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**WELFARE AND INSTITUTIONS CODE - WIC**

**DIVISION 5. COMMUNITY MENTAL HEALTH SERVICES [5000 - 5987]** (*Division 5 repealed and added by Stats. 1967, Ch. 1667.*)

**PART 5. INSTITUTIONS FOR MENTAL DISEASE [5900 - 5912]** (*Part 5 added by Stats. 1991, Ch. 89, Sec. 198.*)

**CHAPTER 1. General Provisions [5900 - 5912]** (*Chapter 1 added by Stats. 1991, Ch. 89, Sec. 198.*)

**ARTICLE 3. Procedures for the Transfer of Responsibility from the State to the Counties [5907 - 5912]** (*Article 3 added by Stats. 1991, Ch. 89, Sec. 198.*)

**5907.** No later than January 1, 1992, the director, in consultation with the California Conference of Local Mental Health Directors and representatives of institutions for mental disease, shall develop a suggested uniform contract format that may be used by counties for the purchase of services from institutions for mental disease.

(*Added by Stats. 1991, Ch. 89, Sec. 198. Effective June 30, 1991.*)

**5908.** On or before October 1, 1992, and in each following year, the counties contracting directly with the facility shall inform the facility of any intent to modify the quantity of services to be purchased in the subsequent fiscal year. Contracts for these services shall be completed by April 1 of each year for the following year. In the absence of cause, changes shall not be made without this notification.

(*Added by Stats. 1991, Ch. 89, Sec. 198. Effective June 30, 1991.*)

**5909.** (a) The Director of Health Care Services shall retain the authority and responsibility to monitor and approve special treatment programs in skilled nursing facilities in accordance with Sections 72443 to 72475, inclusive, of Title 22 of the California Code of Regulations.

(b) The State Department of Health Care Services shall conduct annual certification inspections of special treatment programs for persons with a mental health disability for the purpose of approving the special treatment programs that are located in skilled nursing facilities licensed pursuant to Section 1265 of the Health and Safety Code.

(*Amended by Stats. 2024, Ch. 948, Sec. 60. (AB 2119) Effective January 1, 2025.*)

**5910.** Nothing in this article shall preclude two or more counties from establishing a single agreement with a facility, or group of facilities, for the purchase of services for the counties as a single entity. When two or more counties enter into an agreement, a single county may act as the host county for the purpose of program management and administration.

(*Added by Stats. 1991, Ch. 89, Sec. 198. Effective June 30, 1991.*)

**5911.** A county or group of counties, by agreement, may expand services into additional facilities utilizing any funds available to the county or counties for that purpose.

(*Added by Stats. 1991, Ch. 89, Sec. 198. Effective June 30, 1991.*)

**5912.** (a) As long as contracts require institutions for mental disease to continue to be licensed and certified as skilled nursing facilities by the State Department of Public Health, they shall be reimbursed for basic services at the rate established by the State Department of Health Care Services. Effective July 1, 2014, the reimbursement rate for institutions for mental disease shall increase by 3.5 percent annually.

(b) It is the intent of the Legislature that the annual rate increases provided in subdivision (a) be utilized by the institutions for mental disease to meet direct service costs and, to the extent possible, improve the quality of care rendered to residents in the facilities.

(c) Notwithstanding subdivision (a), beginning July 1, 2017, in any year that the Mental Health Subaccount of the Local Revenue Fund does not receive full vehicle license fee growth funds from the General Growth Subaccount in the Vehicle License Fee Growth

Account pursuant to Section 17604 and subdivisions (a) and (b) of Section 17606.20, the reimbursement rate for services in institutions for mental disease that are licensed and certified as skilled nursing facilities shall be the same as the rates in effect in the prior year.

*(Amended by Stats. 2017, Ch. 25, Sec. 10. (SB 90) Effective June 27, 2017.)*