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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 COMMUNITY MENTAL HEALTH SERVICES [5000 - 5987]** (*Division 5 repealed and added by Stats. 1967, Ch. 1667.*)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 4. THE CHILDREN'S MENTAL HEALTH SERVICES ACT [5850 - 5886]** (*Part 4 repealed and added by Stats. 1992, Ch. 1229, Sec. 2.*)

**CHAPTER 1. Interagency System of Care [5850 - 5878.3]** (*Chapter 1 added by Stats. 1992, Ch. 1229, Sec. 2.*)

**ARTICLE 2. County Systems of Care and Their Mission [5852 - 5855.5]** (*Article 2 added by Stats. 1992, Ch. 1229, Sec. 2.*)

**5852.** There is hereby established an interagency system of care for children with serious emotional and behavioral disturbances that provides comprehensive, coordinated care based on the demonstration project under former Chapter 7 (commencing with Section 5575), as added by Chapter 160 of the Statutes of 1987, and the former 1983 State Department of Mental Health planning model for children's services. Each participating county shall adapt the model to local needs and priorities.

(Amended by Stats. 2012, Ch. 34, Sec. 197. (SB 1009) Effective June 27, 2012.)

**5852.5.** The State Department of Health Care Services, in consultation with the Behavioral Health Services Oversight and Accountability Commission, shall review those counties that have been awarded funds to implement a comprehensive system for the delivery of mental health services to children with a serious emotional disturbance and to their families or foster families to determine compliance with either of the following:

(a) The total estimated cost avoidance in all of the following categories shall equal or exceed the applications for funding award moneys:

- (1) Group home costs paid by Aid to Families with Dependent Children-Foster Care (AFDC-FC) program.
- (2) Children and adolescent state hospital and acute inpatient programs.
- (3) Nonpublic school residential placement costs.
- (4) Juvenile justice reincarcerations.
- (5) Other short- and long-term savings in public funds resulting from the applications for funding award moneys.

(b) If the department determines that the total cost avoidance listed in subdivision (a) does not equal or exceed applications for funding award amounts, the department shall determine that the county that has been awarded funding shall achieve substantial compliance with all of the following goals:

- (1) Total cost avoidance in the categories listed in subdivision (a) to exceed 50 percent of the applications for funding award moneys.
- (2) A 20-percent reduction in out-of-county ordered placements of juvenile justice wards and social service dependents.
- (3) A statistically significant reduction in the rate of recidivism by juvenile offenders.
- (4) A 25-percent reduction in the rate of state hospitalization of minors from placements of special education pupils.
- (5) A 10-percent reduction in out-of-county nonpublic school residential placements of special education pupils.

(6) Allow at least 50 percent of children at risk of imminent placement served by the intensive in-home crisis treatment programs, which are wholly or partially funded by applications for funding award moneys, to remain at home at least six months.

(7) Statistically significant improvement in school attendance and academic performance of special education pupils with serious emotional disturbance treated in day treatment programs that are wholly or partially funded by applications for funding award moneys.

(8) Statistically significant increases in services provided in nonclinic settings among agencies.

(9) Increase in ethnic minority and gender access to services proportionate to the percentage of these groups in the county's schoolage population.

(c) This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

*(Amended (as added by Stats. 2023, Ch. 790, Sec. 74) by Stats. 2024, Ch. 948, Sec. 49. (AB 2119) Effective January 1, 2025.)*

**5853.** County participation under this part shall be voluntary.

*(Repealed and added by Stats. 1992, Ch. 1229, Sec. 2. Effective January 1, 1993.)*

**5854.** The State Department of Health Care Services may contract with counties whose programs have been approved by the department and selected pursuant to Article 4 (commencing with Section 5857). A county may request to participate under this part each year according to the terms set forth in Section 5705 for the purpose of establishing a three-year program proposal for developing and implementing a children's comprehensive mental health services system. The contract shall be negotiated on a yearly basis, based on the scope of work plan for each implementation phase.

*(Amended by Stats. 2012, Ch. 34, Sec. 199. (SB 1009) Effective June 27, 2012.)*

**5855.** The State Department of Health Care Services shall adopt as part of its overall mission the development of community-based, comprehensive, interagency systems of care that target children with serious emotional and behavioral disturbance separated from their families or at risk of separation from their families, as defined in Section 5856. These comprehensive, interagency systems of care shall seek to provide the highest benefit to children, their families, and the community at the lowest cost to the public sector. Essential values shall be as follows:

(a) Family preservation. A child shall be maintained in their home with the child's family whenever possible.

(b) Least restrictive setting. A child shall be placed in the least restrictive and least costly setting appropriate to the child's needs when out-of-home placement is necessary.

(c) Natural setting. A child benefits most from mental health services in the child's natural environment, where the child lives and learns, such as home, school, foster home, or a juvenile detention center.

(d) Interagency collaboration and a coordinated service delivery system. The primary child-serving agencies, such as social services, probation, education, health, and mental health agencies, shall collaborate at the policy, management, and service levels to provide a coordinated, goal-directed system of care for children with serious emotional disturbance and their families.

(e) Family involvement. Family participation is an integral part of assessment, intervention, and evaluation.

(f) Cultural competence. Service effectiveness is dependent upon both culturally relevant and competent service delivery.

*(Amended by Stats. 2024, Ch. 948, Sec. 50. (AB 2119) Effective January 1, 2025.)*

**5855.5.** (a) Projects funded pursuant to Part 4 (commencing with Section 5850) of Division 5, as added by Chapter 89 of the Statutes of 1991, shall continue under the terms of this part.

(b) The State Department of Health Care Services shall negotiate with each participating county to establish appropriate evaluation measures for the county's children's system of care program after the initial three-year implementation funding period as established in Section 5854. The department shall, on an annual basis, negotiate a performance contract with each county electing to continue its children's system of care program. The annual performance contract shall be consistent county to county, and shall include, but not be limited to, a scope of work plan consistent with the provisions of this part and shall contain a budget that has sufficient detail to meet the requirements of the department.

*(Amended by Stats. 2012, Ch. 34, Sec. 201. (SB 1009) Effective June 27, 2012.)*