


## MEMORANDUM

<b>DATE</b>	April 10, 2017
<b>TO</b>	Board of Psychology
<b>FROM</b>	 Konnor Leitzell Central Services Student Assistant
<b>SUBJECT</b>	Agenda Item #4(b)(1)(C)(1) – AB 462 (Thurmond) Mental Health Services Oversight and Accountability Commission: Wage Information Data Access

### **Background:**

This bill declares the intent of the Legislature to authorize the Mental Health Services Oversight and Accountability Commission to receive information held by certain agencies, as it relates to outcomes established under the Mental Health Services Act or adopted by the commission under the Act for the purposes of monitoring those outcomes and improving the mental health system.

**Location:** Assembly Floor

**Status:** Ordered to Assembly's Consent Calendar awaiting third reading

**Votes:** 04/05/2017 Assembly Committee on Appropriations (17-0-0)  
03/28/2017 Assembly Committee on Health (14-0-1)

### **Action Requested:**

No action is required at this time. Staff will continue to watch AB 462 (Thurmond) for any amendments to determine how this bill could help improve access to mental health services.

Attachment A: AB 462 (Thurmond) Text

**ASSEMBLY BILL**

**No. 462**

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**Introduced by Assembly Member Thurmond**

February 13, 2017

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An act to amend Section 1095 of the Unemployment Insurance Code, and to amend Section 5845 of the Welfare and Institutions Code, relating to mental health services.

LEGISLATIVE COUNSEL'S DIGEST

AB 462, as introduced, Thurmond. Mental Health Services Oversight and Accountability Commission: wage information data access.

Existing law, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the Mental Health Services Oversight and Accountability Commission, which consists of 16 members, to oversee the administration of various parts of the act. Existing law authorizes the commission to undertake specified activities in carrying out its duties and responsibilities. Existing law authorizes the MHSA to be amended by a  $\frac{2}{3}$  vote of the Legislature if the amendments are consistent with, and further the purposes of, the MHSA, and also permits the Legislature to clarify procedures and terms of the MHSA by a majority vote.

Under existing law, the information obtained in the administration of the Unemployment Insurance Code is for the exclusive use and information of the Director of Employment Development in the discharge of his or her duties and is not open to the public. However, existing law permits the use of the information for specified purposes, and allows the director to require reimbursement for direct costs incurred.

This bill would declare the intent of the Legislature to authorize the commission to receive information held by other state agencies, as it relates to outcomes established under the MHSA or adopted by the commission under the MHSA for the purposes of monitoring those outcomes and improving the mental health system. The bill would authorize the Director of Employment Development to share information to enable the commission to receive quarterly wage data to assist the commission in fulfilling its duties under the MHSA.

This bill would declare that it clarifies procedures and terms of the Mental Health Services Act.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1095 of the Unemployment Insurance
- 2 Code is amended to read:
- 3 1095. The director shall permit the use of any information in
- 4 his or her possession to the extent necessary for any of the
- 5 following purposes and may require reimbursement for all direct
- 6 costs incurred in providing any and all information specified in
- 7 this section, except information specified in subdivisions (a) to
- 8 (e), inclusive:
- 9 (a) To enable the director or his or her representative to carry
- 10 out his or her responsibilities under this code.
- 11 (b) To properly present a claim for benefits.
- 12 (c) To acquaint a worker or his or her authorized agent with his
- 13 or her existing or prospective right to benefits.
- 14 (d) To furnish an employer or his or her authorized agent with
- 15 information to enable him or her to fully discharge his or her
- 16 obligations or safeguard his or her rights under this division or
- 17 Division 3 (commencing with Section 9000).
- 18 (e) To enable an employer to receive a reduction in contribution
- 19 rate.
- 20 (f) To enable federal, state, or local governmental departments
- 21 or agencies, subject to federal law, to verify or determine the
- 22 eligibility or entitlement of an applicant for, or a recipient of, public
- 23 social services provided pursuant to Division 9 (commencing with
- 24 Section 10000) of the Welfare and Institutions Code, or Part A of
- 25 Subchapter IV of the federal Social Security Act (42 U.S.C. Sec.

1 601 et seq.), when the verification or determination is directly  
2 connected with, and limited to, the administration of public social  
3 services.

4 (g) To enable county administrators of general relief or  
5 assistance, or their representatives, to determine entitlement to  
6 locally provided general relief or assistance, when the  
7 determination is directly connected with, and limited to, the  
8 administration of general relief or assistance.

9 (h) To enable state or local governmental departments or  
10 agencies to seek criminal, civil, or administrative remedies in  
11 connection with the unlawful application for, or receipt of, relief  
12 provided under Division 9 (commencing with Section 10000) of  
13 the Welfare and Institutions Code or to enable the collection of  
14 expenditures for medical assistance services pursuant to Part 5  
15 (commencing with Section 17000) of Division 9 of the Welfare  
16 and Institutions Code.

17 (i) To provide ~~any~~ a law enforcement agency with the name,  
18 address, telephone number, birth date, social security number,  
19 physical description, and names and addresses of present and past  
20 employers, of ~~any~~ a victim, suspect, missing person, potential  
21 witness, or person for whom a felony arrest warrant has been  
22 issued, when a request for this information is made by ~~any~~ an  
23 investigator or a peace officer as defined by Sections 830.1 and  
24 830.2 of the Penal Code, or by any federal law enforcement officer  
25 to whom the Attorney General has delegated authority to enforce  
26 federal search warrants, as defined under Sections 60.2 and 60.3  
27 of Title 28 of the Code of Federal Regulations, as amended, and  
28 when the requesting officer has been designated by the head of  
29 the law enforcement agency and requests this information in the  
30 course of and as a part of an investigation into the commission of  
31 a crime when there is a reasonable suspicion that the crime is a  
32 felony and that the information would lead to relevant evidence.  
33 The information provided pursuant to this subdivision shall be  
34 provided to the extent permitted by federal law and regulations,  
35 and to the extent the information is available and accessible within  
36 the constraints and configurations of existing department records.  
37 ~~Any~~ A person who receives ~~any~~ information under this subdivision  
38 shall make a written report of the information to the law  
39 enforcement agency that employs him or her, for filing under the  
40 normal procedures of that agency.

1 (1) This subdivision shall not be construed to authorize the  
2 release to ~~any~~ a law enforcement agency of a general list  
3 identifying individuals applying for or receiving benefits.

4 (2) The department shall maintain records pursuant to this  
5 subdivision only for periods required under regulations or statutes  
6 enacted for the administration of its programs.

7 (3) This subdivision shall not be construed as limiting the  
8 information provided to law enforcement agencies to that pertaining  
9 only to applicants for, or recipients of, benefits.

10 (4) The department shall notify all applicants for benefits that  
11 release of confidential information from their records will not be  
12 protected should there be a felony arrest warrant issued against  
13 the applicant or in the event of an investigation by a law  
14 enforcement agency into the commission of a felony.

15 (j) To provide public employee retirement systems in California  
16 with information relating to the earnings of ~~any~~ a person who has  
17 applied for or is receiving a disability income, disability allowance,  
18 or disability retirement allowance, from a public employee  
19 retirement system. The earnings information shall be released only  
20 upon written request from the governing board specifying that the  
21 person has applied for or is receiving a disability allowance or  
22 disability retirement allowance from its retirement system. The  
23 request may be made by the chief executive officer of the system  
24 or by an employee of the system so authorized and identified by  
25 name and title by the chief executive officer in writing.

26 (k) To enable the Division of Labor Standards Enforcement in  
27 the Department of Industrial Relations to seek criminal, civil, or  
28 administrative remedies in connection with the failure to pay, or  
29 the unlawful payment of, wages pursuant to Chapter 1  
30 (commencing with Section 200) of Part 1 of Division 2 of, and  
31 Chapter 1 (commencing with Section 1720) of Part 7 of Division  
32 2 of, the Labor Code.

33 (l) To enable federal, state, or local governmental departments  
34 or agencies to administer child support enforcement programs  
35 under Part D of Title IV of the federal Social Security Act (42  
36 U.S.C. Sec. 651 et seq.).

37 (m) To provide federal, state, or local governmental departments  
38 or agencies with wage and claim information in its possession that  
39 will assist those departments and agencies in the administration  
40 of the Victims of Crime Program or in the location of victims of

1 crime who, by state mandate or court order, are entitled to  
2 restitution that has been or can be recovered.

3 (n) To provide federal, state, or local governmental departments  
4 or agencies with information concerning ~~any individuals who are~~  
5 ~~or have been:~~ *an individual who is or has been:*

6 (1) Directed by state mandate or court order to pay restitution,  
7 fines, penalties, assessments, or fees as a result of a violation of  
8 law.

9 (2) Delinquent or in default on guaranteed student loans or who  
10 owe repayment of funds received through other financial assistance  
11 programs administered by those agencies. The information released  
12 by the director for the purposes of this paragraph shall not include  
13 unemployment insurance benefit information.

14 (o) To provide an authorized governmental agency with any ~~or~~  
15 *and* all relevant information that relates to ~~any a~~ specific workers'  
16 compensation insurance fraud investigation. The information shall  
17 be provided to the extent permitted by federal law and regulations.  
18 For the purposes of this subdivision, "authorized governmental  
19 agency" means the district attorney of any county, the office of  
20 the Attorney General, the Contractors' State License Board, the  
21 Department of Industrial Relations, and the Department of  
22 Insurance. An authorized governmental agency may disclose this  
23 information to the State Bar, the Medical Board of California, or  
24 any other licensing board or department whose licensee is the  
25 subject of a workers' compensation insurance fraud investigation.  
26 This subdivision shall not prevent ~~any an~~ authorized governmental  
27 agency from reporting to ~~any a~~ board or department the suspected  
28 misconduct of ~~any a~~ licensee of that body.

29 (p) To enable the Director of Consumer Affairs, or his or her  
30 representatives, to access unemployment insurance quarterly wage  
31 data on a case-by-case basis to verify information on school  
32 administrators, school staff, and students provided by those schools  
33 who are being investigated for possible violations of Chapter 8  
34 (commencing with Section 94800) of Part 59 of Division 10 of  
35 Title 3 of the Education Code.

36 (q) To provide employment tax information to the tax officials  
37 of Mexico, if a reciprocal agreement exists. For purposes of this  
38 subdivision, "reciprocal agreement" means a formal agreement to  
39 exchange information between national taxing officials of Mexico  
40 and taxing authorities of the State Board of Equalization, the

1 Franchise Tax Board, and the Employment Development  
2 Department. Furthermore, the reciprocal agreement shall be limited  
3 to the exchange of information that is essential for tax  
4 administration purposes only. Taxing authorities of the State of  
5 California shall be granted tax information only on California  
6 residents. Taxing authorities of Mexico shall be granted tax  
7 information only on Mexican nationals.

8 (r) To enable city and county planning agencies to develop  
9 economic forecasts for planning purposes. The information shall  
10 be limited to businesses within the jurisdiction of the city or county  
11 whose planning agency is requesting the information, and shall  
12 not include information regarding individual employees.

13 (s) To provide the State Department of Developmental Services  
14 with wage and employer information that will assist in the  
15 collection of moneys owed by the recipient, parent, or any other  
16 legally liable individual for services and supports provided pursuant  
17 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,  
18 and Chapter 2 (commencing with Section 7200) and Chapter 3  
19 (commencing with Section 7500) of Division 7 of, the Welfare  
20 and Institutions Code.

21 (t) To provide the State Board of Equalization with employment  
22 tax information that will assist in the administration of tax  
23 programs. The information shall be limited to the exchange of  
24 employment tax information essential for tax administration  
25 purposes to the extent permitted by federal law and regulations.

26 ~~(u) Nothing in this section shall~~ *This section shall not* be  
27 construed to authorize or permit the use of information obtained  
28 in the administration of this code by ~~any~~ a private collection  
29 agency.

30 (v) The disclosure of the name and address of an individual or  
31 business entity that was issued an assessment that included  
32 penalties under Section 1128 or 1128.1 shall not be in violation  
33 of Section 1094 if the assessment is final. The disclosure may also  
34 include any of the following:

35 (1) The total amount of the assessment.

36 (2) The amount of the penalty imposed under Section 1128 or  
37 1128.1 that is included in the assessment.

38 (3) The facts that resulted in the charging of the penalty under  
39 Section 1128 or 1128.1.

1 (w) To enable the Contractors' State License Board to verify  
2 the employment history of an individual applying for licensure  
3 pursuant to Section 7068 of the Business and Professions Code.

4 (x) To provide ~~any~~ a peace officer with the Division of  
5 Investigation in the Department of Consumer Affairs information  
6 pursuant to subdivision (i) when the requesting peace officer has  
7 been designated by the chief of the Division of Investigation and  
8 requests this information in the course of and as part of an  
9 investigation into the commission of a crime or other unlawful act  
10 when there is reasonable suspicion to believe that the crime or act  
11 may be connected to the information requested and would lead to  
12 relevant information regarding the crime or unlawful act.

13 (y) To enable the Labor Commissioner of the Division of Labor  
14 Standards Enforcement in the Department of Industrial Relations  
15 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully  
16 uninsured employers. The information shall be provided to the  
17 extent permitted by federal law and regulations.

18 (z) To enable the Chancellor of the California Community  
19 Colleges, in accordance with the requirements of Section 84754.5  
20 of the Education Code, to obtain quarterly wage data, commencing  
21 January 1, 1993, on students who have attended one or more  
22 community colleges, to assess the impact of education on the  
23 employment and earnings of students, to conduct the annual  
24 evaluation of district-level and individual college performance in  
25 achieving priority educational outcomes, and to submit the required  
26 reports to the Legislature and the Governor. The information shall  
27 be provided to the extent permitted by federal statutes and  
28 regulations.

29 (aa) To enable the Public Employees' Retirement System to  
30 seek criminal, civil, or administrative remedies in connection with  
31 the unlawful application for, or receipt of, benefits provided under  
32 Part 3 (commencing with Section 20000) of Division 5 of Title 2  
33 of the Government Code.

34 (ab) To enable the State Department of Education, the University  
35 of California, the California State University, and the Chancellor  
36 of the California Community Colleges, pursuant to the  
37 requirements prescribed by the federal American Recovery and  
38 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly  
39 wage data, commencing July 1, 2010, on students who have  
40 attended their respective systems to assess the impact of education



1 on the employment and earnings of those students, to conduct the  
2 annual analysis of district-level and individual district or  
3 postsecondary education system performance in achieving priority  
4 educational outcomes, and to submit the required reports to the  
5 Legislature and the Governor. The information shall be provided  
6 to the extent permitted by federal statutes and regulations.

7 (ac) To provide the Agricultural Labor Relations Board with  
8 employee, wage, and employer information, for use in the  
9 investigation or enforcement of the  
10 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations  
11 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division  
12 2 of the Labor Code). The information shall be provided to the  
13 extent permitted by federal statutes and regulations.

14 (ad) (1) To enable the State Department of Health Care  
15 Services, the California Health Benefit Exchange, the Managed  
16 Risk Medical Insurance Board, and county departments and  
17 agencies to obtain information regarding employee wages,  
18 California employer names and account numbers, employer reports  
19 of wages and number of employees, and disability insurance and  
20 unemployment insurance claim information, for the purpose of:

21 (A) Verifying or determining the eligibility of an applicant for,  
22 or a recipient of, state health subsidy programs, limited to the  
23 Medi-Cal program, provided pursuant to Chapter 7 (commencing  
24 with Section 14000) of Part 3 of Division 9 of the Welfare and  
25 Institutions Code, and the Access for Infants and Mothers Program,  
26 provided pursuant to Part 6.3 (commencing with Section 12695)  
27 of Division 2 of the Insurance Code, when the verification or  
28 determination is directly connected with, and limited to, the  
29 administration of the state health subsidy programs referenced in  
30 this subparagraph.

31 (B) Verifying or determining the eligibility of an applicant for,  
32 or a recipient of, federal subsidies offered through the California  
33 Health Benefit Exchange, provided pursuant to Title 22  
34 (commencing with Section 100500) of the Government Code,  
35 including federal tax credits and cost-sharing assistance pursuant  
36 to the federal Patient Protection and Affordable Care Act (Public  
37 Law 111-148), as amended by the federal Health Care and  
38 Education Reconciliation Act of 2010 (Public Law 111-152), when  
39 the verification or determination is directly connected with, and

1 limited to, the administration of the California Health Benefit  
2 Exchange.

3 (C) Verifying or determining the eligibility of employees and  
4 employers for health coverage through the Small Business Health  
5 Options Program, provided pursuant to Section 100502 of the  
6 Government Code, when the verification or determination is  
7 directly connected with, and limited to, the administration of the  
8 Small Business Health Options Program.

9 (2) The information provided under this subdivision shall be  
10 subject to the requirements of, and provided to the extent permitted  
11 by, federal law and regulations, including Part 603 of Title 20 of  
12 the Code of Federal Regulations.

13 (ae) To provide ~~any~~ a peace officer with the Investigations  
14 Division of the Department of Motor Vehicles with information  
15 pursuant to subdivision (i), when the requesting peace officer has  
16 been designated by the Chief of the Investigations Division and  
17 requests this information in the course of, and as part of, an  
18 investigation into identity theft, counterfeiting, document fraud,  
19 or consumer fraud, and there is reasonable suspicion that the crime  
20 is a felony and that the information would lead to relevant evidence  
21 regarding the identity theft, counterfeiting, document fraud, or  
22 consumer fraud. The information provided pursuant to this  
23 subdivision shall be provided to the extent permitted by federal  
24 law and regulations, and to the extent the information is available  
25 and accessible within the constraints and configurations of existing  
26 department records. ~~Any~~ A person who receives ~~any~~ information  
27 under this subdivision shall make a written report of the  
28 information to the Investigations Division of the Department of  
29 Motor Vehicles, for filing under the normal procedures of that  
30 division.

31 (af) Until January 1, 2020, to enable the Department of Finance  
32 to prepare and submit the report required by Section 13084 of the  
33 Government Code that identifies all employers in California that  
34 employ 100 or more employees who receive benefits from the  
35 Medi-Cal program (Chapter 7 (commencing with Section 14000)  
36 of Part 3 of Division 9 of the Welfare and Institutions Code). The  
37 information used for this purpose shall be limited to information  
38 obtained pursuant to Section 11026.5 of the Welfare and  
39 Institutions Code and from the administration of personal income  
40 tax wage withholding pursuant to Division 6 (commencing with

1 Section 13000) and the disability insurance program and may be  
2 disclosed to the Department of Finance only for the purpose of  
3 preparing and submitting the report and only to the extent not  
4 prohibited by federal law.

5 (ag) To provide, to the extent permitted by federal law and  
6 regulations, the Student Aid Commission with wage information  
7 in order to verify the employment status of an individual applying  
8 for a Cal Grant C award pursuant to subdivision (c) of Section  
9 69439 of the Education Code.

10 (ah) To enable the Department of Corrections and Rehabilitation  
11 to obtain quarterly wage data of former inmates who have been  
12 incarcerated within the prison system in order to assess the impact  
13 of rehabilitation services or the lack of these services on the  
14 employment and earnings of these former inmates. Quarterly data  
15 for a former inmate's employment status and wage history shall  
16 be provided for a period of one year, three years, and five years  
17 following release. The data shall only be used for the purpose of  
18 tracking outcomes for former inmates in order to assess the  
19 effectiveness of rehabilitation strategies on the wages and  
20 employment histories of those formerly incarcerated. The  
21 information shall be provided to the department to the extent not  
22 prohibited by federal law.

23 (ai) To enable federal, state, or local government departments  
24 or agencies, or their contracted agencies, subject to federal law,  
25 including the confidentiality, disclosure, and other requirements  
26 set forth in Part 603 of Title 20 of the Code of Federal Regulations,  
27 to evaluate, research, or forecast the effectiveness of public social  
28 services programs administered pursuant to Division 9  
29 (commencing with Section 10000) of the Welfare and Institutions  
30 Code, or Part A of Subchapter IV of Chapter 7 of the federal Social  
31 Security Act (42 U.S.C. Sec. 601 et seq.), when the evaluation,  
32 research, or forecast is directly connected with, and limited to, the  
33 administration of the public social services programs.

34 (aj) To enable the California Workforce Development Board,  
35 the Chancellor of the California Community Colleges, the  
36 Superintendent of Public Instruction, the Department of  
37 Rehabilitation, the State Department of Social Services, the Bureau  
38 for Private Postsecondary Education, the Department of Industrial  
39 Relations, the Division of Apprenticeship Standards, and the  
40 Employment Training Panel to access any relevant quarterly wage

1 data necessary for the evaluation and reporting of their respective  
2 program performance outcomes as required and permitted by  
3 various state and federal laws pertaining to performance  
4 measurement and program evaluation under the federal Workforce  
5 Innovation and Opportunity Act (Public Law 113-128); the  
6 workforce performance metrics dashboard pursuant to paragraph  
7 (1) of subdivision (i) of Section 14013; the Adult Education Block  
8 Grant Program consortia performance metrics pursuant to Section  
9 84920 of the Education Code; the economic and workforce  
10 development program performance measures pursuant to Section  
11 88650 of the Education Code; and the California Community  
12 Colleges Economic and Workforce Development Program  
13 performance measures established in Part 52.5 (commencing with  
14 Section 88600) of Division 7 of Title 3 of the Education Code.

15 *(ak) To enable the Mental Health Services Oversight and*  
16 *Accountability Commission to receive quarterly wage data to assist*  
17 *the commission in fulfilling its duties under the Mental Health*  
18 *Services Act. The information shall be provided to the extent*  
19 *permitted under applicable federal statute and regulation.*

20 SEC. 2. Section 5845 of the Welfare and Institutions Code is  
21 amended to read:

22 5845. (a) The Mental Health Services Oversight and  
23 Accountability Commission is hereby established to oversee Part  
24 3 (commencing with Section 5800), the Adult and Older Adult  
25 Mental Health System of Care Act; Part 3.1 (commencing with  
26 Section 5820), Human Resources, Education, and Training  
27 Programs; Part 3.2 (commencing with Section 5830), Innovative  
28 Programs; Part 3.6 (commencing with Section 5840), Prevention  
29 and Early Intervention Programs; and Part 4 (commencing with  
30 Section 5850), the Children's Mental Health Services Act. The  
31 commission shall replace the advisory committee established  
32 pursuant to Section 5814. The commission shall consist of 16  
33 voting members as follows:

34 (1) The Attorney General or his or her designee.

35 (2) The Superintendent of Public Instruction or his or her  
36 designee.

37 (3) The Chairperson of the Senate Health and Human Services  
38 Committee or another member of the Senate selected by the  
39 President pro Tempore of the Senate.

1 (4) The Chairperson of the Assembly Health Committee or  
2 another member of the Assembly selected by the Speaker of the  
3 Assembly.

4 (5) Two persons with a severe mental illness, a family member  
5 of an adult or senior with a severe mental illness, a family member  
6 of a child who has or has had a severe mental illness, a physician  
7 specializing in alcohol and drug treatment, a mental health  
8 professional, a county sheriff, a superintendent of a school district,  
9 a representative of a labor organization, a representative of an  
10 employer with less than 500 employees and a representative of an  
11 employer with more than 500 employees, and a representative of  
12 a health care services plan or insurer, all appointed by the  
13 Governor. In making appointments, the Governor shall seek  
14 individuals who have had personal or family experience with  
15 mental illness. At least one of the persons appointed pursuant to  
16 this paragraph shall have a background in auditing.

17 (b) Members shall serve without compensation, but shall be  
18 reimbursed for all actual and necessary expenses incurred in the  
19 performance of their duties.

20 (c) The term of each member shall be three years, to be  
21 staggered so that approximately one-third of the appointments  
22 expire in each year.

23 (d) In carrying out its duties and responsibilities, the commission  
24 may do all of the following:

25 (1) Meet at least once each quarter at any time and location  
26 convenient to the public as it may deem appropriate. All meetings  
27 of the commission shall be open to the public.

28 (2) Within the limit of funds allocated for these purposes,  
29 pursuant to the laws and regulations governing state civil service,  
30 employ staff, including any clerical, legal, and technical assistance  
31 as may appear necessary. The commission shall administer its  
32 operations separate and apart from the State Department of Health  
33 Care Services and the California Health and Human Services  
34 Agency.

35 (3) Establish technical advisory ~~committees~~ *committees*, such  
36 as a committee of consumers and family members.

37 (4) Employ all other appropriate strategies necessary or  
38 convenient to enable it to fully and adequately perform its duties  
39 and exercise the powers expressly granted, notwithstanding any

1 authority expressly granted to ~~any~~ *an* officer or employee of state  
2 government.

3 (5) Enter into contracts.

4 (6) Obtain data and information from the State Department of  
5 Health Care Services, the Office of Statewide Health Planning and  
6 Development, or other state or local entities that receive Mental  
7 Health Services Act funds, for the commission to utilize in its  
8 oversight, review, training and technical assistance, accountability,  
9 and evaluation capacity regarding projects and programs supported  
10 with Mental Health Services Act funds.

11 (7) Participate in the joint state-county decisionmaking process,  
12 as contained in Section 4061, for training, technical assistance,  
13 and regulatory resources to meet the mission and goals of the  
14 state's mental health system.

15 (8) Develop strategies to overcome stigma and discrimination,  
16 and accomplish all other objectives of Part 3.2 (commencing with  
17 Section 5830), 3.6 (commencing with Section 5840), and the other  
18 provisions of the act establishing this commission.

19 (9) At any time, advise the Governor or the Legislature regarding  
20 actions the state may take to improve care and services for people  
21 with mental illness.

22 (10) If the commission identifies a critical issue related to the  
23 performance of a county mental health program, it may refer the  
24 issue to the State Department of Health Care Services pursuant to  
25 Section 5655.

26 (11) Assist in providing technical assistance to accomplish the  
27 purposes of the Mental Health Services Act, Part 3 (commencing  
28 with Section 5800), and Part 4 (commencing with Section 5850)  
29 in collaboration with the State Department of Health Care Services  
30 and in consultation with the California Mental Health Directors  
31 Association.

32 (12) Work in collaboration with the State Department of Health  
33 Care Services and the California Mental Health Planning Council,  
34 and in consultation with the California Mental Health Directors  
35 Association, in designing a comprehensive joint plan for a  
36 coordinated evaluation of client outcomes in the community-based  
37 mental health system, including, but not limited to, parts listed in  
38 subdivision (a). The California Health and Human Services Agency  
39 shall lead this comprehensive joint plan effort.

1     (e) *It is the intent of the Legislature to authorize the commission*  
2 *to receive information held by other state agencies, as it relates*  
3 *to outcomes established under the Mental Health Services Act or*  
4 *adopted by the commission under the act for the purposes of*  
5 *monitoring those outcomes and improving the mental health*  
6 *system.*

7     SEC. 3. The Legislature finds and declares that this act clarifies  
8 procedures and terms of the Mental Health Services Act within  
9 the meaning of Section 18 of the Mental Health Services Act.

O