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DEPARTMENT OF MENTAL HEALTH

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Reply To: (213) 738-4601
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March 15, 2012

The Honorable Richard Alarcon
Councilmember, Seventh District
City of Los Angeles
200 North Main Street, Room 470
Los Angeles, California 90012

Date: 3/20/12
Submitted in PLUM Committee
Council File No: 11-0262
Item No.: 1
Deputy: Comm. from Public

Dear City Councilmember Alarcon:

This is in response to your February 27, 2012, letter requesting input on the potential impact of the proposed Community Care Facilities Ordinance – Los Angeles City Council File 11-0262 on the vulnerable and disabled population served by the Los Angeles County Department of Mental Health (DMH). The Department's vision is "partnering with clients, families and communities to create hope, wellness and recovery." A key component of recovery is having a permanent and affordable place to live in the community. The proposed ordinance will dramatically affect the Department's ability to achieve this vision and will significantly reduce the number of housing options available to clients particularly with the forensic population. The ordinance also conflicts with the requirements of the Department's Mental Health Services Act (MHSA) Housing and Housing Trust Fund programs.

The proposed ordinance changes limits housing choices for clients receiving DMH services. DMH's client-centered recovery philosophy includes working with clients to achieve the housing option of their choice. One of these options is shared housing in which several unrelated individuals who do not require the care and supervision provided in licensed Adult Residential Facilities live together with separate leases in a home. This option is affordable for many clients that receive disability benefits. The proposed changes would prohibit this arrangement because of the new definition of family and the corresponding single lease requirement.

The single lease requirement impedes clients' ability to individually negotiate with a landlord and to request reasonable accommodations for their mental health and/or physical health disabilities. The proposed change in the definition of family will place shared housing in the category of "Rooming/Boarding Houses," currently prohibited in both R1 and R2 zones. These changes will result in the relocation of existing shared housing developments, placing vulnerable individuals with mental illness at greater risk of homelessness. Although the exact number of DMH clients that would be impacted by this is unknown, in DMH's adult Full Service Partnership programs, approximately 7 percent of the clients live in unlicensed congregate living settings.

"To Enrich Lives Through Effective And Caring Service"

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The new definition of family and the corresponding single lease requirement also conflicts with DMH's MHSA Housing Program and Housing Trust Fund for shared housing developments. These programs offer significant Permanent Supportive Housing (PSH) options for clients that are homeless. MHSA Housing Program regulations state that shared housing developments must provide a lease and a separate lockable bedroom for each MHSA Housing Program tenant. The Housing Trust Fund has similar requirements. The city's proposed ordinance changes would prevent PSH developers from being able to build shared housing in the City of Los Angeles and comply with both the MHSA requirements and local zoning requirements. This will reduce affordable housing options for DMH clients.

Although the proposed ordinance changes will limit housing options for all clients served by DMH, clients on probation and parole will be severely impacted due to the proposed expanded definition of correctional or penal institutions. With the passage of Assembly Bill (AB) 109 which realigns the responsibility for supervising inmates who are released from prison after serving a sentence for non-violent, non-serious, non-sex offenses to Los Angeles County and places them on probation, the County estimates that 8,000 to 9,000 low-level offenders will be released to Los Angeles County in Fiscal Year 2011-12. About 25 percent of those already released under AB 109 have been assessed as needing mental health treatment and about 40 percent of those are homeless. DMH is working collaboratively with the Sheriff's Department and the Department of Probation to provide adequate services for these individuals including assisting them with housing as they reintegrate into the community. The proposed changes to the ordinance will create significant barriers to reintegrating the forensic population successfully into the community.

In conclusion, if the proposed ordinance is adopted as proposed, it will significantly affect the Department's ability to achieve its vision to partner with clients, families and communities to create hope, wellness and recovery by limiting the options for affordable housing and honoring client choice. The proposed ordinance will severely restrict both existing and future affordable PSH options for vulnerable individuals with mental illness including the forensic the population and increase the stigma and discrimination already experienced by these individuals.

Sincerely,



Marvin J. Southard, D.S.W.
Director

MJS:MF:RT:RR:rr

c: Robin Kay, Ph.D.
Maria Funk, Ph.D.
Reina Turner



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March 14, 2012

The Honorable Richard Alarcon
Councilmember, Seventh District
City of Los Angeles
200 North Spring Street, Room 470
Los Angeles, California 90012

Dear Mr. Alarcon:

Thank you for your request to provide input on the potential effects that the proposed Community Care Facilities Ordinance – Los Angeles City Council File: 11-0262 may have on vulnerable and disabled populations receiving treatment and care from the County of Los Angeles Department of Public Health and its contracted providers. The mission of the Department of Public Health is “to protect health, prevent disease, and promote health and well-being” for all residents of the County of Los Angeles. The proposed ordinance as presently written presents a number of threats to the health and well-being of our community’s residents.

Healthy Populations Need Healthy Environments

A key tenet of public health is that “healthy populations need healthy environments.” In other words, physical and social environments play important roles in maintaining the health of community residents. Affordable, safe and stable housing is an essential component of a healthy community. The proposed ordinance as presently written places enormous barriers to establishing and maintaining affordable housing for low-income persons in the City of Los Angeles. If adopted, a potential unintended consequence of the ordinance may increase numbers of homeless individuals and families. Homelessness can lead to increased communicable and chronic diseases, which affect not only those who are homeless, but also the entire population.

Stable Housing is Essential to Successfully Sustaining Recovery

Persons in recovery from substance abuse problems face the challenge of staying alcohol- and drug-free each day. Many persons in recovery have little personal financial resources as they begin to rebuild their lives. Having affordable, safe and stable housing is an important factor in supporting persons to maintain their recovery and to avoid relapse. The proposed ordinance places significant barriers to low-income persons in recovery seeking affordable housing and to operators of affordable facilities assisting persons in recovery. Without such housing, many persons in recovery can become homeless and fall back to problem alcohol and drug use. The consequences will be increased burdens on the public health care and social welfare systems as well as on the criminal justice systems.

The Division of HIV and STD Programs (DHSP) provides HIV care and treatment services through the Ryan White Program to over 18,000 Angelinos living with HIV/AIDS. Of the people living with HIV/AIDS (PLWHA) in the Ryan White Program, approximately 10 percent have had a history of incarceration in the last 12 months, and 6-10 percent were homeless.

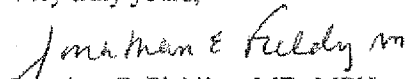
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In addition, a significant number of PLWHA in the Ryan White Program lack stable housing. Lack of stable housing is a significant barrier to treatment adherence, and a contributor to poor health outcomes and forward transmission of HIV. As a result, DHSP invests approximately \$6.8 million in residential treatment and care services for PLWHA in Los Angeles County. Annually, approximately 763 individuals benefit from these residential care services which include Residential Care Facilities for the Chronically Ill, Adult Residential Facilities, and Residential Substance Abuse Treatment Facilities, operating under various sections of the California Law.

In addition, a significant portion of PLWHA in the DHSP-managed Ryan White Program rely on other housing and residential care programs supported by various federal, State, and local government agencies that could be adversely impacted by the proposed changes to the Community Care Facilities Ordinance, including the Housing Opportunities for People with AIDS program operated by the City of Los Angeles. Indeed, the proposed changes could further reduce the already limited options for residential care, treatment and stable housing services for PLWHA, resulting in higher treatment failure, poorer health outcomes, and increased risk of transmission of HIV.

In conclusion, as stated above, if approved in its current form, the proposed ordinance will likely have unintended negative consequences of limiting housing options for persons who are seeking to maintain their recovery from substance abuse and dependence as well as for those persons needing assistance in living with HIV and AIDS. I therefore strongly encourage the members of City Council to consider these unintended consequences on the health and well-being of the residents of the City of Los Angeles as they decide on this matter.

Very truly yours,


Jonathan E. Fielding, MD, MPH
Director and Health Officer

JEF:jv:mjp