

Laura's Law in Nevada County

A Model for Action – Saving Money and Lives

Summary

The Nevada County Grand Jury assessed Nevada County's implementation of California's Assembly Bill 1421, commonly referred to as Laura's Law.

On January 10, 2001, Scott Thorpe went on a shooting rampage in Nevada City and Grass Valley leaving Laura Wilcox, Pearlie May Feldman and Michael Merkel dead. Several others were wounded in the attacks. Mr. Thorpe was mentally ill. When he arrived at the offices of the Nevada County Behavioral Health Department housed in the Health Education and Welfare (HEW) building, he told Ms. Wilcox, who was working as a temporary receptionist, that he wished to see his psychiatrist. When he was unable to see his psychiatrist, he shot Ms. Wilcox and several others in the building.

Nevada County's implementation of Laura's Law has provided an additional option for providing treatment to individuals who are seriously mentally ill and have otherwise refused treatment. Under Laura's Law in Nevada County treatment is provided using existing infrastructure. Nevada County has estimated that during the first two-and-a-half years of the implementation of Laura's Law it realized savings of more than \$500,000 by avoiding hospitalizations and incarcerations. To date Nevada County is the only county that has fully implemented Laura's Law.

The Nevada County Grand Jury commends those who have worked to implement Laura's Law, especially the Nevada County Board of Supervisors, the director and staff of the Nevada County Behavioral Health Department and Turning Point, Providence Center, which contracts with Nevada County to provide mental health services. A special commendation goes to Amanda and Nick Wilcox, Laura's parents, for their tireless efforts and continuing perseverance.

Background

The shooting episodes at the HEW building and later at a local restaurant spurred Laura Wilcox's parents, Nick and Amanda Wilcox of Penn Valley, to push for the passage of legislation authorizing court-ordered outpatient treatment for people with severe mental illness. Assembly Bill (A.B.) 1421, commonly known as Laura's Law, took effect on January 1, 2003. Laura's Law was modeled on a New York Statute referred to as Kendra's Law. Forty-four states have enacted similar laws.

Laura's Law permits counties to provide the option of court-ordered outpatient treatment described as Assisted Outpatient Treatment (AOT) for individuals with serious mental illness when a court finds that the individual's (1) recent history of hospitalization or violent behavior, and (2) noncompliance with a voluntary treatment plan indicates that the individual is or is likely to become dangerous or gravely disabled without AOT.

This option may provide treatment to individuals who have previously refused treatment and who may be a danger to themselves or others, but do not meet the criteria for emergency involuntary hospitalization. It also permits family members, caregivers and others to seek the assistance of the county and the court in providing treatment to their loved ones.

Laura's Law does not include funding for its implementation. In May 2007, the California Department of Mental Health confirmed that Nevada County may use funds from the Mental Health Services Act (Proposition 63) to implement Laura's Law. In April 2008, the Nevada County Board of Supervisors approved implementation of Laura's Law.

The Nevada County Behavioral Health Department began providing services under Laura's Law in April 2008. As of December 31, 2010

- thirty-seven individuals have been referred and evaluated,
- twenty-two individuals have agreed to accept treatment without a court order,
- eleven have received treatment under court orders, and
- four did not accept treatment.

Reason for Investigation

As part of its oversight function, the Nevada County Grand Jury (Jury) chose to assess and report on the implementation of Laura's Law in Nevada County.

Procedures Followed

To gain perspective on the implementation and effectiveness of Laura's Law the Jury interviewed

- Michael Heggarty, Director, Nevada County Behavioral Health Department,
- Nick and Amanda Wilcox, parents of Laura Wilcox,
- Carol Stanchfield, Director, Turning Point, Providence Center,
- Lynn Cameron, Counselor, Turning Point, Providence Center,
- The Honorable Thomas M. Anderson, Presiding Judge, Nevada County Superior Court,

- Keith Royal, Nevada County Sheriff.

The Jury also reviewed the following:

- A.B. 1421 (Laura's Law);
- Materials regarding Assertive Community Treatment (ACT);
- Materials concerning Assisted Outpatient Treatment (AOT);
- Relevant portions of, and materials regarding, the Mental Health Services Act (MHSA);
- Materials regarding Kendra's Law (the New York statute that was one of the models for Laura's Law).

The Jury visited the offices of Turning Point, Providence Center (Turning Point).

Facts

- F.A.1.** Many individuals with serious mental illnesses are not aware of their disorders and do not recognize that they are ill or might benefit from treatment.
- F.A.2.** AOT is court-ordered intensive outpatient treatment for a seriously mentally ill individual when a court finds that the individual's (1) recent history of hospitalization or violent behavior, and (2) noncompliance with a voluntary treatment plan indicates that the individual is, or is likely to become, dangerous or gravely disabled without AOT.
- F.A.3.** Under Laura's Law a petition for an order authorizing AOT may be filed by the county mental health director or his designee. In Nevada County the Director of Behavioral Health may file such a petition.
- F.A.4.** Under Laura's Law a request may be made to Nevada County's Department of Behavioral Health for the filing of a petition concerning an individual by, among others, (1) any person eighteen years of age or older with whom such individual resides, or (2) any person who is the parent, spouse, or sibling or child eighteen years of age or older of such individual.
- F.A.5.** Laura's Law does not provide funding for its implementation.
- F.A.6.** In May 2007 the California Department of Mental Health confirmed that Nevada County may use funds from the Mental Health Services Act (Proposition 63) to implement Laura's Law.
- F.A.7.** In April 2008 the Nevada County Board of Supervisors approved implementation of Laura's Law.

- F.A.8.** The Nevada County Behavioral Health Department began providing services under Laura’s Law in April 2008.
- F.A.9.** Turning Point is a nonprofit organization that provides evidence-based ACT, which uses a client-centered, recovery-oriented and multidisciplinary approach to provide comprehensive services to individuals and their families.
- F.A.10.** Nevada County’s Department of Behavioral Health contracts with Turning Point.
- F.A.11.** Turning Point provides intensive outpatient services 24 hours a day, seven days a week at a clinician-to-client ratio of one to ten.
- F.A.12.** Turning Point service plans are highly individualized and include concrete goals. Clients are encouraged to be actively involved in their treatment to build their sense of self-worth and independence.
- F.A.13.** The services provided by Turning Point include psychotherapy, medication management, crisis intervention, nursing, substance abuse counseling and support for housing, benefits, education and employment.
- F.A.14.** Treatment under Laura’s Law is voluntary although it is provided under a court-order or a court-sanctioned settlement agreement.
- F.A.15.** The Turning Point facility is a welcoming and supportive environment provided in an open, unlocked setting.
- F.A.16.** Since the implementation of Laura’s Law in Nevada County, the majority of the individuals who have been referred and evaluated have received treatment without a court order. As of December 31, 2011, of the thirty-seven individuals who have been referred and evaluated, court orders have been entered for eleven and twenty-two have entered into settlement agreements.
- F.A.17.** The Nevada County Behavioral Health Department has calculated savings of over \$500,000 for the first 2.64 years of implementation (see Attachment). This analysis indicates that for each dollar Nevada County “invested” in providing services under Laura’s Law it saved \$1.81.
- F.A.18.** Research has confirmed that AOT may be successful in treating severe and persistent mental illness. In addition to Nevada County’s experience, reviews of New York’s Kendra’s Law, during the first five years after adoption, found there was
- an increase in engagement of services,
 - an increase in adherence to prescribed medications,
 - a reduction in hospitalizations,
 - a decrease in homelessness,

- a decrease in arrests and incarcerations.

F.A.19. Laura’s Law is currently subject to a sunset date of January 1, 2013.

F.A.20. California’s AB 1569 would extend the sunset date to January 1, 2019.

F.A.21. On April 10, 2012, the Nevada County Board of Supervisors adopted a resolution supporting AB 1569.

Findings

F.I.1. As a result of the implementation of Laura’s Law, Nevada County has realized substantial savings since hospitalizations and incarcerations for individuals receiving treatment under Laura’s Law have been reduced.

F.I.2. Implementation of Laura’s Law has enabled family members and caregivers of seriously mentally ill individuals to request treatment for their loved ones.

F.I.3. Since many severely mentally ill individuals do not believe they will benefit from treatment, they do not readily seek or accept treatment.

F.I.4. Many individuals assent to a court-sanctioned settlement agreement when faced with a court hearing.

F.I.5. Laura’s Law has allowed Nevada County to provide ACT in an environment that encourages and enables individuals receiving treatment to live and work independently in the community.

F.I.6. Laura’s Law has allowed Nevada County to provide AOT as a treatment option that may be utilized before the condition of a seriously mentally ill individual deteriorates to the point where the criteria for emergency involuntary hospitalization are met.

Recommendations

R.1. The Jury commends those who have worked to implement Laura’s Law, especially the Nevada County Board of Supervisors, the Directors and staff of the Nevada County Behavioral Health Department and of Turning Point, Providence Center.

R.2. The Jury recommends that Nevada County continue to serve as a model for other California counties.

Responses

No responses are required.

Calculation of Cost Savings

Calculated savings are based on data collected by the Nevada County Behavioral Health Department from April 28, 2008, (the date the first individual entered into AOT) through December 31, 2010.

- Calculation based on the first 2.64 years of implementation.
- Of the 19 individuals that entered into AOT, data was collected on 17 individuals. Of the two omitted, one was active for 17 days and the other was active for 7 days.

Cost of providing services to 17 participants for 2.64 Years: (\$ 482,443) (A)
(This is the actual amount paid by the Nevada County Behavioral Health Department to Turning Point.)

Aggregate costs incurred by the each of the 17 participants during the year prior to the participants entering AOT:

- Hospitalizations (514 days @ \$675 per day) \$ 346,950
 - Incarcerations (521 days @ \$150 per day) \$ 78,150
- Total cost prior to AOT: \$ 425,100

Projected cost for 2.64 years that might have been incurred if the 17 individuals had not entered AOT: \$ 1,122,264 (B)

Actual Hospitalization and Incarceration Costs for 17 individuals during 2.64 years after entering AOT:

- Hospitalizations (198 days @ \$675 per day) (\$ 133,650)
- Incarcerations (17 days @ \$150 per day) (\$ 2,550)

Total cost after AOT: (\$ 136,200) (C)

TOTAL COST SAVINGS ((A) + (B) + (C)): \$ 503,621