

# Psychiatric Advance Directives

MULTI-COUNTY COLLABRATIVE  
Mental Health Services Act

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**CONCEPTS****FORWARD**  
CONSULTING

**Innovation Work Plan:** In progress

**Additional Mental Health Plan/County:** Contra Costa and Tri-City

**Project Title:** Multi-County Psychiatric Advance Directives (PADs) Innovation Project

**Duration of the Project:** Current through June 30, 2025



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## Introduction:

In 2006, the Center for Medicare and Medicaid Services (CMS) made it clear that a Psychiatric Advance Directive (PAD) should be a part of psychiatric care. Approximately twenty-seven states have enacted laws and policies recognizing PADs since the 1990s. However, PADs are often written with a focus on physical health, with little to no room for psychiatric health, plans, arrangements, or instructions to assist in the event of a mental health crisis. Also, the length and number of different PADs templates make it confusing for the individual filling out the PAD and the health care and law enforcement (LE) charged to comply with them. With such confusion, how can LE or hospitals know whether a PAD is valid or not?

As stated on the website of the National Resource Center on Psychiatric Advanced Directives (NRC), "Psychiatric advance directives are relatively new legal instruments that may be used to document a competent person's specific instructions or preferences regarding future mental health treatment. Psychiatric advance directives are used to plan for the possibility that someone may lose the capacity to give or withhold informed consent to treatment during acute episodes of psychiatric illness." (National Resource Center on Psychiatric Advance Directives, n.d.), The website further explains that California does not currently have a specific legal statute encouraging or recognizing PADs, thus leading to the underutilization of PADs in the state.

Californians living with mental illness continue to face high rates of recidivism, inpatient non-voluntary hospitalization, homelessness, and incarceration. These problems persist despite the state's efforts to avoid or reduce 5150 involuntary hospitalizations and incarceration. For example, California has deployed teams to conduct outreach to homeless individuals to engage them in services. Unfortunately, these and other efforts have not led to meaningful reductions in hospitalization and incarceration, or improved treatment outcomes.

June 2021 turned the corner here in California when five counties, with Mental Health Services Act (MHSA) funding banded together to move PADs to the forefront of conversation within California. Additional counties will be joining the project this year. The Multi-County PADs project seeks to make PADs accessible to our mental health consumers, as well as LE and hospitals both Emergency Department (ED) and Inpatient Psychiatric Unit (IPU). A significant aspect of the project is the creation of a cloud-based technology platform. The platform will operate in real-time, allowing consumers to create, access, store and share their PAD with their appointed advocate, loved ones and providers. It will also create a shared system for healthcare providers and first responders across the state, giving them immediate access to a consumer's PAD during crisis and facilitating care coordination across agencies. A dynamic technology platform with a single point of access and real-time capabilities does not currently exist and is the key innovative component of the multi-county effort.

Aspects for the success of PADs in California are that of: Education and training our PCPs, EDs, LE and IPU on what is a PAD, and how to refer an individual to create a PAD; Accessibility to create a PAD in multiple threshold languages; Voice of the consumer, to create their PAD, what works best for them in a crisis and full autonomy for their decisions ahead of time; Technology to quickly and seamlessly create, store, access and share PADs in real-time ; Acceptance and enforceability to upload a PAD with a legal electronic signature and the requirement of PCPs, EDs, IPUs and LE to ask the individual in crisis if they have a PAD, and in turn, seek the information on the cloud-based technology platform; Longevity of the

cloud-based platform, to have funding for the ongoing licensing fee to keep PADs operable year after year; and finally, Protection for the individual, knowing their voice will be heard in the time of crisis, their appointed advocate will mirror that voice and a PAD will never be used to force or coerce treatment.

**Primary Purpose:**

*“Increases the quality of mental health services, including measured outcomes.”*

Using PADs, current clients and non-engaged consumers will gain autonomy in decision-making toward their mental health care supports and services. This county-wide project will provide the groundwork for community collaboration, creating PADs Teams, a standardized PADs County "tool-kit," and evaluate the process and success in engaging clients and non-engaged consumers.

PADs are a form of Supportive Decision-Making (SDM), a decision-making methodology where people work with friends, family members, and professionals who help them understand the situations and choices they face so they may make their own informed decisions and direct their lives. The process of developing a PAD, with support from, among others, county mental health professionals, can help people clarify their preferences for treatment so that they will receive appropriate support and care, especially during mental health crises. When handled skillfully, a PAD is a powerful tool to increase a person's quality of care within the mental health and justice-involved settings.

This proposed project will meet several unmet needs across the state:

1. Provide standardized training to increase understanding of the existence and benefits of PADs by communities and stakeholders.
2. Develop and implement a standardized PAD template, ensuring that individuals have autonomy
3. and are the leading “voice” in their care, especially during a mental health crisis.
4. Utilize peers to facilitate creation of PADs so that shared lived experience and understanding will lead to more open dialogue, trust, and improved outcomes.
5. Develop and implement a standardized training "tool-kit" to enable PAD education, policy, and practice fidelity from county to county.
6. Align mental health PADs with medical Advance Directives, with a focus on treating the “whole person” throughout the life course.
7. Utilize a technology platform for easy access to training, materials, creation, storage, and review of PADs.
8. Create a fully functioning cloud-based PADs Technology Platform, for ease of use by consumers, LE, or hospitals {Emergency Departments (ED) and Inpatient Units (IPU)}, for in-the-moment use.
9. Use legislative and policy advocacy, with consumer voices in the lead, to create a legal structure to recognize and enforce PADs, so that consumer choice and self-determination are recognized and respected throughout California.
10. Evaluate (a) the effectiveness of this project; (b) the ease of use and recognition of PADs; (c) the impact of PADs on the quality of mental health supports and services; and (d) most importantly, the impact of PADs on the quality of life of consumers.

**Proposed Project:**

The proposed Innovations Project seeks to expand on Fresno’s previously approved PADs project by:

1. Engage the community, consumers, peers, families, consumer advocacy groups, LE, ED’s, IPU,

- and the judicial system.
- a. Provide training and ongoing informational webinars and/or in-person discussions on:
    - i. What is a PAD?
    - ii. Why are PADs essential for consumer choice, self-determination, physical and mental health, and improved treatment outcomes?
  - b. Enable consumer participation through workgroups, focus groups, and surveys.
  - c. Ensure that consumers are the leading voice in creating the standardized PADs template in California.
  - d. Lead discussions on access and consent to treatment through PADs.
  - e. Engage consumers in discussion on legislation, policy, and advocacy on PADs.
  - f. Work with people from diverse ethnic and cultural backgrounds to ensure cultural competency.
2. Develop Community-wide standardized training for understanding, accessing, recognizing, and implementing PADs within the Mental Health Plan, crisis centers, hospitals (ED, IPU), LE, homeless services, and transitional-aged youth (TAY) services.
    - a. Create a library or “tool-kit” of resources.
    - b. Create standardized videos and training material.
  3. Create a standardized PAD template.
    - a. Submit to the NRC for inclusion in the California section of the website.
    - b. Create a step-by-step training guide/video for development and implementation of PADs.
  4. Training of Trainers
    - a. Identify Peer trainers
    - b. Identify PAD Teams
    - c. Train PADs Teams
    - d. Train community providers
    - e. Train clinicians
    - f. Create a standard video module to be added to the technology platform for future use by additional counties.
  5. Draft and advocate for legislation enabling PAD use accessibility, adherence, and sustainability.
  6. Create a statewide PADs Technology Platform.
    - a. Ensure medical and mental health parity.
    - b. Identify access points for LE, hospitals (ED, IPU), and crisis teams.
    - c. Utilize consumers and consumer advocacy groups for PADs facilitation, access, and consent discussion.
    - d. House training videos and templates for ease of statewide use and accessibility.
    - e. Ensure Platform ease of use during a crisis encounter by LE, hospitals (ED, IPU), and crisis response teams.
  7. Evaluate the impact of PADs with process and impact data and outcomes.
    - a. Hold focus groups.
      - i. Was training effective?
      - ii. Understanding PADs
      - iii. Consumer use of PADs

- b. Surveys
- c. Evaluate county-specific priority pilot populations.
- d. Evaluate impact on access to and quality of mental health services and supports
- e. Evaluate impact on consumer quality of life.

**Project Status:**

On June 24, 2021, the Mental Health Services Oversight and Accountability Commission (MHSOAC) approved the Multi-County PADs Innovations Project. Beginning July 1, 2021, the five participating counties identified a fiscal intermediary and created a standard agreement for all counties to operationalize. The process to create this extensive multi-county agreement was overseen by these counties working in collaboration with their county counsel, and in coordination with Syracuse University (SU), the fiscal intermediary. This was no easy task; each county was able to weigh in on a document to be accepted by all participating counties and be available for any future participating Mental Health Plan (MHP)/County. Since the participating counties have taken on the initially financial burden with all contractors, as new MHPs join, additional needs were identified to enhance the goals of the project.

One such item is that of transparent communication. As a multi-County project, it would be up to each individual county to report on the progress of the project. It has been identified a website to present up-to-date project activities, reports, fiscal accountability, and ongoing county stakeholder input opportunities, would be most beneficial for the project.

Another item is to increase funding for a “peer voice” contract to \$400,000. Currently, Mariposa County has established \$60,000 in funding towards the statewide peer voice contract. Some of the participating counties do not have active peer stakeholder groups and would need a more hands-on role for the peer contractor. The idea of having peers trained to facilitate PADs, participate in legislation conversations, assist in creating and training new local PAD teams, increase local peer participation, and be the statewide voice of peers for the project, led to the desire to pay peers a living wage and sustain the project through its entirety. This contract would be released to begin fiscal year 2022/23.

**Budget Narrative:**

In addition to the expanded peer voices contract, all budget narrative activities remain in place as per the MHSOAC approved Innovations project, dated June 24, 2021. Contractors expanded their scope to accommodate new participating MHP involvement. Contractor(s) with additional duties are as follows:

Idea Engineering BUDGET ADDENDUM FEB. 17, 2022:

- 1) PADs Identification Materials for Consumers – Additional creative development and materials
  - Strategic consultation and creative direction
  - Graphic design, copywriting and editing, Spanish translation, art production, production coordination
  - Non-recurring costs: Printing & production of PADs communications materials
- 2) Technical Support: Increase to provide support to additional counties

- Strategic consultation and creative direction
- Graphic design, copywriting and editing, Spanish translation, art production, production coordination

3) Website

- Development & Support:
  - Strategic consultation and creative direction
  - Graphic design, copywriting and editing, art production, production coordination, programming
- Hosting & technical maintenance
- UserWay plug-in licensing

**New MHP/County participation:**

Two MHPs have voiced their desire to participate in the MHSOAC approved Multi-County PADs Innovations Project, Tri-city a medium MHP and Contra Costa a large county MHP. These MHPs will begin activities July 1, 2022. Budget expenses are determined by county size and MHP/County chosen staffing and administrative costs.

Each participating county will create a county specific description of local need, local community planning process with timeline and budget, including budget narrative. (Appendix A)

**Project Expansion Budget:**

		FY 22/23	FY 23/24	FY 24/25	Total
	<b>CONSULTANT COSTS / CONTRACTS (training, facilitator, evaluation)</b>				
1.	Total Costs	\$472,655	\$444,418	\$408,492	\$1,325,565
3.	Multi-County Fiscal Intermediary	\$66,279	\$66,278	\$66,278	\$198,835
3.	<b>Total Consultant Costs</b>	<b>\$538,934</b>	<b>\$510,696</b>	<b>\$474,770</b>	<b>\$1,524,400</b>

## Appendix: Contra Costa County

### County Contact and Specific Dates

- **Primary County Contact:**  
Jennifer Bruggeman, MHSA Program Manager  
[Jennifer.bruggeman@cchealth.org](mailto:Jennifer.bruggeman@cchealth.org)  
925-313-9579
- **Date Proposal posted for 30-day Public Review:**  
4/1/22 to 5/1/22
- **Date of Local MH Board hearing:**  
5/4/22
- **Date of BOS approval or calendared date to appear before BOS:**  
6/21/22

### Description of the Local Need

Contra Costa Behavioral Health Services (CCBHS), in partnership with consumers, families and community-based agencies, provides welcoming mental health and substance use services that promote wellness, recovery and resiliency while respecting the complexity and diversity of the people served.

In recent years, CCBHS has expanded its mobile crisis response efforts, with teams serving both youth and adults countywide. Through a lengthy community planning process, a comprehensive crisis center, known as the Miles Hall Community Crisis Hub, is currently underway. This effort is based on the philosophy that appropriate crisis care should be available to Anyone – Anyplace – Anytime (A3). A coordinated Psychiatric Advanced Directive (PAD) process will complement this effort and assist law enforcement and mobile crisis teams in responding to community members experiencing a mental health crisis. Having an accessible PAD in place can minimize the harm and trauma often associated with involuntary detainment during a psychiatric crisis. We believe this will empower individuals living with mental illness by promoting self-determination, as well as providing valuable information to providers and first responders.

Currently, local use of PADs is not widespread, as there is limited collective understanding around access and utilization, and no centralized document storage system. In partnership, CCBHS' Office for Consumer Empowerment (OCE), staffed by individuals with lived experience (peers) and the Consolidated Planning and Advisory Workgroup (local MHSA advisory body known as CPAW) have helped identify the coordinated use of PADs as a priority in Contra Costa. Our hope is that this project will increase community knowledge and understanding of PADs, identify a peer supported universal template, and implement a technology platform for easy access to training materials, as well as creation, storage, and review of PADs. We look forward to working closely with the Office for Consumer Empowerment and local crisis response teams to implement PADs.



## Description of the Response to the Local Need

We believe the project will:

- Promote individual choice during a crisis; actively engage consumers in their treatment and recovery
- Reduce recidivism and rates of re-hospitalization and incarceration
- Provide opportunities for community collaboration and involvement of peers as stakeholders and trusted messengers
- Offer local providers and first responders additional tools to mitigate the trauma that can result from involuntary detention

## Description of the Local Community Planning Process

The concept of PADs was brought forth by the community, who initially expressed interest in the topic in the fall of 2021. The local Community Planning Process included discussion of PADs at approximately seven public meetings that took place between December 2021- April 2022. Information on PADs was presented to the Consolidated Planning and Advisory Workgroup (local MHSA steering group), several of its sub-committees, and the Mental Health Commission (advisory board). Tools such as polls and public comment cards were offered to gauge community support.

A public community forum focused on Innovation projects (including PADs) was held on March 4, 2022. Approximately 154 community members registered for the virtual event. An overview of MHSA, Innovations, and PADs was provided. Opportunities for small group discussion break out groups were offered. Analysis of the various types of input gathered over the past four months demonstrates strong community support for PADs, which aligns with MHSA values of promoting wellness and resiliency and being community-driven.

Additionally, in a recent survey offered to over 800 community members, Crisis-Related Services were identified as one of the top 5 priority issues. If approved, PADs will complement the continuum of Crisis-Related Care in Contra Costa County, which continues to expand. PADs will serve additional priority populations recently identified by the community including justice-involved individuals, and the unhoused.

## Budget Narrative for County Specific Needs:

**Total proposed budget** for this three-year Innovation project is **\$1,500,058**. A detailed breakdown of the budget by fiscal year is provided in the grid below. Budget sheets were taken from Innovations Template.

Expenditures are categorized and described in detail below:

## Contra Costa Direct Personnel Costs

The total estimated cost for CCBHS personnel includes salaries + benefits and assumes a 4% annual increase.

MHSA Program Supervisor (.2 FTE)

Oversee internal stakeholder process, including facilitating related Innovation Sub-Committee meetings and reporting to community stakeholders. Reporting, data analysis.

MHSA Program Manager (.1FTE)

Responsible for administrative oversight, such as monitoring expenditures, attending collaborative meetings, liaison to contractors.

MHSA Clerical Support (.1 FTE)

Clerical assistance as needed, including printing materials, notifying the public of meetings and training events.

Office for Consumer Empowerment (OCE) Community Support Worker II (.1FTE)

Provide support around stakeholder engagement with peers and PADs training.

**Contractor Costs**

**Direct Costs**

- Contractors include: Project Manager/County TA Lead, PAD Trainer, Evaluator, Idea Engineering (software), Peer Voice contract (TBD), PADs stakeholder engagement

**Indirect Costs**

- Includes administrative costs estimated at 15%
- Contractor travel, misc. expenses

**Budget by Fiscal Year and Specific Budget Category for County Specific Needs**

BUDGET BY FISCAL YEAR AND SPECIFIC BUDGET CATEGORY*							
EXPENDITURES							
	PERSONNEL COSTS (salaries, wages, benefits)	FY 22/23	FY 23/24	FY 24/25			TOTAL
1.	Salaries – County staff	74,186	77,153	80,239			\$231,578
2.	Direct Costs						
3.	Indirect Costs - travel	750	750	750			\$2,250
4.	<b>Total Personnel Costs</b>						
	<b>OPERATING COSTS* -- N/A</b>						
5.	Direct Costs						
6.	Indirect Costs						

7.	<b>Total Operating Costs</b>						<b>\$ 0</b>
	<b>NON-RECURRING COSTS (equipment, technology) – N/A</b>						
8.	Tablets, other equipment, and technology	\$10,000					
9.							
10.	<b>Total non-recurring costs</b>						<b>\$ 10,000</b>
	<b>CONSULTANT COSTS / CONTRACTS</b>						
11.	Direct Costs – TA, coordination, training, facilitation	384,623	362,189	336,029			
12.	Indirect Costs – evaluation, travel, misc.	3,972	3,972	1,590			
	Administration 15%	58,289	54,924	50,642			
13.	<b>Total Consultant Costs</b>	<b>446,884</b>	<b>421,085</b>	<b>388,261</b>			<b>\$1,256,230</b>
	<b>OTHER EXPENDITURES (please explain in budget narrative) – N/A</b>						
14.							
15.							
16.	<b>Total Other Expenditures</b>						<b>\$ 0</b>
	<b>BUDGET TOTALS</b>						
	Personnel (total of line 1)	74,186	77,153	80,239			\$231,578
	Direct Costs (add lines 2, 5, and 11 from above)	384,623	362,189	336,029			\$1,082,841
	Indirect Costs (add lines 3, 6, and 12 from above)	63,011	59,646	52,982			\$175,639
	Non-recurring costs (total of line 10)	10,000					\$10,000
	Other Expenditures (total of line 16)						\$
	<b>TOTAL INNOVATION BUDGET</b>	<b>531,820</b>	<b>498,988</b>	<b>469,250</b>			<b>\$1,500,058</b>

*Use of Reversion Funds:* This Innovation project will first utilize any unexpended Innovation funds from prior years that may be subject to reversion.

**Total Budget Context – Expenditures by Funding Source and Fiscal Year (FY):**

BUDGET CONTEXT – EXPENDITURES BY FUNDING SOURCE AND FISCAL YEAR (FY)							
<b>ADMINISTRATION:</b>							
<b>A.</b>	<b>Estimated total mental health expenditures for administration for the entire duration of this INN Project by FY &amp; the following funding sources:</b>	<b>FY 22/23</b>	<b>FY 23/24</b>	<b>FY 24/25</b>	<b>FY xx/xx</b>	<b>FY xx/xx</b>	<b>TOTAL</b>
1.	Innovative MHSAs Funds	531,820	498,988	469,250			\$1,500,058
2.	Federal Financial Participation						
3.	1991 Realignment						
4.	Behavioral Health Subaccount						
5.	Other funding						
6.	<b>Total Proposed Administration</b>						\$
<b>EVALUATION:</b>							
<b>B.</b>	<b>Estimated total mental health expenditures for EVALUATION for the entire duration of this INN Project by FY &amp; the following funding sources:</b>	<b>FY xx/xx</b>	<b>FY xx/xx</b>	<b>FY xx/xx</b>	<b>FY xx/xx</b>	<b>FY xx/xx</b>	<b>TOTAL</b>
1.	Innovative MHSAs Funds						
2.	Federal Financial Participation						
3.	1991 Realignment						
4.	Behavioral Health Subaccount						
5.	Other funding						
6.	<b>Total Proposed Evaluation</b>						\$
<b>TOTALS:</b>							

C.	Estimated TOTAL mental health expenditures (this sum to total funding requested) for the entire duration of this INN Project by FY & the following funding sources:	FY 22/23	FY 23/24	FY 24/25			TOTAL
1.	Innovative MHSA Funds*	531,820	498,988	469,250			\$1,500,058
2.	Federal Financial Participation						\$
3.	1991 Realignment						\$
4.	Behavioral Health Subaccount						\$
5.	Other funding**						\$
6.	<b>Total Proposed Expenditures</b>	<b>531,820</b>	<b>498,988</b>	<b>469,250</b>			<b>\$1,500,058</b>

\* INN MHSA funds reflected in total of line C1 should equal the INN amount County is requesting

\*\* If "other funding" is included, please explain within budget narrative.

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