

## **Governance Affairs Committee**

Report to Council (Edited for SCPS website)

September 9, 2021

### **Items from GAC Meeting of July 13, 2021.**

1. **SCPS Website new advocacy section tabs and GAC description:** The committee reviewed both the new advocacy section tabs on the SCPS website and the expanded GAC webpage, and thanked SCPS Staff and the Website Committee for their invaluable skills and assistance in this project.
2. **AB 451 (Arambula) ED transfers to psychiatric facilities:** The committee discussed the implications of this bill to permit transfer of patients from general hospitals with EDs to psychiatric facilities when the sending ED physician believes that a patient is medically stable for transfer and requires psychiatric evaluation. The bill is supported by the CMA, opposed by CBHDA and CSAC, and is moving quickly toward passage. Concerns have been raised by psychiatric facilities about the potential for inappropriate transfers and the lack of clarity regarding authority for detention and transfers in the absence of patient consent and without detention under LPS statutes. Mr. Hager stated that current AB 451 language gave psychiatric facilities sufficient discretion in accepting such transfers. PPAC has a watch position. There was no motion arising from the discussion.
3. **APA representation of SCPS advocacy: report on discussion with Kathy Orellana, Director, APA State Government Relations.** Dr. Shaner reported on a conversation he had with Kathy Orellana (Senior Regional Director, State Government Relations) about APA procedures and availability for working with SCPS and other APA DB. Ms. Orellana said that she was delighted to work with any DB or DBs that would invite her. Regarding APA procedures for taking positions on state legislation though its representation of state DBs, she stated APA takes positions on state legislative when the state legislation has connections to national policy concerns of APA. She emphasized that, while APA could lend expertise and national perspective to DB government affairs committees, a key role for APA participation in such activities was that it permits APA to receive information and potentially shape activities in coordination with the involved DBs. Based upon this, the committee discussed the potential for APA advocacy for support of SCPS Council positions and priorities at a national level. Ensuring that the SCPS/APA meetings are structured to most efficiently and successfully accomplish this will be an important task ahead. A motion by Dr. Shaner was passed to recommend that Council approve an initial meeting with APA at the August GAC for the following purposes:
  - a. To obtain APA representational advocacy for SCPS Council positions on specific bills that may have national significance.
  - b. To receive APA ideas on best structure future meetings for hearing SCPS concerns.
  - c. To develop a potential plan for further meetings with APA that might occur quarterly at regularly scheduled or special GAC meetings, or alternatively at other specially convened SCPS meetings, e.g., SCPS Council. The plan would include a structure to potentially include invitees that can effectively represent and advocate for SCPS positions to APA. (Meetings could be 2 GAC meetings and 2 Council meetings during the year)

4. **AB 988 (Bauer-Kahan) Mental Health Crisis Hotline update:** The committee discussed new language in AB 988 that was designed to make the bill more coherent and support to some greater extent participation by counties in creation of the structure and services.
5. **SB 379 (Weiner) UC Contracts with Health Facilities:** The committee discussed recent developments regarding SB 379 and the associated and unexpected action by the Board of the UC Regents to establish future health systems contractual requirements that UC physicians be permitted to perform all medically indicated services when transfer was deemed unfeasible. A motion was passed to refer the information back to the Diversity and Culture Committee, given its previous actions regarding SB 379, for possible further action.
6. **PPAC legislative update:** Mr. Hager presented an update of legislative and issues and PPAC analysis and positions. Of note, SB 516 (Eggman) Certification for intensive treatment: review hearing, which requires that medical condition be taken into consideration during determination of probable cause for grave disability, has become a two-year bill.
7. **SCPS advocacy planning during 2021 related to 6/18 PPAC letter.** The committee discussed an analysis of the PPAC letter sent in response to the SCPS Council request for greater clarity regarding the way PPAC represented SCPS advocacy positions as determined by SCPS Council. The analysis concluded that the PPAC letter was unresponsive to the request. Dr. Shaner made a motion to recommend to Council that advocacy planning for the remainder of 2021 be based upon the assumption that PPAC does not consider bound by its current contract with SCPS to represent SCPS advocacy positions. The motion was tabled pending anticipated further clarification by PPAC at the August GAC meeting.

#### **Items from GAC Meeting of August 10, 2021.**

1. **Discussion with APA Department of State Government Relations:** Following approval by SCPS Executive Committee, GAC met with invitees Kathy Orellana and Erin Philp to discuss with APA for purposes of facilitating representation by APA of SCPS membership views, as articulated by SCPS Council, at a national level. Our goal was to determine the best ways for SCPS to communicate policy advocacy needs to APA Department of State Government Relations and coordinate work with APA advocacy.

**Motion 1: That SCPS Council ratify the EC authorization for GAC to meet with APA State Government Relations and schedule quarterly meetings between APA and GAC and APA and Council.**

*(Bylaws Section 3.3 (b) Council; Quorum; Action: From time to time when immediate action on substantial matters on which the President is not otherwise authorized to act is necessary in the best interests of the District Branch, the President, after consultation with the Executive Committee, may take action on behalf of the District Branch. Any such action shall be considered at the next regularly scheduled Council meeting and ratification of the action shall not be unreasonably withheld.)*

**2. Discussion of 2022 advocacy planning options**

**3. Discussion of advocacy 2022 contract development.**

**Items from GAC Meeting of August 31, 2021**

**1. Discussion of 2022 advocacy contract development.**