

California Code of Regulations
Title 9. Rehabilitative and Developmental Services
Division 1. Department of Mental Health
Chapter 14. Mental Health Services Act

Article 2: DEFINITIONS

(1) Repeal Section 3200.020 as follows:

~~§ 3200.020. Bridge Funding.~~

~~“Bridge Funding” means funding that the County used which enabled the County to continue to provide services/programs from the date the funding for the program(s) or a portion of the program(s) specified below ended, until the County's initial Community Services and Supports component of the County's Three-Year Program and Expenditure Plan was approved and Mental Health Services Act funds became available. The use of bridge funding is limited to the following programs:~~

~~(1) The Children's System of Care Services.~~

~~(2) Integrated Services for the Homeless Mentally Ill.~~

~~(3) The Mentally Ill Offender Crime Reduction Act.~~

~~Note: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5892(a)(4) and 5898, Welfare and Institutions Code.~~

(2) Adopt Section 3200.085 as follows:

§ 3200.085. Component Allocation.

“Component Allocation” means an amount of MHSA funds published by the Department and made available to the County for a particular fiscal year, or other specified time period, to fund MHSA programs/projects within a component of the Three-Year Program and Expenditure Plan.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Section 5813.5(a) and 5890(a), Welfare and Institutions Code.

(3) Adopt Section 3200.117 as follows:

§ 3200.117. Distribution.

“Distribution” means the release of MHSA funds by the Department to a County or Counties in accordance with sections 5847 and 5892 of the Welfare and Institutions Code.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Section 5847 and 5892, Welfare and Institutions Code.

(4) Adopt Section 3200.126 as follows:

Section 3200.126. Fiscal Year.

“Fiscal Year” means the state fiscal year beginning July 1 and ending June 30.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Section 5847, 5892, and 5893 Welfare and Institutions Code.

(5) Adopt Section 3200.227 as follows:

§ 3200.227. Non-Recurring Expenditure.

“Nonrecurring expenditure” means an expenditure made in a fiscal year that will not be made in the subsequent fiscal year.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Section 5847, Welfare and Institutions Code.

(6) Repeal Section 3200.250 as follows:

§ 3200.250. Planning Estimate.

"Planning Estimate" means the estimate provided by the Department to the County of the maximum amount of Mental Health Services Act funding that the County can request.

Note: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5813.5(a) and 5890(a), Welfare and Institutions Code.

(7) Amend Section 3300 as follows:

Article 3: GENERAL REQUIREMENTS

Section 3300. Community Program Planning Process.

(a) – (c) No Change.

(d) Beginning with Fiscal Year 2006-07, or in fiscal years when there are no funds dedicated for the Community Program Planning Process, the County may use up to five (5) percent of its ~~Planning Estimate~~ Component Allocation, as calculated by the Department for that fiscal year, for the Community Program Planning Process.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5840, 5848(a), 5892(c), and 5813 Welfare and Institutions Code.

(8) Amend Section 3310 as follows:

Section 3310. The Three-Year Program and Expenditure Plan.

(a) No Change.

(b) Three-Year Program and Expenditure Plans shall address each of the following components:

(1) Community Services and Supports, as defined in section 3200.080, for:

(A) Children and Youth, as defined in §section 3200.030.

(B) Transition Age Youth, as defined in §section 3200.280.

(C) Adults, as defined in §section 3200.010.

(D) Older Adults, as defined in §section 3200.230.

(2) No Change

(3) Workforce Education and Training, as defined in section 3200.320.

(4) Prevention and Early Intervention

(5) Innovative Programs.

(c) No Change.

(d) The County shall develop the Three-Year Program and Expenditure Plans and updates in collaboration with stakeholders, through the Community Program Planning Process, as specified in §section 3300.

(1) County programs and/or services shall only be funded if the Community Program Planning Process set forth in these regulations was followed.

(e) The Three-Year Program and Expenditure Plans and updates shall include:

(1) Aa statement explaining how the requirements of §Section 3300 were met.

(f) As part of the Three-Year Program and Expenditure Plans or updates, the County shall submit documentation of the local review process, as required by sSection 3315.

Note: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5820, 5830, 5846, 5847, 5848, 5892 and 5897, Welfare and Institutions Code.

(9) Amend Section 3410 as follows:

Section 3410. Non-Supplant.

(a) Funds distributed under this Chapter shall not be used to provide mental health programs and/or services that were in existence on November 2, 2004, except to:

(1) Expand mental health services and/or program capacity beyond what was previously provided.

~~(2) Continue programs funded in Fiscal Year 2004-2005 with bridge funding, as defined in Section 3200.020.~~

(b) – (d) No Change.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5891 and 5892, Welfare and Institutions Code.

(10) Amend Section 3500 as follows:

Article 5: REPORTING REQUIREMENTS

§ 3500. Non-Supplant Certification and Reports.

(a) The Three-Year Program and Expenditure Plans, and updates, shall include certification by the County Mental Health Director that the County will comply with Section 3410, Non-Supplant.

(b) The County shall maintain documentation of all fund expenditures, and provide documentation to the Department upon request.

~~(c) As part of the Annual Cost and Financial Reporting System (“Cost Report”), as required by Title 42, C.F.R. Part 413, and as specified in Section 3505, the County shall certify that~~

~~(1) Mental Health Services Act (MHSA) funds were used in compliance with Section 3410, Non-Supplant.~~

~~(2) Mental health funds, other than MHSA funds, required to be used to provide services and/or supports that were in existence in Fiscal Year 2004-2005 were used for the required purpose.~~

~~(d) The County shall maintain documentation of bridge funding, if bridge funding was used.~~

~~(1) The documentation shall specify the programs funded and the services provided, and shall include a statement that these programs/services were identified as priorities in the Community Program Planning Process.~~

~~(2) Acceptable documentation includes, but is not limited to: a resolution from the County Board of Supervisors, certification by the County Mental Health Director, or other official documentation indicating the County's intent to use bridge funding.~~

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Section 5610, Welfare and Institutions Code.

(11) Amend Section 3505 as follows:

§ 3505. Cost Report.

(a) As part of the Annual Cost and Financial Reporting System (“Cost Report”), as required by Title 42, C.F.R. Part 413, the County shall complete and submit information on the revenue, distribution and expenditures for programs and/or services funded by the Mental Health Services Act (MHSA).

(b) The County's Local Mental Health Director and Auditor-Controller must certify the Cost Report information as being true and correct, and with respect to MHSA funding, certify that the County is in compliance with Chapter 14, Article 5, Section 3410, Non-Supplant.

(c) The reconciled Cost Report must be certified by the County's Local Mental Health Director and Auditor-Controller that:

(1) The information is true and correct, and with respect to MHSA funding, the County is in compliance with Chapter 14, Article 5, Section 3410, Non-Supplant.

(2) Mental health funds, other than MHSA funds, required to be used to provide services and/or supports that were in existence in Fiscal Year 2004-2005 were used for the required purpose.

(d) If the County does not submit the Cost Report and/or the reconciled Cost Report by the deadline required by statute, the Department may withhold MHSA funds.

NOTE: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5664(a), 5718, 5891, and 5892(g), Welfare and Institutions Code.

(12) Amend Section 3640 as follows:

Article 6: COMMUNITY SERVICES AND SUPPORTS

§ 3640. Outreach and Engagement.

(a) No Change.

(b) Outreach and Engagement funds may only be used to pay for:

(1) – (4)(C) No Change.

(c) No Change.

Note: Authority cited: Section 5898, Welfare and Institutions Code. Reference: Sections 5600.2(d), 5600.3(b)(4), 5681(b), 5802(a)(1), 5802(d)(4), 5806(a)(2) and (3), 5813.5, 5814(a)(4)(A), 5814(d), and 5847(a)(2) and (3), Welfare and Institutions Code; and Section 3, MHSA.