming, Page, Supervisor House, D. House and Walker.

Nay votes: None

Abstentions: None

4. Program Presentation – LPS/FSP Services – Betsy Gowan, Branch Director, Adult Services.

Ms. Gowan reviewed the attached PowerPoint presentation. Other discussion items included:

- The overall goal is to have clients that are placed in higher level facilities to “step down” to a lower level of care as their treatment progresses.
- Lack of local placement facilities.

- Current legislation, SB43, will expand the definition of “gravely disabled” under LPS to include a severe substance use disorder and a co-occurring mental health and severe substance use disorder. It will also expand criteria for “grave disability” by including “personal safety or necessary medical care” as eligible for conservatorship in addition to the current requirement that an individual be unable to provide for their basic needs for food, clothing and shelter. Sutter-Yuba Behavioral Health will implement SB43 on January 1, 2026.
- No funding will be provided to prepare for expansion of SB43 population.
- LPS follows clients released from conservatorship for at least 90 days.
- Not just anyone can refer someone for conservatorship. LPS referrals generally come from the jail system.
- LPS is working on ways to identify the barriers that are keeping clients conserved – such as can they adequately dispense their own medication, can they prepare and provide food for themselves. A skills assessment document is being developed.

5. **BHSA Program Update** – Jesse Hallford, Staff Services Manager, Adult Services. Ms. Hallford reported on the following:

- PEI – The Sutter County Superintendent of Schools adopted the Postvention Response Guide for all Sutter County schools. The contracts for the consultants who helped were paid for by PEI funding.
- Next to Normal - A round 2 winner of the PEI mini grants – Convergence Theater company is presenting the play Next To Normal October 17th through the 26th. The story centers on a mother who struggles with worsening bipolar disorder and the effects that managing her illness has on her family.
- 3-Year Integrated Plan Presentation - draft will be posted March 9, 2026, to open 30-day comment period - will close in April with the BHAB recommendation.
- Community Suicide Prevention Plan – Ms. Hallford will reach out to the organizers of this event to see if they can provide a presentation in either February or March 2026.

6. **Behavioral Health Director’s Report** – Rick Bingham, Assistant Director of Health & Human Services and Behavioral Health Director. Mr. Bingham reported on the following:

- CARE Court presentation for November and Ms. Eberhardt-Rios, HHS Director, will provide a presentation on Federal budget impacts.
- Bridging Hope – very successful event – around 400 people attended.
- Complaint Procedure – for complaints not elevated or eligible for the current grievance procedure and as long as the complaint can be resolved within 24-hours, a supervisor will be notified and will handle this type of complaint. Training is currently taking place.
- Signage at Behavioral Health – meeting is scheduled for next week to discuss adding an “entrance” sign to the building.
- Prop 1 and BHSA changes – Prevention and Early Intervention programs are going away. Other programs will be impacted as well. Other counties throughout the state are making similar cuts.

7. New Business

- a. Discussion on moving the BHAB meeting to the first Thursday of the month
 - ✓ After discussion it was determined that the meeting will remain on the second Thursday of each month with the exception of August and December.
- b. Future Agenda Topics
 - ✓ Community Suicide Prevention Plan presentation for February
 - ✓ March – discussion on BHSA funding and affected programs
- c. Other Discussion Items
 - ✓ Discussion about having business cards, bus signage or some other resource to be able to hand out to people who are on the streets and look like they may need assistance.

8. Old Business

- a. Ad Hoc Committee Update – no updates provided.
- b. Site Visits
 - ✓ Site visit for Adult Outpatient and Psychiatric Health Facility occurred on October 8, 2025, and will occur on October 10, 2025.

9. Other Announcements/Correspondence:

- a. The California Local Behavioral Health Boards and Commissions meeting/training will take place on October 17 & 18, 2025. Registration is still open, and attendance can be virtual.

- 10. Adjournment** - There being no further business brought forward, Chair Esemann thanked everyone for their participation and adjourned the meeting at 6:24 p.m.



LPS SERVICES

Betsy (Elizabeth) Gowen, LMFT #32342
Sutter County Health and Human Services
Adult Services Branch Director
SYBH Adult Services/Adult Social Services
October 2025

1



SYBH LPS Services Staff

•Phillip Hernandez, BS, SUDCC III •Dustina Cordero, LCSW #82175 •Corlie Presswood, LCSW #113287 •Noemi Viss •Melanie Byrd •Rachael Hollis •Misty Garcia •Johanna Arevalo	- Deputy Branch Director - Clinical Program Manager - Clinical Supervisor - Resource Specialist - Intervention Counselor - Intervention Counselor - Intervention Counselor - Mental Health Worker
---	--

2



LPS Conservatorship

- A Lanterman-Petris-Short (LPS) Conservatorship (WIC, Section 5008(h)(1)) is a legal arrangement whereby an individual (the conservator) is authorized to make legal decisions for another individual (the conservatee) as a result of grave disability due to a mental illness.
- County Mental Health Plans (MHPs) are charged with placing and treating a conserved individual in the least restrictive setting that will meet their needs

3



LPS Placement September 2025

Sept 2025		FY 2025-2026 YTD	
Referrals Received	4	Total Conserved	94
Sutter	2	Sutter	50
Yuba	2	Yuba	44
Newly Conserved	0	Conserved Prior to 1/1/2025	93
Sutter	-	Conserved After 1/1/2025	1
Yuba	-	Sutter	2
Newly Temporary Conserved	0	Yuba	1
Sutter	-	Total Conservancy Budget	4
Yuba	-	Period: Ready	2
		Conservancy Ended	2

Facility Information FY 2025 YTD	
Facility Costs	\$1,418,129
Average Cost per Client	\$15,087

4



County Responsibilities for Conservatees Sutter-Yuba Behavioral Health

SYBH's responsibilities for LPS conservatees include:

- Screen, assess, and present information in a multi-disciplinary team meeting on individuals referred by the Public Guardian for an opinion on whether an individual meets LPS criteria.
- LPS Services plays a key role in coordinating and preparing documentation for conservatee court hearings.
- Provide treatment recommendations.
 - For those meeting LPS criteria, refer to appropriate facilities for ongoing care.
- Case management for LPS Conservatees in placement
 - Quarterly visits, monthly phone contacts, treatment team meetings with clients & facility staff, address crises as they arise, perform periodic clinical evaluations, perform assessments regarding appropriateness of current level of care, facilitate moves to higher / lower levels of care.

5



County Responsibilities for Conservatees Public Guardian Office (Sutter and Yuba)

The Public Guardian's responsibilities for LPS Conservatees include:

- Investigation
 - Upon receiving a referral from the court or another source, perform investigative services to assess whether an individual is likely to qualify for LPS services (does not have third party assistance) and determine whether conservator will serve as the Public Guardian.
- Individualized Treatment and Placement
 - Ensure the conservatee receives appropriate mental health treatment and that placement is in the least restrictive, most clinically appropriate setting.
- Financial Management
 - Manage the conservatee's finances, including paying bills, managing assets, and protecting them from loss.
- Collaboration
 - Collaborate with SYBH and other agencies to provide comprehensive care.

6



LPS Services Responsibilities for Conservatees

- Full-Service Partnership Services (FSP)
 - Case Management for LPS Conservatees in community living.
 - Weekly visits, home checks, linkage to Behavioral Health and other appointments, facilitate skills related to independent living and aid in enhancing social skills
 - Transports
 - To and from placements
 - Court appearances
 - Appointments (Behavioral and Medical)
 - Community events
- Placements for conservatees who cannot live safely in the community
 - Quarterly Visits at facilities where conservatees are placed.

7



LPS Services Responsibilities for Conservatees - Placements

PLACEMENT TYPES:
LPS conservatees may be placed at various types of facilities, depending on the level of care needed. Placement must be at the "least restrictive level of care".

- Short Term Acute Treatment
- Long Term Care
- Residential Care
- Board & Care & Supportive Independent Living

8



Current Placements: Sept 2025

Placement Type	Admitted	Discharged	Total
State or County Hospital	1	1	1
Psychiatric Health Facility (PHF)	1	1	1
Incarcerated	1	1	1
Mental Health Rehabilitation Center - Institution for Advanced Disease (MAD/INMHC)	14	6	20
Mental Health Rehabilitation Center - Skilled Nursing Facility (MHR/SMHCL)	8	10	18
Adult Residential Facility (ARF)	8	9	17
Residential Care Facility for the Elderly (RCFE)	3	3	6
Specialized Residential Facility (SRF)	1	1	2
Skilled Nursing Facility (SNF)	6	3	9
Board and Care (B&C)	8	9	17
Supported Independent Living (SIL)	2	2	4

9



LPS Services Responsibilities for Conservatees - Court

Under California law, individuals placed under an LPS Conservatorship—which is designed for adults with serious mental illness who are deemed *gravely disabled*—have specific rights regarding the annual review of their conservatorship status.

Automatic Annual Review:
LPS Conservatorships are time-limited to one year. Before the conservatorship can be renewed, the court must determine whether the individual still meets the criteria for being *gravely disabled*. This review is mandatory and must occur each year.

Right to Legal Representation:
Conservatees have the right to be represented by an attorney during the renewal hearing. If they cannot afford one, the court will appoint counsel.

Right to Contest Renewal:
The conservatee may oppose the renewal of the conservatorship and present evidence or testimony to support their position. They can also request a jury trial to contest the renewal.

10



LPS Services Responsibilities for Conservatees - Court

These rights are designed to ensure that conservatorships remain justified, temporary, and subject to oversight, balancing the need for care with the protection of civil liberties.

Right to Request a Rehearing:
Even outside the annual review, conservatees may petition the court for a rehearing every six months to challenge the need for continued conservatorship.

Right to File a Writ of Habeas Corpus:
If the conservatee believes they are being unlawfully held or treated, they may file a writ to challenge the legality of their confinement or conservatorship.

Notification of Hearing:
Conservatees must be properly notified of any renewal hearings and given the opportunity to participate.

11



LPS Services Responsibilities for Court Hearings

- Ensure annual doctor's declaration appointments are scheduled and that doctor's declarations are prepared and submitted to County Counsel Office.
- If contested, SYBH LPS Services team will then secure an expert witness (psychiatrist or psychologist) to testify on SYBH's behalf. This is only if SYBH and the Public Guardian agree the conservatorship needs to renew.
- LPS Services staff will then prepare a chronological report for a court's expert witness is a structured document that presents events, observations, or case-related data in the order they occurred. It's often used in legal proceedings to help the court understand the timeline of relevant facts and how they relate to the expert's analysis or opinion.

12



Changes to LPS Conservatorship per SB 43

- Governor Newsom signed SB 43 into law on October 10, 2023, with implementation to occur beginning January 1, 2024, or no later than January 1, 2026.
- Expands definition of "gravely disabled" under LPS to include
 - A severe substance use disorder
 - A co-occurring mental health and a severe substance use disorder
- Expands criteria for "grave disability" by including "personal safety or necessary medical care" as eligible for conservatorship in addition to current requirement that an individual be unable to provide for their basic needs for food, clothing and shelter.

13



Changes to LPS Conservatorship per SB 43

Elements of Grave Disability Definition	Old Definition	New Definition
Mental Disorder diagnosis is a basis for Grave Disability ("GD")	X	X
Stand-alone Substance Use Disorder ("SUD") is a basis for GD		X
Co-occurring Mental Disorder and SUD is a basis for GD	X	X
Inability to provide for food, clothing, shelter is a basis for GD	X	X
Inability to provide for personal safety is a basis for GD		X
Inability to provide for medical care is a basis for GD		X
Causation required between Mental Disorder/SUD and inability to provide for basic needs	X	X
Referral from psychiatrist/psychologist required for conservatorship petition	X	X
Constitutional rights/protectons for patients subject to involuntary holds and conservatorships	X	X

14



Changes to LPS Conservatorship per SB 43

- **New Qualifying Conditions:**
 - Serious risks to health or safety (e.g., repeated overdoses, severe withdrawal)
 - Inability to access essential medical care (e.g., untreated infections, chronic illness)
 - Behavioral health conditions preventing basic daily living
- **Key Examples:**
 - Severe malnutrition or not eating
 - Losing housing due to untreated mental illness
 - Refusing vital treatment because of delusions
 - Frequent overdoses or life-threatening withdrawals
 - Lack of awareness about personal danger

15



What this means going forward

- We are unsure of the impact SB 43 will have on the number of LPS conservatorships going forward.
- Early evidence from counties that have already implemented, suggests the impacts have been low in the first 1-2 years.
 - San Diego County implemented January 1, 2025, and reported in the third quarter of FY 24/25 that "only 1% of 5150 holds were associated with grave disability due to a severe SUD" and further reported no "significant trends that could be linked to the expanded LPS criteria" (San Diego County Board Memo dated July 1, 2025).
 - Other counties note anecdotal evidence similar to the above.
- As more community systems become aware of SB 43 and how it can be applied, the number of individuals qualifying for LPS conservatorships may increase over time.

16



What this means going forward

- There are currently no facilities that will take an individual with a sole diagnosis of substance use disorder against his/her will, even if conserved.
- The State is working towards solutions with respect to licensing and reimbursement for facilities that will take an LPS conserved individual under SB 43 as a result of a sole substance use disorder.
- DHCS working on Interim Regulations to provide guidance for LPS designated facilities.
- Once released and finalized, facilities have 18 months to update policies and programming and reapply for LPS designation approval.
- No funding provided to prepare for expansion of SB 43 population.

17



Questions and Comments

18