

County Executive
David Villanueva

Governmental Relations and
Legislative Officer
Elisia De Bord



County of Sacramento

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June 23, 2025

The Honorable Mia Bonta, Chair
Assembly Health Committee
1020 N Street, Room 390
Sacramento, CA 95814

Re: SB 331 (Menjivar). Substance Abuse. (Oppose)

Dear Chair Bonta:

On behalf of the County Board of Supervisors, I respectfully write to oppose SB 331 (Menjivar). This bill **proposes to define "mental health disorder" for the purposes of** administering the Lanterman-Petris-Short (LPS) Act as any condition outlined in the Diagnostic and Statistical Manual of Mental Disorders (DSM), which would result in a significant and inappropriate expansion of the types of conditions that could fall under LPS.

The DSM is a publication of the American Psychiatric Association, which provides criteria for clinicians to diagnose a wide range of mental health, substance use disorder, neurocognitive, and neurodevelopmental conditions. The DSM is periodically updated to reflect how our understanding of these conditions evolves over time. For example, the DSM incorporates everything from how to diagnose restless legs syndrome and autism, to caffeine use disorder, and schizophrenia. The types of conditions outlined in the DSM, along with our understanding of how best to treat them, have changed over time.

While the proponents of this bill have cited a desire to ensure that the LPS Act is more consistently applied, this change in definition would lead to greater confusion in practice on the ground, as this expanded definition would require counties to consider how to arrange and deliver services to individuals with neurocognitive or neurodevelopmental conditions. By incorporating all the conditions in the DSM, this more specific definition would create a set of duplicative structures for the involuntary treatment of individuals with a range of overlapping physical, neurocognitive and neurodevelopmental conditions, many which often fall under probate law and are treated through physical health plans or regional centers, not county behavioral health.

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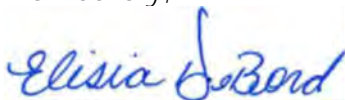
Utilizing the DSM in its entirety for purposes of defining "mental health disorder" under LPS would not provide clarity, instead, it would provide further ambiguity when assessing individuals for holds as well. If people with primary neurocognitive or neurodevelopmental disorder could now be considered for an LPS hold or conservatorship, their detention under LPS could be indefinite, as county behavioral health does not have the right expertise to address those conditions. This indefinite detention under LPS runs counter to the underlying intent of the LPS Act, which was to end the indefinite involuntary detention of individuals and guarantee due process rights.

Currently, counties interpret "mental health disorder" to align with 60 years of implementation of the Act which historically and today means those mental health conditions that are treatable through county behavioral health safety net services. Counties do not consider it necessary or appropriate to expand the definition to be inclusive of all the possible diagnoses that may at any point emerge in the DSM. **We are also concerned that any attempt to further define "mental health disorder" in statute will potentially have unintended consequences, which either greatly expand or restrict our authority and may lead to additional legal challenges, and ultimately hamstring counties' ability to apply LPS in the ways that were intended, for the safety and wellbeing of individuals and communities alike.**

Finally, we are concerned that the effect of this bill will be to significantly expand the reach of LPS to a much broader range of conditions, including ones that are treated outside of the county behavioral health system and as such constitute a significant unfunded mandate for counties.

For these reasons, Sacramento County opposes SB 331. Please feel free to contact me at (916) 874-4627 or deborde@saccounty.gov.

Sincerely,



Elisia De Bord
Governmental Relations and Legislative Officer

cc: The Honorable Caroline Menjivar
Members, Assembly Health Committee
Sacramento County Delegation
Chair and Members, Board of Supervisors
Audrey Ratajczak, Cruz Strategies