

INITIAL STATEMENT OF REASONS
California Code of Regulations
Title 9. Rehabilitative and Developmental Services
Division 1. Department of Mental Health
Chapter 14. Mental Health Services Act
Article 8. Workforce Education and Training

California voters approved Proposition 63 during the general election held November 2004. Proposition 63 took effect on January 1, 2005 as the Mental Health Services Act (MHSA). The MHSA imposes a 1% tax on personal income in excess of \$1 million in order to increase funding to expand mental health services to children/youth, adults and older adults who have severe mental illnesses/serious emotional disturbances and whose service needs are not being met through other funding sources. Further, the MHSA seeks to establish prevention and early intervention programs, as well as develop innovative programs. The MHSA provides the opportunity for the Department of Mental Health (DMH) to increase funding for personnel and other resources to support county mental health programs and monitor progress toward statewide goals for children/youth, adults, older adults and families.

The MHSA, at Welfare and Institutions Code (WIC) Section 5847, directs the county mental health programs to develop and submit a three-year plan, which the Department has called the Three-Year Program and Expenditure Plan (Plan). WIC Section 5848, subdivision (c), requires DMH to establish requirements for the content of the Plan. The Plan is comprised of five components of activities and/or services for which the funding established under the Act can be spent. The components are: Community Services and Supports (referred to in the MHSA as services to adults, older adults, children and transition age youth); Capital Facilities and Technological Needs; Workforce Education and Training; Prevention and Early Intervention; and Innovative Programs.

Given the scale of each component, DMH is implementing each component on a sequential and/or staggered basis. The first component of the Plan to be implemented was Community Services and Supports (CSS). As DMH implements each component, it is promulgating regulations accordingly, with the ultimate goal of integrating each component into the Plan. To accomplish this, the Department has adopted Chapter 14, "Mental Health Services Act," in Division 1 of Title 9 of the California Code of Regulations (CCR).

This Statement of Reasons accompanies the draft regulations for California Code of Regulations Title 9, Division 1, Chapter 14, Article 8, Workforce Education and Training, which expands on the MHSA regulations currently in effect. Adoption of these regulations is necessary to implement the provisions required by the MHSA. Pursuant to the Administrative Procedures Act, DMH has prepared this Statement of Reasons which presents the purpose and the rationale for necessity for each regulation.

Article 2. Definitions

In general, this Article defines terms that have meanings other than those covered by standard dictionary definitions. The definitions and program terms contained in this Article may be used in more than one section of the regulations.

Section 3200.125. Financial Incentive Programs Funding Category

Specific Purpose: Section 3200.125 provides a definition of the “Financial Incentive Programs Funding Category” that is one of the five funding categories of the Workforce Education and Training component of the Three-Year Program and Expenditure Plan.

Rationale for Necessity: This definition is necessary to specify that the Financial Incentive Programs Funding Category of the Workforce Education and Training component is to be used to fund stipends, scholarships and loan assumption programs, which are financial incentives to recruit and retain both prospective and current public mental health employees who can address workforce shortages of critical skills and under-representation of racial/ethnic, cultural or linguistic groups in the workforce.

Section 3200.215. Mental Health Career Pathway Programs Funding Category

Specific Purpose: Section 3200.215 provides a definition of the “Mental Health Career Pathway Programs Funding Category” that is one of the five funding categories of the Workforce Education and Training component of the Three-Year Program and Expenditure Plan.

Rationale for Necessity: This definition is necessary to specify that the Mental Health Career Pathway Programs Funding Category of the Workforce Education and Training component is to be used to fund mental health education, training and counseling programs designed to recruit and prepare individuals for entry into and advancement within a career in the Public Mental Health System.

Section 3200.234. Mental Health Services Act Loan Assumption Program

Specific Purpose: Section 3200.234 provides a definition of the “Mental Health Services Act Loan Assumption Program” to mean a program that makes payments to an educational lending institution on behalf of an employee who has incurred debt while obtaining an education, provided the individual agrees to work in the Public Mental Health System for a specified period of time, in a capacity that meets the employer’s workforce needs.

Rationale for Necessity: This definition is necessary to clarify that funds under the Workforce Education and Training component may be used to make payments to educational lending institutions on behalf of employees who have incurred debt while furthering their education in return for a commitment to work in the Public Mental Health System for a period of time. This definition is consistent with Section 5822, subdivision

(b), of the Mental Health Services Act which requires the Department to include in its Five-Year Plan for education and training development loan forgiveness and scholarship programs offered in return for a commitment to employment in California's public mental health system and make loan forgiveness programs available to current employees of the mental health system who want to obtain Associate of Arts, Bachelor of Arts, Bachelor of Science, Masters Degrees or Doctoral Degrees.

Section 3200.253. Public Mental Health System

Specific Purpose: Section 3200.253 defines the term "Public Mental Health System" to mean publicly-funded programs/services and entities that are administered, in whole or in part, by the State Department of Mental Health or the County.

Rationale for Necessity: This definition is necessary to implement Welfare and Institutions Code Section 5820, subdivision (b), which states that for the purpose of allocating Mental Health Services Act resources for Workforce Education and Training activities, employment in California's public mental health system includes employment in private organizations providing publicly funded mental health services. It is also necessary to clarify that employment in the public mental health system does not include federal, state, county or private correctional entities, which are part of the correctional system rather than the mental health system.

Section 3200.254. Public Mental Health System Workforce

Specific Purpose: Section 3200.254 defines the term "Public Mental Health System Workforce" to mean Department or County personnel, County contractors, volunteers and staff in community-based organizations, who work in the Public Mental Health System.

Rationale for Necessity: This definition is necessary to specify those persons employed or preparing to be employed within the Public Mental Health System that are considered to be the Public Mental Health System Workforce.

Section 3200.255. Regional Partnership

Specific Purpose: Section 3200.255 defines the term "Regional Partnership" to mean a group of individuals and/or organizations within geographic proximity that acts as an employment and education resource for the Public Mental Health System.

Rationale for Necessity: This definition is necessary to implement section 5822, subdivision (d), of the MHSA, which requires the Department to establish regional partnerships. It specifies that "Regional Partnerships" are groups of individuals and/or organizations such as county staff, mental health providers, clients and clients' family members and others that have an interest in the Public Mental Health System, within geographic proximity, that work together to act as an employment and education resource for the Public Mental Health System. The Regional Partnership as defined

may include educational and employment service entities, individuals/entities that have an interest in the Public Mental Health System, and individuals within the Public Mental Health System.

Section 3200.256. Residency and Internship Programs Funding Category

Specific Purpose: Section 3200.256 provides a definition of the “Residency and Internship Programs Funding Category” that is one of the five funding categories of the Workforce Education and Training component of the Three-Year Program and Expenditure Plan.

Rationale for Necessity: This definition is necessary to implement the requirement in 5820(a) of the MHSA that funds be used to remedy the shortage of qualified individuals to provide services to address severe mental illnesses and the requirement in 5822(a) that the Department provide for expansion of the capacity of postsecondary education to meet the needs of identified mental health occupational shortages. This definition specifies that the Residency and Internship Programs Funding Category of the Workforce Education and Training component is to be used to fund psychiatric residency programs or post-secondary mental health internship programs to address workforce shortages in these occupations by increasing the number of licensed professionals in the Public Mental Health System.

Section 3200.275. Supported Employment Services

Specific Purpose: Section 3200.275 defines the term “Supported Employment Services” to mean vocational rehabilitation activities provided to a client and/or a family member of a client for the purpose of obtaining, sustaining and/or enhancing his or her employment.

Rationale for Necessity: This definition is necessary for the Department to comply with its duty to promote the employment of mental health consumers and family members in the mental health system, in accordance with 5822(g) of the MHSA. This definition specifies that funds under the Workforce Education and Training component be used for employment supports leading to employment of clients and/or family members of clients and to assist those currently employed in the Public Mental Health System to maintain their employment. These employment and educational supports are beyond the scope of normal supervision and employee assistance programs.

Section 3200.276. Training and Technical Assistance Funding Category

Specific Purpose: Section 3200.276 provides a definition of the “Training and Technical Assistance Funding Category” that is one of the five funding categories of the Workforce Education and Training component of the Three-Year Program and Expenditure Plan.

Rationale for Necessity: This definition is necessary for the Department to promote cultural competence and the participation of clients and family members in the public mental health system, in accordance with section 5822, subdivisions (g) through (i). This definition specifies that the Training and Technical Assistance Funding Category of the Workforce Education and Training component is to be used to fund activities that assist individuals, through education or consultation, who provide services or support to persons working in or receiving services from the Public Mental Health System.

Section 3200.320. Workforce Education and Training

Specific Purpose: Section 3200.320 defines the term “Workforce Education and Training” to mean the component of the Three-Year Program and Expenditure Plan that includes education and training programs and activities for prospective and current Public Mental Health System employees, contractors and volunteers.

Rationale for Necessity: This definition is necessary to specify that the Workforce Education and Training component of the Three-Year Program and Expenditure Plan addresses workforce development, education and training needs in the Public Mental Health System, in accordance with the Department’s duties pursuant to sections 5820 and 5822 of the MHPA.

Section 3200.325. Workforce Staffing Support Funding Category

Specific Purpose: Section 3200.325 provides a definition of the “Workforce Staffing Support Funding Category” that is one of the five funding categories of the Workforce Education and Training component of the Three-Year Program and Expenditure Plan.

Rationale for Necessity: This definition is necessary for the Department to remedy the shortage of qualified individuals to provide mental health services and supports. This funding category specifies that the Workforce Staffing Support Funding Category of the Workforce Education and Training component is to be used to fund staff needed to plan, evaluate, administer, or support workforce programs and activities.

Article 3. General Requirements

Section 3310. The Three-Year Program and Expenditure Plan

Section 3310, subdivision (b)(3)

Specific Purpose: Subdivision (b)(3) of section 3310 amends the existing Mental Health Services Act regulations to add the word Workforce to the title of the Education and Training component of the Three-Year Program and Expenditure Plan.

Rationale for Necessity: This provision is necessary to correct the reference in the existing MHPA regulations to the “Workforce Education and Training” component. The

addition of the word “Workforce” to the title clarifies that the purpose of this component is to remedy shortages in professional and other occupational categories in order to increase the supply of staff needed to provide MHSA services, in accordance with section 5820, subdivisions (a) and (b).

Article 5. Reporting Requirements

Section 3510. Annual MHSA Revenue and Expenditure Report

The Annual MHSA Revenue and Expenditure Report is designed to capture revenues and expenditures related to activities under the Mental Health Services Act. The Report, along with performance measurement information, will be used to calculate the cost of services per client under the MHSA and to evaluate each County’s compliance with its MHSA performance contract.

Section 3510, subdivision (a)

Specific Purpose: Subdivision (a) of section 3510 is amended to remove reference to the Community Services and Supports component.

Rationale for Necessity: This amendment is necessary as the County must prepare the Annual MHSA Revenue and Expenditure Report and submit it to the Department for the purpose of accounting for the actual expenditures incurred and revenues received for all components funded under the MHSA, not just Community Services and Supports. With the introduction of regulations for Workforce Education and Training and other components, this provision has been amended so that it is no longer specific to the Community Services and Supports component of the MHSA.

Section 3510, subdivision (a)(2)

Specific Purpose: Subdivision (a)(2) of section 3510 has been amended to state that as part of the Annual MHSA Revenue and Expenditure Report, the County must report on the actual total expenditures incurred by service or by funding category.

Rationale for Necessity: This provision is necessary because the Workforce Education and Training component of the Three-Year Program and Expenditure Plan uses “funding categories”, while the Community Services and Supports component utilizes “service categories”. This provision informs the County that expenditures are to be reported by Service Category for the Community Services and Supports component and by funding category for the Workforce Education and Training component.

Section 3510, subdivision (b)

Specific Purpose: Subdivision (b) of section 3510 has been amended, by removing reference to CSS, to require that the County submit the Annual MHSA Revenue and

Expenditure Report no later than December 31 following the end of the fiscal year for all components of the MHSA, not just for the CSS component.

Rationale for Necessity: The amendment to this provision is necessary to ensure that Counties are aware that the Annual MHSA Revenue and Expenditure Report that is to be submitted no later than December 31 following the end of the fiscal year must include data related to all components of the MHSA that have been approved by the Department, including the Workforce Education and Training component, not just the CSS component, as originally written.

Section 3550. Workforce Education and Training Annual Report

Section 3550, subdivision (a)

Specific Purpose: Subdivision (a) of section 3550 sets forth the requirement that the County must complete and submit to the Department an annual report on the use of MHSA Workforce Education and Training component funds as part of the County's annual reporting requirements.

Rationale for Necessity: This provision is necessary for the Department to perform its duty under the Act to ensure that all MHSA funds are expended in the most cost effective manner, subject to state oversight, in order to ensure accountability to taxpayers and to the public. (MHSA, § 3(e).) This provision informs Counties that they must submit an annual report on the approved use of MHSA Workforce Education and Training component funds as part of their annual reporting requirements under the MHSA.

Section 3550, subdivision (a)(1)

Specific Purpose: Subdivision (a)(1) of section 3550 sets forth the first of four specific reporting requirements for the Workforce Education and Training Annual Report, specifically that the County must specify the reporting period.

Rationale for Necessity: This provision is necessary to specify the time period to be covered in the County's Workforce Education and Training Annual Report. Annual reporting is required in order for the Department to track expenditures of MHSA funds.

Section 3550, subdivision (a)(2)

Specific Purpose: Subdivision (a)(2) of section 3550 sets forth the requirement that the County include in its Workforce Education and Training Annual Report a list of County actions within the funding categories in the Workforce Education and Training component.

Rationale for Necessity: This provision is necessary to ensure that, by means of the Workforce Education and Training Annual Report, the County can clearly state which

Workforce Education and Training funding category each of its Workforce Education and Training actions applies to: Training and Technical Assistance, Mental Health Career Pathway Programs, Residency and Internship Programs, Financial Incentive Programs or Workforce Staffing Support. This is necessary to comply with Section 3840, subdivision (b), which states that the Workforce Education and Training component of the Three-Year Program and Expenditure Plan and annual updates shall include programs and activities in at least one of the funding categories.

Section 3550, subdivision (a)(3)

Specific Purpose: Subdivision (a)(3) of section 3550 sets forth the requirement that the County include in its Workforce Education and Training Annual Report a listing of all scheduled activities and major accomplishments, by funding category.

Rationale for Necessity: This provision is necessary to ensure that, by means of the Workforce Education and Training Annual Report, the County identifies which of the five Workforce Education and Training funding categories each of its Workforce Education and Training scheduled activities and major accomplishments applies to: Training and Technical Assistance, Mental Health Career Pathway Programs, Residency and Internship Programs, Financial Incentive Programs or Workforce Staffing Support. This identification enables the Department to ensure that the areas identified in section 5822 of the Act are addressed on a statewide basis, to the extent applicable.

Section 3550, subdivision (a)(4)

Specific Purpose: Subdivision (a)(4) of section 3550 sets forth the requirement that the County include in its Workforce Education and Training Annual Report a list of any issues that may have impeded the County's ability to accomplish the objectives identified in Section 3820, subdivision (a).

Rationale for Necessity: This provision is necessary to provide the Department of Mental Health with a list of issues which may have impeded the County's ability to satisfy the requirements in Section 3820, subdivision (a), of these proposed regulations to meet the needs identified in the Workforce Education and Training Needs Assessment. This list will enable the Department to identify issues that should be targeted in the Five-Year Plan required by the Act.

Section 3550, subdivision (b)

Specific Purpose: Subdivision (b) of section 3550 informs the County that the Workforce Education and Training Annual Report must be submitted by December 31st following the end of the fiscal year.

Rationale for Necessity: This provision is necessary to inform the County of the date by which the Workforce Education and Training Annual Report is to be submitted to the Department, specifically by December 31st following the end of the fiscal year.

Section 3550, subdivision (c)

Specific Purpose: Subdivision (c) of section 3550 establishes in regulation the ability of the Department to withhold MHSA Workforce Education and Training funds if the County does not submit the Workforce Education and Training Annual Report within the timeframes established by the Department's regulations.

Rationale for Necessity: This provision is necessary to inform the Counties that the Department may withhold funds if the County does not submit its Workforce Education and Training Annual Report within the timeframes established by the Department, specifically by December 31st following the end of the fiscal year. This provision gives the Department a mechanism for implementing its duty under the MHSA to "ensure that all funds are expended in the most cost effective manner . . . subject to local and state oversight to ensure accountability to taxpayers and to the public". (MHSA, § 3, subd. (e).)

Article 8. Workforce Education and Training

Section 3810. General Workforce Education and Training Requirements

Section 3810, subdivision (a)

Specific Purpose: Subdivision (a) of section 3810 specifies that County Workforce Education and Training programs and activities shall address workforce shortages identified in the County Workforce Needs Assessment in Section 3830 and shall utilize one or more of the strategies provided in Section 5822, subdivisions (a)-(i), of the Welfare and Institutions Code.

Rationale for Necessity: This provision is necessary to clarify the appropriate use and prioritization of Workforce Education and Training funds. The Act requires each County to submit to the Department a needs assessment identifying shortages in each professional and other occupational category in the public mental health system in order to increase the supply of staff that will be needed to provide MHSA services. (Welf. & Inst. Code § 5820, subd. (b).) This provision clarifies that Workforce Education and Training funds should be utilized to address Public Mental Health System workforce shortages as identified through the County Workforce Needs Assessment as specified in Section 3830. In addition these funds should be allocated in a manner consistent with the strategies stated in Welfare and Institutions Code Section 5822, subdivisions (a) through (i), and be consistent with the values and principles of the Act.

Section 3810, subdivisions (b), (b)(1), (b)(2)

Specific Purpose: Subdivisions (b), (b)(1) and (b)(2) of section 3810 require the County to designate a Workforce Education and Training Coordinator, who coordinates

Workforce Education and Training programs and activities and acts as a liaison to the Department.

Rationale for Necessity: These provisions are necessary to inform Counties of the requirement that to receive Workforce Education and Training funds they must designate a Workforce Education and Training Coordinator. The Workforce Education and Training Coordinator position provides the Department with a point of contact with each County that will assist the Department in implementing its duty under section 5820 to identify statewide needs and develop its Five-Year Education and Training Plans. The Workforce Education and Training Coordinator also establishes a single point of responsibility for coordinating County Workforce and Education activities, which helps to ensure accountability to the taxpayers and the public, in accordance with the purpose and intent of the Act set forth in section 3 of the MHSA.

Section 3810, subdivision (c)

Specific Purpose: Subdivision (c) of section 3810 lists the programs and activities for which MHSA Workforce Education and Training funds may be used.

Rationale for Necessity: This provision is necessary to provide the Counties with a list of allowable uses of Workforce Education and Training Funds that is consistent with the priorities set forth in section 5822 of the Act.

Section 3810, subdivision (c)(1)

Specific Purpose: Subdivision (c)(1) of section 3810 specifies that Workforce Education and Training funds may be used to educate the Public Mental Health System workforce on incorporating the General Standards in Section 3320 into their work.

Rationale for Necessity: This provision is necessary to inform the Counties that an appropriate use for Workforce Education and Training funding is to educate the workforce within the Public Mental Health System in the principles of Community Collaboration, Cultural Competence, Client-Driven services and supports, Family-Driven services and supports, Wellness, Recovery and Resilience, and Integrated Service Experiences for clients and their families. Section 5822, which contains a list of the workforce education and training issues that should be addressed through the MHSA, includes the following priorities: training staff to provide services in accordance with the principles of the Act; employment of clients and family members in the mental health system; meaningful inclusion of the viewpoints of clients and family in education and training programs; and promotion of cultural competence in these programs. The understanding of these principles by the workforce will enhance the opportunity to transform the Public Mental Health System and further the intent of the Act.

Section 3810, subdivision (c)(2)

Specific Purpose: Subdivision (c)(2) of section 3810 specifies that Workforce Education and Training funds may be used to increase the numbers of clients and family members employed in the Public Mental Health System.

Rationale for Necessity: This provision is necessary to inform the Counties that an appropriate use for Workforce Education and Training funding is to increase the numbers of clients and family members employed in the Public Mental Health System, which is consistent with Section 5822, subdivision (g), of the MHSA. One of the challenges addressed in the MHSA is to ensure that clients and family members have the opportunity to improve and/or change how the Public Mental Health System operates. Increasing the numbers of clients and family members in the workforce will further that opportunity.

Section 3810, subdivisions (c)(2)(A)-(D)

Specific Purpose: Subdivisions (c)(2)(A) through (D) of section 3810 list several activities Counties might utilize in order to increase the numbers of clients and family members employed in the Public Mental Health System.

Rationale for Necessity: These provisions are necessary to provide Counties with some examples of activities they might utilize in order to increase the numbers of clients and family members employed in the Public Mental Health System, including recruitment activities, supported employment services, creating and implementing promotional opportunities, and creating and implementing policies that promote job retention.

Section 3810, subdivision (c)(3)

Specific Purpose: Subdivision (c)(3) of section 3810 specifies that Workforce Education and Training funds may be used to conduct focused outreach and recruitment to provide equal employment opportunities in the Public Mental Health System for individuals who share the racial/ethnic, cultural and/or linguistic characteristics of clients, family members, and others in the community who have serious mental illness and/or serious emotional disturbance.

Rationale for Necessity: This provision is necessary to inform Counties that an appropriate use for Workforce Education and Training funding is focused outreach and recruitment activities that expand employment opportunities for racial/ethnic, cultural and linguistic groups that are underrepresented in the Public Mental Health System. Section 5822, subdivision (d), of the MHSA identifies expansion of outreach to multicultural communities in order to increase the diversity of the public mental health workforce as a key Workforce Education and Training activity.

Section 3810, subdivision (c)(4)

Specific Purpose: Subdivision (c)(4) of section 3810 specifies that Workforce Education and Training funds may be used to recruit, employ and support the employment of individuals in the Public Mental Health System who are culturally and linguistically competent or are educated and trained in cultural competence.

Rationale for Necessity: This provision is necessary to inform Counties that an appropriate use for Workforce Education and Training funding is for efforts to attract and retain culturally and linguistically competent workers into public mental health occupations, in keeping with section 5822, subdivision (i), of the Mental Health Services Act.

Section 3810, subdivision (c)(5)

Specific Purpose: Section 3810, subdivision (c)(5), specifies that Workforce Education and Training funds may be used to provide financial incentives to recruit or retain employees within the Public Mental Health System.

Rationale for Necessity: This provision is necessary to inform Counties that an appropriate use for Workforce Education and Training funding is to provide financial incentives for the purpose of recruiting or retaining employees within the Public Mental Health System, in accordance with 5820(a) and (b). Many Counties have difficulty recruiting and ultimately keeping staff in various mental health positions. This provision of the regulations allows Counties to use Workforce Education and Training funding for the sole purpose of providing incentives to work in the Public Mental Health System, resulting in an increase in the Public Mental Health System workforce.

Section 3810, subdivision (c)(6)

Specific Purpose: Section 3810, subdivision (c)(6), specifies that Workforce Education and Training funds may be used to incorporate the input of clients and family members of clients into public mental health Workforce Education and Training programs and/or activities.

Rationale for Necessity: This provision is necessary to inform Counties that an appropriate use for Workforce Education and Training funding is to facilitate the meaningful inclusion of clients and family members of clients in all aspects of decision-making in the Public Mental Health System, in keeping with Section 5822, subdivision (h), of the Mental Health Services Act.

Section 3810, subdivision (c)(7)

Specific Purpose: Subdivision (c)(7) of section 3810 specifies that Workforce Education and Training funds may be used to incorporate the input of diverse racial/ethnic populations that reflect California's general population into Workforce Education and Training programs and/or activities.

Rationale for Necessity: This provision is necessary to inform Counties that an appropriate use for Workforce Education and Training funding is to provide opportunities for the meaningful inclusion of diverse racial/ethnic populations into the development of programs and/or activities in the Public Mental Health System in accordance with 5822(i). To truly transform and/or change the way the Public Mental Health System operates, it is essential to ensure input from individuals with diverse backgrounds and cultures.

Section 3810, subdivision (c)(8)

Specific Purpose: Subdivision (c)(8) of section 3810 specifies that Workforce Education and Training funds may be used to establish a Regional Partnership.

Rationale for Necessity: This provision is necessary to inform Counties that an appropriate use for Workforce Education and Training funding is to establish Regional Partnerships as defined in Section 3200.255. Section 5822, subdivision (d), sets forth regional partnerships among the mental health system and the educational system as one of the priorities the Department must address in its Five-Year Plan for education and training.

Section 3810, subdivision (c)(9)

Specific Purpose: Subdivision (c)(9) of section 3810 specifies that Workforce Education and Training funds may be used to coordinate Workforce Education and Training programs and/or activities.

Rationale for Necessity: This provision is necessary to inform Counties that an appropriate use for Workforce Education and Training funding is to coordinate programs and/or activities that the County has identified in the Workforce Education and Training component of its Three-Year Program and Expenditure Plan. Coordination of Workforce Education and Training activities furthers the goal of ensuring that MHSAs funds are expended in a cost effective manner, in accordance with the purpose and intent of the Act set forth in section 3, subdivision (e).

Section 3810, subdivision (d)

Specific Purpose: Subdivision (d) of section 3810 lists the programs and activities for which MHSAs Workforce Education and Training funds may not be used.

Rationale for Necessity: This provision is necessary to introduce the specific programs and activities which may not be funded through the Workforce Education and Training component. This provision is necessary to ensure that use of the funds is consistent with the Mental Health Services Act, and that the discrete components set forth in the Act and the funding allocations dictated by the Act are maintained.

Section 3810, subdivision (d)(1)

Specific Purpose: Subdivision (d)(1) of section 3810 specifies that Workforce Education and Training funds may not be used to address workforce recruitment and retention needs of systems other than the Public Mental Health System.

Rationale for Necessity: This provision is necessary to ensure that MHSA Workforce Education and Training funding is only used to recruit and retain workers into the Public Mental Health System and not to recruit and retain workers into other system workforces, such as the criminal justice system, social services and other non-mental health systems.

Section 3810, subdivision (d)(2)

Specific Purpose: Subdivision (d)(2) of section 3810 specifies that Workforce Education and Training funds may not be used to pay for staff time spent providing direct public mental health services.

Rationale for Necessity: This provision is necessary to ensure that MHSA Workforce Education and Training funding is not used to pay for the time Public Mental Health Workers use in the provision of direct mental health service delivery, which is funded through the other MHSA components. Workforce Education and Training funding is meant to fund mental health services supports, not direct service delivery.

Section 3810, subdivision (d)(2)(A)

Specific Purpose: Subdivision (d)(2)(A) of section 3810(d)(2)(A) specifies that Workforce Education and Training funds may be used to pay for staff time spent supervising interns and/or residents who are providing direct public mental health services through an internship or residency program.

Rationale for Necessity: This provision is necessary to clarify Section 3810, subdivision (d)(2), which prohibits the utilization of Workforce Education and Training funds for direct mental health service delivery. This provision clarifies that staff time spent supervising interns and/or residents who are providing direct mental health services while in training, such as through an internship or residency program, may be funded through the Workforce Education and Training component. Time spent supervising interns and residents is part of the training required to meet mental health occupational shortages, in accordance with 5822(a).

Section 3810, subdivision (d)(3)

Specific Purpose: Subdivision (d)(3) of section 3810 specifies that Workforce Education and Training funds may not be used to off-set revenues that would have been generated by staff who participate in Workforce Education and Training programs and/or activities.

Rationale for Necessity: This provision is necessary to ensure that MHSA Workforce Education and Training funding is not used by an employer to compensate for the employee's time spent away from his or her regular employment while he or she was participating in Workforce Education and Training programs and/or activities.

Section 3810, subdivision (e)

Specific Purpose: Subdivision (e) of section 3810 sets forth the requirement that programs and/or activities funded through the Workforce Education and Training component shall incorporate and be consistent with the General Standards specified in Section 3320.

Rationale for Necessity: This provision is necessary to specify that any activities funded through the Workforce Education and Training component shall be in accordance with principles and values in section 5813.5, subdivision (d), of the MHSA, described in Section 3320 as Community Collaboration, Cultural Competence, Client- and Family-Driven programs and services, Wellness, Recovery and Resilience focus, and Integrated Service experiences for clients and their families.

Section 3810, subdivision (f)

Specific Purpose: Subdivision (f) of section 3810 notifies the County that employees and volunteers in the Public Mental Health System workforce may participate in Workforce Education and Training programs and activities whether they are receiving pay or not.

Rationale for Necessity: This provision is necessary to inform the Counties that persons who work in the Public Mental Health System as volunteers, student interns, or in other non-paid capacities, as well as those on paid status, are able to participate in Workforce Education and Training programs and activities as part of their career development. This provision is necessary to ensure that individuals who receive no remuneration, some of whom are clients and family members, have the opportunity to participate in these programs, in accordance with the intent of section 5822, subdivision (g).

Section 3810, subdivision (g)

Specific Purpose: Subdivision (g) of section 3810 specifies that the County may use County MHSA funds under specific circumstances to supplement any Workforce Education and Training Program administered by the State Department of Mental Health.

Rationale for Necessity: This provision is necessary to provide the Counties with the option to utilize their MHSA Workforce Education and Training funds to supplement programs developed and/or administered by the State Department of Mental Health. Counties, particularly small counties with limited funding, might choose to participate in

state-administered programs as a means of maximizing their MHSA funding, as opposed to setting up their own local programs, which would be a more costly option.

Section 3810, subdivisions (g)(1), (g)(2)

Specific Purpose: Subdivisions (g)(1) and (g)(2) of section 3810 add further specificity to 3810(g) by clarifying that the County may use County MHSA Workforce Education and Training funds to supplement any Department administered program by expanding that program within the specific county or by creating local programs that are similar to those administered by the Department of Mental Health.

Rationale for Necessity: These provisions are necessary to provide the Counties with options for how to utilize their Workforce Education and Training funds to supplement Department administered programs. These options are of particular importance to small or rural counties with limited resources to develop their own local Workforce Education and Training programs without the State's assistance.

Section 3820. Workforce Education and Training component of the Three-Year Program and Expenditure Plan

Section 3820, subdivision (a)

Specific Purpose: Section 3820, subdivision (a), informs the Counties of what the Workforce Education and Training component of the Three-Year Program and Expenditure Plan needs to include.

Rationale for Necessity: This provision is necessary to specify the items that must be included in the Workforce Education and Training component of the County's Three-Year Program and Expenditure Plan and/or annual Plan update.

Section 3820, subdivision (a)(1)

Specific Purpose: Subdivision (a)(1) of section 3820 sets forth the requirement that the Workforce Education and Training component of the Three-Year Program and Expenditure Plan must include a Workforce Needs Assessment, if such an assessment has not been performed within the prior five years.

Rationale for Necessity: This provision is necessary to inform the Counties that a Workforce Needs Assessment must be included in the County's Three-Year Program and Expenditure Plan for the County to receive Workforce Education and Training funds, in accordance with section 5820, subdivision (b). The Workforce Needs Assessment will be used to identify and evaluate the mental health workforce staffing needs in the County, in accordance with section 5820, subdivision (c).

Section 3820, subdivisions (a)(2), (a)(2)(A)-(E)

Specific Purpose: Subdivisions (a)(2) and (a)(2)(A) through (E) of section 3820 set forth the requirement that the Workforce Education and Training component of the Three-Year Program and Expenditure Plan include a work detail for each program and/or activity and specify what must be included in the work detail.

Rationale for Necessity: These provisions are necessary to inform the Counties that, to receive Workforce Education and Training funds, the County must include in its Three-Year Program and Expenditure Plan a work detail for each program and/or activity to be funded. The work detail is necessary for the Department to determine whether or not the programs and/or activities meet the criteria for and are in keeping with the Mental Health Services Act. The work detail also establishes a baseline for monitoring and subsequent reporting on Workforce Education and Training funded programs and/or activities. This helps the Department carry out its duty to ensure accountability to the taxpayers and the public by making sure that MHSA funds are expended in the most cost effective manner, in accordance with section 3, subdivision (e), of the Act.

Section 3820, subdivision (b)

Specific Purpose: Subdivision (b) of section 3820 specifies what must be included in the description of programs and activities in the Workforce Education and Training component of the Three-Year Program and Expenditure Plan so that the Department may determine whether the programs and activities meet County needs.

Rationale for Necessity: This provision is necessary to specify the items the County must include in the Workforce Education and Training component of its Three-Year Program and Expenditure Plan to demonstrate how needs will be met.

Section 3820, subdivision (b)(1)

Specific Purpose: Subdivision (b)(1) of section 3820 specifies that the Workforce Education and Training component of the Three-Year Program and Expenditure Plan and/or annual update shall describe how each program and/or activity meets the needs identified in the County's most recent Workforce Needs Assessment.

Rationale for Necessity: This provision is necessary to ensure that the County utilizes Workforce Education and Training funding to meet identified needs based on a recent Workforce Needs Assessment, in accordance with section 5820, subdivision (b). The purpose of identifying the workforce needs is to alleviate difficulties in recruiting and retaining staff and to rectify shortages in the mental health workforce that were identified through the Workforce Needs Assessment.

Section 3820, subdivision (b)(2)

Specific Purpose: Subdivision (b)(2) of section 3820 specifies that the County must include in the Workforce Education and Training component of its Three-Year Program

and Expenditure Plan and/or annual update, one or more of the strategies identified in Section 5822, subdivisions (a)-(i).

Rationale for Necessity: This provision is necessary to ensure that each County's Workforce Education and Training component of the Three-Year Program and Expenditure Plan and/or the annual update is consistent with the strategies specified in Section 5822, subdivisions (a)-(i), of the Act. The identified strategies include expansion plans for the capacity of postsecondary education to meet the needs of identified mental health occupational shortages; expansion plans for the forgiveness and scholarship programs offered in return for a commitment to employment in the public mental health system; creation of a stipend program modeled after the federal Title IV-E program; establishment of regional partnerships; strategies to recruit high school students for mental health occupations; curriculum to train and retrain staff; promotion of the employment of mental health consumers and family members; promotion of the meaningful inclusion of mental health consumers and family members; and promotion of the inclusion of cultural competency in training and education programs.

Section 3820, subdivision (c)

Specific Purpose: Subdivision (c) of section 3820 requires that the Workforce Education and Training component of the Three-Year Program and Expenditure Plan and/or annual update include certification from the County Mental Health Director that the County has complied with all applicable requirements.

Rationale for Necessity: This provision is necessary to ensure that the County Mental Health Director is aware of the content in the Workforce Education and Training component of the Three-Year Program and Expenditure Plan and has certified that the Plan is consistent with requirements for appropriate use of MHSA funds and the requirements of the component.

Section 3820, subdivision (d)

Specific Purpose: Subdivision (d) of section 3820 specifies that the County provide the name and contact information of its Workforce Education and Training Coordinator in its Plan.

Rationale for Necessity: This provision is necessary to ensure that each County has designated a Workforce Education and Training Coordinator and that the Workforce Education and Training Coordinator is clearly identified along with his or her contact information to enable the Department to contact this person, when necessary.

Section 3820, subdivision (e)

Specific Purpose: Subdivision (e) of section 3820 sets forth the requirement that the Workforce Education and Training component of the Three-Year Program and

Expenditure Plan include a budget summary for each fiscal year that the Plan addresses and specify that the budget summary shall include the total budgeted for each funding category.

Rationale for Necessity: This provision is necessary to inform the Counties that, to receive Workforce Education and Training funds, the County must include in its Three-Year Program and Expenditure Plan a budget summary for each program and/or activity to be funded. The budget summary is necessary for the Department to determine how much Mental Health Services Act funding the County plans to utilize and how the funds will be used in order for the Department to enhance accountability, in accordance with section 3, subdivision (e), of the MHSA.

Section 3820, subdivision (e)(1)

Specific Purpose: Subdivision (e)(1) of section 3820 specifies that the County's budget will not be approved if it exceeds the amount of funds established by the Department as the County's Planning Estimate for the Workforce Education and Training component of the Three-Year Program and Expenditure Plan.

Rationale for Necessity: This provision is necessary to inform the County that its proposed expenditures cannot exceed the amount of funds that the County has budgeted for its Workforce Education and Training programs and activities and that the budget must be within this amount or it will not be approved. This provision is necessary to maintain the discrete components of MHSA programs set forth in the Act and the integrity of the funding allocations dictated by the Act.

Section 3830. Workforce Needs Assessment

Section 3830, subdivision (a)

Specific Purpose: Subdivision (a) of section 3830 sets forth the requirement that the County must conduct an assessment of the education and training needs of its Public Mental Health System workforce and prepare a written Workforce Needs Assessment that identifies and evaluates the identified needs.

Rationale for Necessity: This provision is necessary to ensure that Counties identify and assess their needs in accordance with section 5820, subdivision (b), when developing their Workforce Education and Training component of their Three-Year Program and Expenditure Plan, which will result in Workforce Education and Training programs and activities that truly meet the needs of the Public Mental Health System.

Section 3830, subdivision (a)(1)

Specific Purpose: Subdivision (a)(1) of section 3830 specifies that the County shall conduct the Workforce Needs Assessment at least once every five years.

Rationale for Necessity: This provision is necessary to inform the Counties that the Workforce Needs Assessment is not a one-time activity, but that the Counties must identify and assess their workforce needs on an ongoing basis, specifically at least once every five years. This provision is necessary for the Department to comply with its duty under 5820(c) and (d) to develop a five-year education and training development plan based on the total statewide needs for each professional and other occupational category. This ensures that the Public Mental Health System will continue to grow, evolve and remain relevant to meet the ever-changing needs of California's diverse population.

Section 3830, subdivision (b)

Specific Purpose: Subdivision (b) of section 3830 specifies the information the County must provide in its completed Workforce Needs Assessment.

Rationale for Necessity: This provision is necessary to specify the types of data that must be included in the Workforce Needs Assessment that is required by section 5820, subdivision (b).

Section 3830, subdivisions (b)(1)(A)-(E), (b)(1)(D)(i), (b)(1)(E)(i)

Specific Purpose: Subdivisions (b)(1)(A)-(E), (b)(1)(D)(i), and (b)(1)(E)(i) of section 3830 specify that the Workforce Needs Assessment that the County is required to conduct shall include a list of occupations in the Public Mental Health System within specific categories and the number of individuals in each occupation. Subsection (b)(1)(D)(i) further clarifies that the managerial and supervisory category of occupations are those in which more than 50% of the individual's time is spent managing or supervising others. And, subsection (b)(1)(E)(i) further clarifies that only staff employed within the Public Mental Health System are to be included in the Workforce Needs Assessment.

Rationale for Necessity: These provisions are necessary to provide the Counties with a standardized listing of occupations with which to categorize their mental health employees as part of the Workforce Needs Assessment. Standardization is necessary to ensure consistency, as workforce needs for each individual county are compiled into a comprehensive picture of statewide workforce needs for the Public Mental Health System. The Department requires this information in order to fulfill its duties under 5820, subdivisions (c) and (d). Section 5820, subdivision (b), states that employment in California's public mental health system includes employment in private organizations providing publicly funded mental health services.

Section 3830, subdivision (b)(2)

Specific Purpose: Subdivision (b)(2) of section 3830 specifies additional information that the County must provide for each occupation identified in its Workforce Needs

Assessment to include the estimated number of additional positions needed and those that are determined by the County to be hard-to-fill or in which it is hard to retain staff.

Rationale for Necessity: This provision is necessary to establish a baseline of the County's current mental health workforce and to determine how many additional workers would be needed to provide adequate mental health services in each County. In addition, it is necessary for the County to identify positions as hard-to-fill or hard-to-retain to determine which positions might require special or targeted recruitment/retention efforts.

Section 3830, subdivision (b)(2)(A)

Specific Purpose: Subdivision (b)(2)(A) of section 3830 requires that, for each position/category identified as hard-to-fill or for which it is hard to retain staff in certain areas of the County, the specific area(s) be identified in the Workforce Needs Assessment.

Rationale for Necessity: This provision is necessary for the County and the Department to collect data on specific geographic areas where it is particularly difficult to recruit and/or retain mental health workers. It is important for the County and the Department to have this information to determine if it is necessary to conduct special, focused or targeted recruitment/retention efforts directed toward specific geographic areas.

Section 3830, subdivision (b)(3)

Specific Purpose: Subdivision (b)(3) of section 3830 specifies that the Workforce Needs Assessment that the County is required to conduct shall include the number of positions, including job title and/or job description, for which recruitment priority is given to clients and/or family members of clients.

Rationale for Necessity: This provision is necessary to ensure that Counties are addressing in their Workforce Needs Assessments the principle presented in Section 5822, subdivision (g), of the Mental Health Services Act to promote the employment of mental health consumers and family members in the mental health system. This regulation will also make it necessary for the County to look at their positions and duty statements and identify which positions will be given recruitment priority to clients and/or family members, thus establishing a practice of focused recruitment efforts.

Section 3830, subdivision (b)(4)

Specific Purpose: Subdivision (b)(4) of section 3830 specifies that each position/occupation listed in the County's Workforce Needs Assessment, as required in Section 3830, subdivision (b)(1), must include an estimate of the number of personnel within each racial/ethnic group, as identified through self-reported data.

Rationale for Necessity: This provision is necessary to provide Counties with the data needed to address, in their Workforce Needs Assessments, Section 5822, subdivision (d), of the Mental Health Services Act which promotes expanded outreach to multicultural communities and increased diversity of the mental health workforce.

Section 3830, subdivision (b)(5)

Specific Purpose: Subdivision (b)(5) of section 3830 specifies that the County's Workforce Needs Assessment must include the estimated number of clients and family members of clients within each racial/ethnic group that the Public Mental Health System will serve during the time period addressed in the Workforce Needs Assessment.

Rationale for Necessity: This provision is necessary to provide the necessary data in the County's Workforce Needs Assessment related to the racial/ethnic groups served. This data enables the County to ensure that staff are recruited, hired and trained to be able to provide services in a public mental health system that reflects the cultural, ethnic and racial diversity of mental health clients and family members, in accordance with section 5813.5, subdivision (d)(3), of the Act and the General Standards in 9 C.C.R. section 3320.

Section 3830, subdivisions (b)(6), (b)(6)(A), (b)(6)(B)

Specific Purpose: Subdivisions (b)(6), (b)(6)(A) and (b)(6)(B) of section 3830 specify that the County's Workforce Needs Assessment must include a list of the languages in which staff proficiency is required to ensure access to and quality of public mental health services for individuals whose primary language is not English. It also must include the number of staff proficient in a particular language and the number of additional staff needed.

Rationale for Necessity: These provisions are necessary to provide Counties with the data needed to determine what languages are spoken in each County, and how many additional staff are needed to adequately address language access issues for the clients and family members they serve. Section 3, subdivision (c), of the MHSA identifies as one of the purposes of the Act the expansion of culturally and linguistically competent approaches for underserved populations.

Section 3830, subdivisions (b)(7), (b)(7)(A), (b)(7)(B)

Specific Purpose: Subdivisions (b)(7), (b)(7)(A) and (b)(7)(B) of section 3830 specify that the County's Workforce Needs Assessment must include the number of employees and volunteers in the Public Mental Health System in each of the following categories: those employees, volunteers and/or individuals under contract who are directly supervised by County staff and those employees, volunteers and/or individuals under contract who are directly supervised by contract agency staff.

Rationale for Necessity: These provisions are necessary to ensure that, in completing its Workforce Needs Assessment, each County prepares an accurate count of its workforce, taking into account both employees directly employed by the County and those employed by contract agencies that provide public mental health services. Section 5820, subdivision (b), provides that employment in California's public mental health system includes employment in private organizations providing publicly funded mental health services. Some services are provided using contract employees, therefore in calculating the County's need for additional staff, it cannot only base its consideration on the number of employees directly employed by the County, as that would over-state the workforce need.

Section 3830, subdivision (b)(8)

Specific Purpose: Subdivision (b)(8) of section 3830 specifies that the County's Workforce Needs Assessment must include additional workforce needs identified through the Workforce Needs Assessment.

Rationale for Necessity: This provision is necessary to ensure that the County has the latitude to identify its workforce needs according to its local population demographics and geographic characteristics and includes those needs in its Workforce Needs Assessment. This latitude is important because it is anticipated that in the process of conducting their Workforce Needs Assessment, Counties may identify additional workforce needs that are not specifically addressed in the Workforce Education and Training regulations.

Section 3840. Workforce Education and Training Funding Categories

Section 3840, subdivisions (a), (a)(1)-(5)

Specific Purpose: Subdivisions (a) and (a)(1)(5) of section 3840 specify the five funding categories of the Workforce Education and Training component.

Rationale for Necessity: These provisions are necessary to inform the Counties of the appropriate funding categories for programs and/or activities in the Workforce Education and Training component of the Three-Year Program and Expenditure Plan. These funding categories correlate with the education and training funding priorities set forth in section 5822 of the Act.

Section 3840, subdivision (b)

Specific Purpose: Subdivision (b) of section 3840 informs the County that the Workforce Education and Training component of the Three-Year Program and Expenditure Plan and annual update shall include programs and activities in at least one of the funding categories specified in Section 3840, subdivision (a).

Rationale for Necessity: This provision is necessary to ensure that funds disbursed for Workforce Education and Training programs and activities are dedicated to at least one of the funding categories in Section 3840, subdivision (a), in accordance with the intent of Part 3.1 of Division 5 of the Welfare and Institutions Code. Each County's Workforce Education and Training component of the Three-Year Program and Expenditure Plan must reflect programs and/or activities in at least one of the specified categories, i.e., Training and Technical Assistance, Mental Health Career Pathway programs, Residency and Internship Programs, Financial Incentive Programs and/or Workforce Staffing Support.

Section 3841. Training and Technical Assistance Funding Category

Section 3841, subdivision (a)

Specific Purpose: Subdivision (a) of section 3841 specifies that the Training and Technical Assistance Funding Category may fund programs and/or activities that increase the ability of the Public Mental Health System workforce to employ the philosophy, principles and practices set forth in section 5822, subdivisions (f), (h) and (i), and section 5813.5, subdivision (d), of the Act and the General Standards set forth in section 3320.

Rationale for Necessity: This provision is necessary to inform the Counties that their Workforce Education and Training programs and/or activities may be funded under the Training and Technical Assistance Funding Category if the programs/activities increase the ability of the Public Mental Health System workforce to employ the philosophy, principles and practices of the Act.

Section 3841, subdivision (a)(1)

Specific Purpose: Subdivision (a)(1) of section 3841 specifies that the Training and Technical Assistance Funding Category may fund programs and/or activities that increase the ability of the Public Mental Health System workforce to promote and support the General Standards in Section 3320.

Rationale for Necessity: This provision is necessary to ensure that programs and/or activities funded under the Training and Technical Assistance Funding Category promote and support the General Standards of Community Collaboration, Cultural Competence, Client-Driven, Family-Driven, and Wellness, Recovery and Resilience focused, in accordance with section 5822, subdivision (f), and section 5813.5, subdivision (d), of the MHSA.

Section 3841, subdivision (a)(2)

Specific Purpose: Subdivision (a)(2) of section 3841 specifies that the Training and Technical Assistance Funding Category may fund programs and/or activities that increase the ability of the Public Mental Health System workforce to support the

participation of clients and family members of clients in the Public Mental Health System.

Rationale for Necessity: This provision is necessary to ensure that programs and/or activities funded under the Training and Technical Assistance Funding Category are consistent with Section 5822, subdivision (h), of the Mental Health Services Act which promotes the meaningful inclusion of mental health consumers and family members and incorporation of their viewpoints and experiences in workforce training and education programs.

Section 3841, subdivision (a)(3)

Specific Purpose: Subdivision (a)(3) of section 3841 specifies that the Training and Technical Assistance Funding Category may fund programs and/or activities that increase the ability of the Public Mental Health System workforce to increase the collaboration and partnerships among Public Mental Health System staff and individuals and/or entities that participate in and support the provision of services in the Public Mental Health System.

Rationale for Necessity: This provision is necessary to ensure that programs and/or activities funded under the Training and Technical Assistance Funding Category increase collaboration between the Public Mental Health System and other entities that support mental health services, in accordance with the intent of section 5822, subdivision (d), and the purpose and intent of the Act to provide integrated services, as set forth in section 3, subdivision (c), of the MHSA. Additionally, it is essential that all interested parties have the opportunity through collaboration and partnerships to benefit from shared experiences which enrich the provision of services.

Section 3841, subdivision (a)(4)

Specific Purpose: Subdivision (a)(4) of section 3841 specifies that the Training and Technical Assistance Funding Category may fund programs and/or activities that increase the ability of the Public Mental Health System workforce to promote cultural and linguistic competence.

Rationale for Necessity: This provision is necessary to ensure that programs and/or activities funded under the Training and Technical Assistance Funding Category are culturally and linguistically competent in accordance with section 5822, subdivision (i), of the MHSA and that services provided by the Public Mental Health System are culturally and linguistically competent, in accordance with section 5813.5, subdivision (d)(3), of the Act.

Section 3841, subdivision (b)

Specific Purpose: Subdivision (b) of section 3841 lists the programs and/or activities for which the Training and Technical Assistance Funding Category may be used.

Rationale for Necessity: This provision is necessary to provide examples of Workforce Education and Training programs and/or activities that may be funded under the Training and Technical Assistance Funding Category.

Section 3841, subdivisions (b)(1), (b)(1)(A)-(C)

Specific Purpose: Subdivisions (b)(1) and (b)(1)(A)-(C) of section 3841 specify that the Training and Technical Assistance Funding Category may be used to pay for collaboration and partnerships among Public Mental Health System staff and individuals and/or entities that participate in and support the provision of services in the Public Mental Health System for the purpose of developing curricula and providing training to entities that stand to benefit from such training, such as clients and family members of clients; individuals from racial/ethnic, cultural and linguistic communities that are underrepresented in the Public Mental Health System; and other unserved and underserved communities.

Rationale for Necessity: These provisions are necessary to inform Counties that the Training and Technical Assistance Funding Category may be used to further collaborative efforts to develop curricula and training targeted to clients, family members of clients, and individuals heretofore unserved, underserved and/or underrepresented in the Public Mental Health System, in accordance with the intent of section 5822, subdivisions (f) through (i).

Section 3841, subdivision (b)(2)

Specific Purpose: Subdivision (b)(2) of section 3841 specifies that the Training and Technical Assistance Funding Category may be used to pay for development of curricula that meets the objectives in Section 3841, subdivision (a), and training preparation, including expenses and consulting services.

Rationale for Necessity: This provision is necessary to clarify that the Training and Technical Assistance Funding Category may pay for the development of curricula that meets the objectives in Section 3841, subdivision (a), that is, programs and/or activities that increase the ability of the Public Mental Health System workforce to promote Community Collaboration, Cultural Competence, Client-Driven, Family-Driven, and Wellness, Recovery and Resilience. This provision is necessary to interpret section 5822, subdivisions (f), (h) and (i), and provide guidance to the Counties regarding what types of expenses constitute training expenses, such as training preparation, including expenses and consulting services.

Section 3841, subdivisions (b)(3), (b)(3)(A)

Specific Purpose: Subdivisions (b)(3) and (b)(3)(A) of section 3841 specify that the Training and Technical Assistance Funding Category may be used for payment to trainers to deliver training, technical assistance and consultation and that the County

must ensure that trainers have knowledge of the objectives in Section 3841, subdivision (a).

Rationale for Necessity: These provisions are necessary to interpret and explain section 5822, subdivisions (f), (h) and (i), of the MHA by informing the Counties that the Training and Technical Assistance Funding Category may be used to pay the costs for trainers to deliver Workforce Education and Training related trainings, technical assistance and consultation. These provisions further require that all trainers and consultants be knowledgeable of the fundamental principles specified in Section 3841, subdivision (a), and integrate these principles throughout the training and technical assistance that is provided. These fundamental principles include promoting and supporting the General Standards in Section 3320, supporting the participation of clients and family members in the Public Mental Health System, and increasing collaboration and partnerships among Public Mental Health System staff and individuals and/or entities that participate in and support the provision of services in the Public Mental Health System.

Section 3841, subdivision (b)(4)

Specific Purpose: Subdivision (b)(4) of section 3841 specifies that the Training and Technical Assistance Funding Category may be used to pay for other costs of providing training, such as materials, supplies, and room and equipment rental costs.

Rationale for Necessity: This provision is necessary to interpret and explain section 5822, subdivision (f), by informing Counties that the Training and Technical Assistance Funding Category may pay necessary costs incurred in conducting Workforce Education and Training related trainings. These costs include materials, supplies and room and equipment rental costs.

Section 3841, subdivision (b)(5)

Specific Purpose: Subdivision (b)(5) of section 3841 specifies that the Training and Technical Assistance Funding Category may be used to pay the travel expenses of trainers and Public Mental Health system training participants, including mileage, lodging and per diem.

Rationale for Necessity: This provision is necessary to interpret and explain section 5822, subdivision (f), by informing Counties that the Training and Technical Assistance Funding Category may pay the travel expenses for the trainers providing the trainings for the Workforce Education and Training component as well as the travel expenses of the participants attending those trainings.

Section 3841, subdivision (b)(5)(A)

Specific Purpose: Subdivision (b)(5)(A) of section 3841 specifies that Workforce Education and Training funds may not be used to reimburse the employer for time an employee takes from his/her duties to attend training.

Rationale for Necessity: This provision is necessary to clarify that Workforce Education and Training funding may not be used to pay an employer for the time an employee spends away from his or her job while attending a training activity or event, but is meant to be used for travel and related expenses only. Payments for employee time under these circumstances would not be consistent with the intent of Part 3.1 of the MHSA.

Section 3841, subdivision (b)(6)

Specific Purpose: Subdivision (b)(6) of section 3841 specifies that the Training and Technical Assistance Funding Category may be used to pay for the evaluation of the effectiveness of the training, and its impact on service delivery in the Public Mental Health System.

Rationale for Necessity: This provision is necessary for quality control purposes. Section 3 of the MHSA states that part of the purpose and intent of the Act is to ensure that MHSA funds are expended in the most cost effective manner and that services are provided in accordance with recommended best practices subject to local and state oversight to ensure accountability to taxpayers and to the public. If training is provided without a subsequent evaluation, there is no measure of the effectiveness of the training, nor any measure of the impact of the training on service delivery outcomes.

Section 3841, subdivision (c)

Specific Purpose: Subdivision (c) of section 3841 informs the County that employees, contractors and volunteers in non-mental health systems may participate in programs and activities that are funded under the Training and Technical Assistance Funding Category.

Rationale for Necessity: This provision is necessary to inform the County that for this funding category participants may include not only County staff and staff of community based organizations delivering public mental health services, in accordance with 5820(b), which provides that employment in the public mental health system includes employment in private organizations providing publicly funded mental health services, but also staff of community partners in service delivery, such as criminal justice, social services, education, ethnic and cultural organizations, medical professionals, and other individuals or entities providing emergency or other critical services.

Section 3841, subdivision (c)(1)

Specific Purpose: Subdivision (c)(1) of section 3841 informs the County that, while employees, contractors and volunteers in non-mental health systems may participate in

the programs and activities paid for under the Technical Assistance and Training Funding Category, these funds may not be used to pay for such participation.

Rationale for Necessity: This provision is necessary to ensure that the Training and Technical Assistance Funding Category is only used to pay for the personnel, operating and administrative costs for County staff and staff of community based organizations delivering public mental health services to participate in trainings of the Workforce Education and Training component and is not used to pay for the participation costs of employees, contractors and volunteers in non-mental health systems, such as criminal justice, social services and health care. Section 5820, subdivision (b), provides that employment in the public mental health system includes employment in private organizations providing publicly funded mental health services, but the Act does not indicate that training for employees of non-mental health systems should be funded through the MHSA.

Section 3842. Mental Health Career Pathway Programs Funding Category

Section 3842, subdivision (a)

Specific Purpose: Subdivision (a) of section 3842 lists the type of programs and/or activities for which the Mental Health Career Pathway Programs Funding Category may be used.

Rationale for Necessity: This provision is necessary to provide the Counties with a list of the types of programs and/or activities which may be funded under the Mental Health Career Pathway Programs Funding Category.

Section 3842, subdivision (a)(1)

Specific Purpose: Subdivision (a)(1) of section 3842 specifies that the Mental Health Career Pathway Programs Funding Category may fund programs to prepare clients and/or family members of clients for employment and/or volunteer work in the Public Mental Health System.

Rationale for Necessity: This provision is necessary to inform the Counties that the Mental Health Career Pathway Programs Funding Category includes programs and activities that prepare clients and family members for employment or volunteer work in the Public Mental Health System, in accordance with Section 5822, subdivision (g), of the Mental Health Services Act which promotes the employment of mental health consumers and family members in the Public Mental Health System.

Section 3842, subdivision (a)(2)

Specific Purpose: Subdivision (a)(2) of section 3842 specifies that the Mental Health Career Pathway Programs Funding Category may fund programs and coursework in high schools, adult education, regional occupational programs, colleges and universities

that introduce individuals to and prepare them for employment in the Public Mental Health System.

Rationale for Necessity: This provision is necessary to inform the Counties that the Mental Health Career Pathway Programs Funding Category includes programs and activities in high schools, adult education, regional occupational programs and colleges and universities that recruit students for mental health occupations and prepare them for employment in public mental health, in accordance with Section 5822, subdivisions (a) and (e), of the Mental Health Services Act.

Section 3842, subdivision (a)(3)

Specific Purpose: Subdivision (a)(3) of section 3842 specifies that the Mental Health Career Pathway Programs Funding Category may be used to fund career counseling, training and/or placement programs designed to increase access to employment in the Public Mental Health System to groups such as immigrant communities, Native Americans and racial/ethnic, cultural and linguistic groups that are underrepresented in the Public Mental Health System, as underrepresentation is defined in section 11139.6 of the Government Code.

Rationale for Necessity: This provision is necessary to inform the Counties that the Mental Health Career Pathway Programs Funding Category includes programs and activities that increase access to employment for communities that are underrepresented in the public mental health workforce, in accordance with Section 5822, subdivision (d), of the Mental Health Services Act which promotes the expansion of outreach efforts to multicultural communities and increasing the diversity of the Public Mental Health System workforce.

Section 3842, subdivision (a)(4)

Specific Purpose: Subdivision (a)(4) of section 3842 specifies that the Mental Health Career Pathway Programs Funding Category may fund focused outreach and engagement in order to provide equal opportunities for employment to individuals who share the racial/ethnic, cultural and linguistic characteristics of the clients served.

Rationale for Necessity: This provision is necessary to ensure that programs and/or activities funded under the Mental Health Career Pathway Programs Funding Category are consistent with the intent of Section 5822, subdivision (d), of the Mental Health Services Act by promoting focused outreach and engagement to provide equal employment opportunities for those who share the diverse backgrounds and characteristics of the individuals/clients served to work in the Public Mental Health System.

Section 3842, subdivision (a)(5)

Specific Purpose: Subdivision (a)(5) of section 3842 specifies that the Mental Health Career Pathway Programs Funding Category may fund supervision of employees in Public Mental Health System occupations who are in a Mental Health Career Pathway Program.

Rationale for Necessity: This provision is necessary to clarify that the Mental Health Career Pathway Programs Funding Category may be used to pay for staff time spent supervising persons who are engaged in programs and/or activities that qualify for Mental Health Career Pathway Programs funding. Supervision of individuals in Mental Health Career Pathway programs is necessary to implement the intent of Part 3.1 of the MHSA, specifically to develop the public mental health workforce needed to remedy the shortage of qualified individuals who can provide services to address severe mental illness. (Welf. & Inst. Code § 5820(a).)

Section 3842, subdivision (b)

Specific Purpose: Subdivision (b) of section 3842 informs the Counties of what must be included in the development of Mental Health Career Pathway Programs.

Rationale for Necessity: This provision is necessary to ensure that Mental Health Career Pathway Programs funds are expended in a cost effective manner and that programs are accountable, in accordance with the intent of the MHSA set forth in section 3, subdivision (e), of the Act.

Section 3842, subdivision (b)(1)

Specific Purpose: Subdivision (b)(1) of section 3842 specifies that development of Mental Health Career Pathway Programs must include an identification of available financial and other resources to supplement MHSA funds.

Rationale for Necessity: This provision is necessary in order to clarify that, in designing and planning for Mental Health Career Pathway Programs, counties should seek to identify means to supplement MHSA funding with other resources. This provision is consistent with Section 5813.5, subdivision (b), of the Mental Health Services Act which states that Mental Health Services Act funding shall only cover the portions of those costs that cannot be paid for with other funds including other mental health funds, public and private insurance, and other local, state and federal funds. These programs can be supplemented by using other funding sources, volunteer or in-kind contributions.

Section 3842, subdivision (b)(2)

Specific Purpose: Subdivision (b)(2) of section 3842 specifies that development of Mental Health Career Pathway Programs must include development of a process for tracking a student's progress including successful completion of the program, and educational and/or employment choices after program completion.

Rationale for Necessity: This provision is necessary to measure a program's effectiveness and whether or not it is suitable for the particular students and/or participants. This provision is necessary to implement the intent of Part 3.1, set forth in section 5820, subdivision (a), that education and training funds be used to establish a program to remedy the shortage of individuals qualified to deliver public mental health services. This provision also implements the general intent of the Act, set forth in section 3, subdivision (e), that MHSA programs be accountable. This provision informs the County that in designing and/or planning Mental Health Career Pathway Programs, the County must also plan for a way to measure whether or not the program meets the desired objectives.

Section 3842, subdivision (b)(3)

Specific Purpose: Subdivision (b)(3) of section 3842 specifies that development of Mental Health Career Pathway Programs must include identification of outcomes by which the program shall be evaluated.

Rationale for Necessity: This provision is necessary to measure a program's outcomes, in accordance with the intent of the Act set forth in section 3, subdivision (e), that MHSA programs be accountable. This provision informs the County that in designing and/or planning Mental Health Career Pathway Programs, the County must also plan for a way to measure whether or not the program meets the desired objectives. This provision is in keeping with Section 5848, subdivision (c), of the Mental Health Services Act which specifies that plans shall include reports on the achievement of performance outcomes.

Section 3843. Residency and Internship Programs Funding Category

Section 3843, subdivision (a)

Specific Purpose: Subdivision (a) of section 3843 provides an introduction to the types of programs and/or activities that may be funded under the Residency and Internship Programs Funding Category.

Rationale for Necessity: This provision is necessary to inform the Counties of the types of programs and/or activities for which the Residency and Internship Programs Funding Category may be used.

Section 3843, subdivision (a)(1)

Specific Purpose: Subdivision (a)(1) of section 3843 specifies that the Residency and Internship Programs Funding Category may pay for time required of staff, including university faculty, to supervise psychiatric residents training to work in the Public Mental Health System.

Rationale for Necessity: This provision is necessary to inform Counties that the Residency and Internship Programs Funding Category may be used to pay for staff time, to include university faculty time, which is spent supervising psychiatric residents training to work in the Public Mental Health System. This is an important incentive to ensure that psychiatric residents receive the appropriate supervision and training to work effectively in the Public Mental Health System. Supervision is necessary to produce the qualified public mental health workforce that funding under Part 3.1 is intended to create. (See Welf. & Inst. Code § 5820, subd. (a).)

Section 3843, subdivision (a)(2)

Specific Purpose: Subdivision (a)(2) of section 3843 specifies that the Residency and Internship Programs Funding Category may be used to pay for staff time, including university faculty time, that is spent supervising post-graduate interns training as psychiatric nurse practitioners, masters of social work, marriage and family therapists, or clinical psychologists that will work in the Public Mental Health System.

Rationale for Necessity: This provision is necessary to inform counties that the Residency and Internship Programs Funding Category may be used to pay for time spent by staff, including university faculty, in supervising post-graduate interns training to work as psychiatric nurse practitioners, masters of social work, marriage and family therapists, or clinical psychologists in the Public Mental Health System. This is an important incentive to ensure that psychiatric residents receive the appropriate training needed to work effectively in the Public Mental Health System. This provision also provides an incentive for post-graduate interns to pursue employment in the Public Mental Health System in positions such as those referenced above, which currently suffer from serious under-staffing in the Public Mental Health System. This incentive is key to implementing the intent of section 5822, subdivision (a), to expand the capacity of postsecondary education to meet the needs of identified mental health occupational shortages.

Section 3843, subdivision (a)(2)(A)

Specific Purpose: Subdivision (a)(2)(A) of section 3843 specifies that only faculty time spent supervising interns in programs designed to lead to licensure is eligible to be funded through the Residency and Internship Programs Funding Category.

Rationale for Necessity: This provision is necessary to clarify that the Residency and Internship Programs Funding Category may only be used to fund faculty time spent supervising interns in programs designed to lead to licensure, as the Public Mental Health System is in dire need of such licensed professionals. This provision is required to ensure that Workforce Education and Training funds are expended in a manner that remedies identified shortages of qualified individuals in the public mental health workforce, such as the shortage of licensed professionals, in accordance with section 5820, subdivisions (a) through (c). The Residency and Internship Programs Funding

Category may not be used to fund faculty time spent in other pursuits which would not benefit the Public Mental Health System.

Section 3843, subdivision (a)(3)

Specific Purpose: Subdivision (a)(3) of section 3843 specifies that the Residency and Internship Programs Funding Category may be used to pay for staff time, including university faculty time, that is spent training psychiatric technicians to work in the Public Mental Health System.

Rationale for Necessity: This provision is necessary to inform Counties that the Residency and Internship Programs Funding Category may be used to pay for staff time, including that of university faculty, to train psychiatric technicians to work in the Public Mental Health System. This is an important incentive to ensure that psychiatric technicians receive the appropriate training to work effectively in the Public Mental Health System, in accordance with section 5820, subdivisions (a) through (c), of the MHSA, which require that education and training funds be used to remedy identified shortages of qualified individuals.

Section 3843, subdivision (a)(4)

Specific Purpose: Subdivision (a)(4) of section 3843 specifies that the Residency and Internship Programs Funding Category may be used to pay for staff time, including university faculty time, that is spent training physician assistants to work in the Public Mental Health System and to prescribe psychotropic medications under the supervision of a physician.

Rationale for Necessity: This provision is necessary to inform Counties that the Residency and Internship Programs Funding Category may be used to pay for staff time, including that of university faculty, to train physician assistants to work in the Public Mental Health System and to prescribe psychotropic medications under the supervision of a physician. This is an important incentive to ensure that psychiatric residents receive the appropriate training to work effectively in the Public Mental Health System. It is also important to increase the numbers of licensed individuals with prescribing authority in order to begin to remedy the severe shortage of individuals with that authority in the Public Mental Health System, in accordance with section 5820, subdivisions (a) through (c), of the MHSA, which require that education and training funds be used to remedy identified shortages of qualified individuals.

Section 3843, subdivision (a)(5)

Specific Purpose: Subdivision (a)(5) of section 3843 specifies that a valid use for the Residency and Internship Programs Funding Category is for the addition of a mental health specialty to a physician assistant program.

Rationale for Necessity: This provision is necessary to inform Counties that the Residency and Internship Programs Funding Category may be used to add a mental health specialty to a physician assistant program. Current physician assistant programs do not necessarily include this specialty. Providing a funding source for inclusion of this specialty in the physician assistant program will result in an increase in the numbers of physician assistants that choose to work in the Public Mental Health System, in accordance with section 5820, subdivisions (a) through (c), of the MHSA, which require that education and training funds be used to remedy identified shortages of qualified individuals.

Section 3843, subdivision (b)

Specific Purpose: Subdivision (b) of section 3843 informs the County that participants in Residency and Internship programs shall be trained in the use of the General Standards specified in Section 3320.

Rationale for Necessity: This provision is necessary to ensure that training funded through the Residency and Internship Programs Funding Category is consistent with the fundamental principles set forth in the Act, including those in section 5813.5, subdivision (d), and section 5822, subdivisions (f), (h) and (i), which are further explained in the General Standards in 9 C.C.R. section 3320. Training participants in these standards will help to ensure that Community Collaboration, Cultural Competence, Client-Driven, Family-Driven, and Wellness, Recovery and Resilience will become a part of the way they provide services.

Section 3843, subdivision (c)

Specific Purpose: Subdivision (c) of section 3843 informs Counties that the Residency and Internship Programs Funding Category may only be used for staff and program expenses required to address occupational shortages identified through the County's Workforce Needs Assessment.

Rationale for Necessity: This provision is necessary to ensure that only staff time and program expenses that assist the County in meeting the workforce needs identified in the County Workforce Needs Assessment as specified in Section 3830 may be funded under this category, in accordance with section 5820, subdivision (b), of the MHSA.

Section 3843, subdivision (d)

Specific Purpose: Subdivision (d) of section 3843 informs the County that all program content funded under the Residency and Internship Programs Funding Category shall be consistent with the General Standards specified in Section 3320.

Rationale for Necessity: This provision is necessary in order to ensure that all program content developed with funding under the Residency and Internship Programs Funding Category is consistent with the fundamental principles set forth in section

5813.5, subdivision (d), of the Act and further described in Section 3320, specifically Community Collaboration, Cultural Competence, Client-Driven, Family-Driven, and Wellness, Recovery and Resilience.

Section 3843, subdivision (e)

Specific Purpose: Subdivision (e) of section 3843 specifies that the Residency and Internship Programs Funding Category shall not be used to pay for time spent by residents, interns and/or supervisors when providing direct services to clients.

Rationale for Necessity: This provision is necessary to clarify that Residency and Internship Programs funding may not be used to pay for time spent by residents, interns and/or supervisors when providing direct services to clients. Direct services are paid for with other funds such as Community Services and Supports funding, in accordance with sections 5847 and 5892 of the MHPA.

Section 3844. Financial Incentive Programs Funding Category

Sections 3844, subdivisions (a), (a)(1)-(3)

Specific Purpose: Subdivisions (a) and (a)(1) through (3) of section 3844 inform the County that the Financial Incentive Programs Funding Category may be used to fund specific financial assistance programs that address one or more of the occupational shortages identified in the County's Workforce Needs Assessment. Financial Incentive Programs include scholarships, stipends and/or loan assumption programs.

Rationale for Necessity: These provisions are necessary to inform Counties that the Financial Incentive Programs Funding Category may be used for such financial assistance programs as stipends, scholarships and loan assumption programs, which offer financial incentives for the recruitment and retention of Public Mental Health System employees, in accordance with section 5822, subdivisions (a) through (c), of the Act. These financial incentive programs enable the County to recruit and retain workers to alleviate workforce shortages identified through the County's Workforce Needs Assessment.

Section 3844, subdivision (b)

Specific Purpose: Subdivision (b) of section 3844 informs the County that scholarships and stipends shall pay or reimburse individuals for expenses, or a portion of the expenses associated with participation in programs and/or activities paid for under a funding category in Section 3840.

Rationale for Necessity: This provision is necessary to inform Counties that scholarships and stipends under the Financial Incentive Programs Funding Category may be used to reimburse participants for costs associated with participating in any programs and/or activities which are funded through the other four Workforce Education

and Training Funding Categories as specified in Section 3840, i.e., the Training and Technical Assistance Funding Category, the Mental Health Career Pathway Programs Funding Category, the Residency and Internship Programs Funding Category, and the Workforce Staffing Support Funding Category. Providing this financial relief allows individuals to participate in these programs who would not otherwise be able to participate. The result is an increase in and a better qualified Public Mental Health System workforce. This provision furthers the intent of Part 3.1 of the Act to establish a program to remedy the shortage of qualified individuals to provide services to address severe mental illnesses. It may also further the goal of 5822(g) to promote the employment of clients and clients' family members in the mental health system, to the extent some of these individuals may benefit from these scholarships and stipends.

Section 3844, subdivision (c)

Specific Purpose: Subdivision (c) of section 3844 provides an introduction to the populations to be encouraged to participate in Financial Incentive Programs.

Rationale for Necessity: This provision is necessary to provide Counties with a list of some of the populations for whom Financial Incentive Programs are intended, in accordance with the priorities set forth in section 5822 of the Act.

Section 3844, subdivision (c)(1)

Specific Purpose: Subdivision (c)(1) of section 3844 specifies that Financial Incentive Programs shall target individuals who can fill identified occupational shortages or have certain skills, such as those in a licensed profession or those with proficiency in a language other than English.

Rationale for Necessity: This provision is necessary to ensure that Counties have the means to recruit and hire individuals with the skills and abilities that Counties identify as having a need or shortage through their Workforce Needs Assessments. Section 5820, subdivision (b), of the Mental Health Services Act states that each county mental health program shall submit to the department a needs assessment identifying its shortages in each professional and other occupational category in order to increase the supply of professional staff and other staff that county mental health programs anticipate they will require in order to provide the increase in services projected to serve additional individuals and families. This financial incentive program will allow Counties to meet the intent of the law by increasing the number of mental health professionals necessary to serve the population.

Section 3844, subdivision (c)(2)

Specific Purpose: Subdivision (c)(2) of section 3844 specifies that Financial Incentive Programs shall target individuals with client and/or family member experience who are participating in Workforce Education and Training programs and/or activities paid for through a funding category in Section 3840.

Rationale for Necessity: This provision is necessary to promote the goal of section 5822, subdivision (g), by providing individuals with client and/or family member experience with financial relief so that they may obtain employment in the Public Mental Health System, or qualify for promotional opportunities if they are already employed in the Public Mental Health System.

Section 3844, subdivision (c)(3)

Specific Purpose: Subdivision (c)(3) of section 3844 specifies that Financial Incentive Programs shall target individuals with client and/or family member experience who are participating in an education or training program designed to lead to employment in the Public Mental Health System.

Rationale for Necessity: This provision is necessary to provide Counties with tools to recruit and hire individuals with client and/or family member experience, in accordance with Section 5822, subdivision (g), of the Mental Health Services Act, which promotes the employment of mental health consumers and family members in the mental health system.

Section 3844, subdivision (d)

Specific Purpose: Subdivision (d) of section 3844 specifies that the County may contract with a fiduciary entity, university or accredited educational institution to establish a financial incentive program.

Rationale for Necessity: This provision is necessary to clarify that the County may utilize the Financial Incentive Programs Funding Category to enter into contractual agreements as needed with fiduciary entities, universities or other accredited educational institutions to establish Financial Incentive Programs in order to increase the County's ability to recruit persons enrolled in academic institutions into mental health occupations. Many counties do not have systems in place to provide this service and it may be cost prohibitive to develop one. This section provides an alternative that assists needy Counties to further the goals of section 5822, subdivisions (b) and (c).

Section 3844.1. Stipends

Section 3844.1, subdivision (a)

Specific Purpose: Subdivision (a) of section 3844.1 specifies that stipend recipients shall commit to work in the Public Mental Health System for a minimum of the equivalent of one calendar year for each year of stipend received.

Rationale for Necessity: This provision is necessary to clarify that individuals who are provided stipends through the Financial Incentive Programs Funding Category shall be provided those funds in exchange for a commitment to work in the Public Mental Health

System for a specified period of time, i.e., one year for each year of stipend received. This limitation furthers the intent of section 5822, subdivision (c), which specifies that stipend programs be modeled after the federal Title IV-E program for persons enrolled in academic institutions who want to be employed in the mental health system. This program not only benefits the recipient of the stipend, but also the Public Mental Health System in that it provides an increase in the workforce and employees with recent training in the field of mental health.

Section 3844.1, subdivisions (b), (b)(1), (b)(2)

Specific Purpose: Subdivisions (b), (b)(1), and (b)(2) of section 3844.1 specify that stipends are paid directly to recipients and further specify the types of expenses for which stipends may be used.

Rationale for Necessity: These provisions are necessary to clarify that stipends offered through the Financial Incentive Programs Funding Category will be paid directly to students to be used for costs associated with their course of study, in accordance with section 5822, subdivision (c), of the Act. These stipends offer an incentive to attract individuals enrolled in academic institutions to further their education in a mental health-related course of study. Oftentimes the academic expenses of tuition, registration fees, books and school supplies can deter a student from completing a course of study. Additionally travel to and from school or the training site as well as lodging and per diem expenses can be costly. This provision may also assist clients and family members with limited financial resources, in furtherance of section 5822, subdivision (g), of the Act.

Section 3844.1, subdivision (b)(3)

Specific Purpose: Subdivision (b)(3) of section 3844.1 specifies that stipends may pay for any other expenses incurred as a result of participation in an education or training activity.

Rationale for Necessity: This provision is necessary to further the purpose and intent of Part 3.1 of the Act, as set forth in section 5820, subdivision (a), by clarifying that stipends under the Financial Incentive Programs Funding Category may pay for other expenses, aside from those listed in Section 3844.1, subdivisions (b)(1) and (b)(2), e.g., tuition, books, registration, travel, lodging, etc., that a student might incur as part of attending educational or training activities related to the Workforce Education and Training component.

Section 3844.1, subdivision (c)

Specific Purpose: Subdivision (c) of section 3844.1 specifies that stipends may pay for an employee's salary if he/she is pursuing a degree in an academic program that addresses the needs identified in the County's Workforce Needs Assessment.

Rationale for Necessity: This provision is necessary to further the purpose set forth in sections 5820, subdivision (b), and 5822, subdivision (c), of the MHSA by providing that stipends under the Financial Incentive Programs Funding Category may pay the employee's salary while the employee pursues a degree in a course of study that the County has determined is required in order to satisfy needs identified through the County Workforce Needs Assessment. This allows the employee to focus on the pursuit of his/her degree in a field that addresses County needs, in accordance with section 5820, subdivisions (a), (b) and (c).

Section 3844.1, subdivision (c)(1)

Specific Purpose: Subdivision (c)(1) of section 3844.1 specifies that employees may be compensated for work time when they are participating in employer approved Workforce Education and Training programs, under a signed agreement with the employer that both work time and personal time will be used to participate in the program.

Rationale for Necessity: This provision is necessary to ensure that stipends under the Financial Incentive Programs Funding Category are only used to pay for an employee's work time as specified in Section 3844.1, subdivision (c), if that employee has entered into a signed agreement with the employer that the employee is engaged in training and/or activities that further the employee's or the potential employee's education as it relates to employment in the Public Mental Health System. This limitation furthers the intent of Part 3.1 to provide dedicated funding to remedy the shortage of qualified individuals to provide services to address severe mental illnesses. It is the intent of the Act that these be used for the purposes set forth in Part 3.1 and not for other purposes. This limitation also furthers the general intent of the MHSA, set forth in section 3, subdivision (e), that funds be expended in the most cost effective manner.

Section 3845. Workforce Staffing Support Funding Category

Section 3845, subdivision (a)

Specific Purpose: Subdivision (a) of section 3845 sets forth the types of activities for which the Workforce Staffing Support Funding Category may be used.

Rationale for Necessity: This provision is necessary to introduce the types of activities which may be funded under the Workforce Staffing Support Funding Category, in accordance with the intent and goals of Part 3.1 of the MHSA.

Section 3845, subdivision (a)(1)

Specific Purpose: Subdivision (a)(1) of section 3845 specifies that the Workforce Staffing Support Funding Category may pay for Public Mental Health System staff to plan, recruit, coordinate, administer, support and/or evaluate Workforce Education and

Training programs and activities, when the staff is not funded through any of the other Workforce Education and Training funding categories.

Rationale for Necessity: This provision is necessary to inform the Counties that the Workforce Staffing Support Funding Category is to be used to pay for Public Mental Health System staff time spent engaged in or in support of any Workforce Education and Training activity within any of the funding categories, i.e., Training and Technical Assistance, Mental Health Career Pathway Programs, Residency and Internship Programs, and Financial Incentive Programs, when that staff time is not paid for under one of these funding categories. This provision allows the Counties the flexibility to pay for staff time spent in support of Workforce Education and Training activities that might not easily be categorized within one of the other Workforce Education and Training Funding Categories or when staff time is spent supporting more than one Workforce Education and Training program or activity. This flexibility is necessary to carry out the intent of Part 3.1 of the MHPA to remedy the shortage of qualified individuals who can provide services to address severe mental illness, in a manner that addresses the County's identified needs. (Welf. & Inst. Code §5820, subd. (a) – (c).)

Section 3845, subdivisions (a)(2), (a)(2)(A)-(C)

Specific Purpose: Subdivisions (a)(2) and (a)(2)(A)-(C) of section 3845 specify that the Workforce Staffing Support Funding Category may be used to pay for staff to support Regional Partnerships when staff is performing activities that address specific needs.

Rationale for Necessity: These provisions are necessary in order to ensure that funding is available for staff time spent in support of Regional Partnerships. Regional Partnerships are groups of County-approved individuals and/or organizations within geographic proximity that act as employment and education resources for the Public Mental Health System. This provision makes it possible for staff to be hired to support and facilitate those Regional Partnerships, in accordance with the intent of section 5822, subdivision (d), of the Act, as there is no other funding available for this purpose. These provisions further ensure that Regional Partnership staff engage in activities that address workforce shortages as identified through the County Workforce Needs Assessment, deficits in cultural and/or linguistic competence, and the employment of clients and/or family members in the Public Mental Health System, in accordance with section 5822, subdivisions (f) through (i).

Section 3845, subdivision (a)(3)

Specific Purpose: Subdivision (a)(3) of section 3845 informs the Counties that the Workforce Staffing Support Funding Category may pay for staff to provide ongoing employment and educational counseling and support to specified populations.

Rationale for Necessity: This provision is necessary to ensure that funding is available to pay for staff time spent in counseling and other employment supports for

specified populations in order to increase the diversity and representation of the mental health workforce in accordance with the Mental Health Services Act.

Section 3845, subdivisions (a)(3)(A)-(C)

Specific Purpose: Subdivisions (a)(3)(A)-(C) of section 3845 specify that the Workforce Staffing Support Funding Category may fund staff to provide ongoing employment counseling and educational counseling and support to clients currently entering or currently employed in the Public Mental Health System workforce, family members of clients who are entering or currently employed in the Public Mental Health System workforce, and/or family members who are entering or currently employed in the Public Mental Health System workforce.

Rationale for Necessity: These provisions are necessary to ensure that funding is available to pay for staff time spent in employment and educational counseling and other employment supports for the populations specified in Section 5822, subdivision (g), of the Mental Health Services Act, which promotes the employment of mental health clients and family members in the mental health system. These populations include clients entering or currently employed in the Public Mental Health System and/or family members of clients who are entering or currently employed in the Public Mental Health System as well as family members who are entering or currently employed in the Public Mental Health System workforce. These target populations have been identified because their needs are sufficiently diverse that they merit separate or different support efforts to attain or retain employment.

Section 3845, subdivision (a)(4)

Specific Purpose: Subdivision (a)(4) of section 3845 specifies that the Workforce Staffing Support Funding Category may pay for staff to provide education and support to employers and employees to assist with the integration of clients and/or family members of clients into the Public Mental Health System workforce.

Rationale for Necessity: This provision is necessary to clarify that, while it is important for the County to provide clients and family members entering the workforce with the skills, knowledge and support that they need to effectively perform their jobs in the mental health workforce, it is also important for the County to provide education and training to prepare the employers and their employees with the tools necessary to provide a welcoming and supportive environment for those clients and/or family members who have been or are becoming employed. This provision helps to implement the intent of subdivision (g) of section 5822, namely to promote the employment of clients and family members in the Public Mental Health System.

Section 3845, subdivision (a)(5)

Specific Purpose: Subdivision (a)(5) of section 3845 specifies that the Workforce Staffing Support Funding Category may pay for staff necessary to support activities in multiple Workforce Education and Training funding categories when the staff time is not included in the budget for any other funding category.

Rationale for Necessity: This provision is necessary to clarify that the Workforce Staffing Support Funding Category may be used to pay for staff time spent engaged in or in support of Workforce Education and Training activities within multiple funding categories, i.e., Training and Technical Assistance, Mental Health Career Pathway Programs, Residency and Internship Programs, and Financial Incentive Programs, when that staff time is not paid for under one of those other funding categories. This provision allows the Counties the flexibility to pay for staff time spent in support of activities that might not easily be categorized within one of the other Workforce Education and Training Funding Categories. In this way, the provision helps to implement the intent of Part 3.1, namely to establish a program to remedy the shortage of qualified individuals to provide services to address severe mental illness, in accordance with locally identified workforce needs. (Welf. & Inst. Code § 5820, subs. (a) –(c).)

Section 3845, subdivision (a)(6)

Specific Purpose: Subdivision (a)(6) of section 3845 specifies that the Workforce Staffing Support Funding Category may pay for the Workforce Education and Training Coordinator required by subdivision (b) of section 3810.

Rationale for Necessity: This provision is necessary to inform the Counties that the Workforce Staffing Support Funding Category is the appropriate source of funding to use for the personnel expenses of the Workforce Education and Training Coordinator that the County is required to hire to satisfy Section 3810(b). The Workforce Education and Training Coordinator is responsible for coordinating all of the Workforce Education and Training programs and activities within the County and acting as a liaison to the Department.

Section 3850. Mental Health Services Act Loan Assumption Program

Specific Purpose: Section 3850 contains the requirements for participation in the MHSA Loan Assumption Program.

Rationale for Necessity: This section implements the intent of section 5822, subdivision (b), of the MHSA, specifically that loan forgiveness programs be available to those who commit to employment in the Public Mental Health System.

Section 3850, subdivision (a)

Specific Purpose: Subdivision (a) of section 3850 specifies that for each fiscal year, the County shall ensure that the total amount of the loans to be assumed for all

participants during the year does not cause the County to exceed the amount of money designated for its MHSA Loan Assumption Program for that fiscal year.

Rationale for Necessity: This provision is necessary to ensure that the County does not commit to loan assumption in an amount that will cause it to exceed the amount of funds designated to its MHSA Loan Assumption Program for that fiscal year. This provision helps to ensure that Workforce Education and Training funds are expended in a cost effective manner that is accountable to taxpayers and to the public, in accordance with the intent and purpose of the Act. (MHSA, § 3, subd. (e).)

Section 3850, subdivision (b)

Specific Purpose: Subdivision (b) of section 3850 specifies that MHSA Loan Assumption Program funds may be used to pay a portion of the educational loans of individuals who make a commitment to work in the Public Mental Health System in a position that is hard-to-fill or in which it is hard to retain staff.

Rationale for Necessity: This provision is necessary to provide the County with incentives to attract individuals into mental health occupations which have been identified as hard-to-fill or for which it is hard to retain staff. The provision further requires a commitment from participants to ensure that they will, in fact, accept employment in the Public Mental Health System in return for accepting MHSA Loan Assumption funds, in accordance with section 5822, subdivision (b) of the Act. This commitment will assist the County in addressing workforce shortages identified through the Workforce Needs Assessment, in accordance with section 5820, subdivisions (a) through (c) of the MHSA.

Sections 3850, subdivisions (c), (c)(1)-(3)

Specific Purpose: Subdivisions (c) and (c)(1)-(3) of section 3840 specify that educational loan liability shall be assumed after the participant has completed twelve (12) months of employment, that those months shall be consecutive, and that participation shall not exceed seventy two (72) consecutive months.

Rationale for Necessity: These provisions are necessary to implement the intent of section 5822, subdivision (b), by ensuring that a participant in the MHSA Loan Assumption Program complies with his or her commitment to work in the Public Mental Health System by obtaining employment in the mental health field and maintaining that employment for at least twelve (12) consecutive months. The provisions further ensure that MHSA Loan Assumption Program funds are not over-expended for any one participant by limiting participation in the Program to a maximum of seventy two (72) months per participant. These provisions further provide a standard set of criteria to enable Counties to more equitably recruit and retain individuals in hard-to-fill positions or positions for which it is hard to retain staff.

Section 3850, subdivision (d)

Specific Purpose: Subdivision (d) of section 3850 contains conditions for payment of MHSA Loan Assumption Program funds.

Rationale for Necessity: This provision is necessary to inform the Counties of the conditions for payment under the MHSA Loan Assumption Program.

Section 3850, subdivision (d)(1)

Specific Purpose: Subdivision (d)(1) of section 3850 specifies that a single payment of up to ten thousand (10,000) dollars shall be made on the participant's behalf after each consecutive twelve (12) months of employment.

Rationale for Necessity: This provision is necessary to inform the County that each payment of ten thousand (10,000) dollars for the MHSA Loan Assumption Program will be made upon the participant's completion of twelve (12) months of employment in the mental health system. This provision ensures that participants do not receive MHSA Loan Assumption Program funds without fulfilling their commitment to employment in the mental health system, in accordance with the intent of section 5822, subdivision (b).

Section 3850, subdivision (d)(2)

Specific Purpose: Subdivision (d)(2) of section 3840 specifies that payments shall be made directly to the lending institution and shall be applied to the principal balance, if not otherwise prohibited by law or by the terms of the loan agreement between the participant and the educational lending institution.

Rationale for Necessity: This provision is necessary to clarify that MHSA Loan Assumption Program payments will be made to the participating lending institution as opposed to being disbursed directly to the participant. This provision assures that MHSA Loan Assumption Program funds are disbursed according to the terms established by the participating educational lending institution and helps to ensure that funds are expended in a cost effective manner, in accordance with the intent and purpose of the MHSA set forth in section 3, subdivision (e) of the Act.

Section 3850, subdivision (d)(3)

Specific Purpose: Subdivision (d)(3) of section 3850 specifies that no more than a total of sixty thousand (60,000) dollars of any participant's educational loan liability shall be assumed in a participant's lifetime.

Rationale for Necessity: This provision is necessary to ensure that MHSA Loan Assumption Program funds are not over-expended for any one participant by limiting participation in the Program to a maximum of sixty thousand (60,000) dollars for the lifetime of the participant. This provision helps to ensure that MHSA expenditures are

cost-effective and that MHSA programs are accountable to taxpayers and to the public, in accordance with the purpose and intent of the Act. (See MHSA, § 3, subd. (e).)

Section 3850, subdivision (e)

Specific Purpose: Subdivision (e) of section 3850 specifies that no individual may participate in the MHSA Loan Assumption Program for more than seventy-two (72) consecutive months unless the County grants him/her an exemption from this requirement due to pregnancy, serious illness or other cause deemed appropriate by the County.

Rationale for Necessity: This provision is necessary to inform the County of the specific conditions under which a participant in the MHSA Loan Assumption Program may obtain an exemption from the requirement in section 3850, subdivision (c)(2), that months of employment in the mental health system be consecutive. The conditions include pregnancy, serious illness or other natural cause. The requirement that months of employment be consecutive helps to ensure program accountability, in accordance with section 3, subdivision (e) of the MHSA, and the exemption provides the Counties with flexibility to carry out the general intent of Part 3.1 of the MHSA, as set forth in section 5820, subdivision (a) of the Act.

Section 3850, subdivision (f)

Specific Purpose: Subdivision (f) of section 3850 specifies that the County may use a portion of its Workforce Education and Training funds to increase the number of individuals within the County who participate in the MHSA Loan Assumption Program.

Rationale for Necessity: This provision is necessary to inform the County that Workforce Education and Training funds may be used to increase the number of individuals within the County who participate in the MHSA Loan Assumption Program. This provision provides Counties, especially small counties which may not have adequate funding to establish local loan assumption programs, with the option to utilize a portion of their Workforce Education and Training funding to increase participation in a statewide or regional MHSA Loan Assumption Program. This flexibility furthers the intent of Part 3.1 of the Act that education and training programs be designed to remedy the shortage of qualified staff in the mental health system in a manner that addresses locally identified needs. (See Welf. & Inst. Code § 5820, subds. (a) –(c).)

Section 3851. Terms of MHSA Loan Assumption

Section 3851, subdivision (a)

Specific Purpose: Subdivision (a) of section 3851 specifies that MHSA Loan Assumption Program payments shall be made every twelve (12) months.

Rationale for Necessity: This provision is necessary to inform the County that payments to participants under the MHSA Loan Assumption Program shall be made every twelve (12) months, or in other words, annually. This provision provides the County, as well as the participants, with notice of when payments will be made under the MHSA Loan Assumption Program.

Sections 3851, subdivisions (b), (b)(1), (b)(2)

Specific Purpose: Subdivisions (b), (b)(1) and (b)(2) of section 3851 specify the conditions under which MHSA Loan Assumption Program payments shall be made.

Rationale for Necessity: These provisions are necessary to inform the County that to participate in the MHSA Loan Assumption Program, the participant must provide a completed Loan Assumption Program Application and Loan Assumption Program Application package, as specified in Section 3854 and Section 3854.1, or a completed Loan Assumption Program Renewal as specified in Section 3855. These provisions are necessary to provide procedures that carry out the intent of section 5822, subdivision (b) of the Act.

Section 3851.1. Eligible Educational Loans

Section 3851.1, subdivision (a)

Specific Purpose: Subdivision (a) of section 3851.1 specifies that only loans held by an educational lending institution are eligible for assumption under the MHSA Loan Assumption Program.

Rationale for Necessity: This provision is necessary to ensure that MHSA Loan Assumption Program funds are only used for the repayment of educational loans, pursuant to Section 5822, subdivision (b), of the Mental Health Services Act, which promotes expansion plans for forgiveness and scholarship programs for current students in return for a commitment to employment in the Public Mental Health System and for current employees of the mental health system who wish to enhance their level of educational achievement to attain career advancement.

Section 3851.1, subdivisions (b), (b)(1), (b)(2)

Specific Purpose: Subdivisions (b), (b)(1) and (b)(2) of section 3851.1 specify two of the types of educational loan programs which are eligible for assumption under the MHSA Loan Assumption Program.

Rationale for Necessity: These provisions are necessary to inform the County of the types of educational loan programs which are eligible for assumption under the MHSA Loan Assumption Program. These educational loan programs include the Federal Family Education Loan Program as specified in 20 U.S.C. Section 1071 et seq. and the Federal Direct Loan Program as specified in 20 U.S.C. Section 1087b et seq. These

provisions make specific the loan assumption program referenced in section 5822, subdivision (b), of the Act.

Sections 3851.1, subdivisions (c), (c)(1)-(10)

Specific Purpose: Subdivisions (c) and (c)(1)-(10) of section 3851.1 specify the types of fiscal liabilities that are not eligible for assumption under the MHSA Loan Assumption Program.

Rational for Necessity: These provisions are necessary to inform the County of the types of loans or other fiscal liabilities that are not eligible for assumption under the MHSA Loan Assumption Program. These ineligible loans include educational loans not disbursed at the time the applicant enters into the loan assumption agreement, educational loans used for the educational expenses of someone other than the applicant, educational loans that have been consolidated with a loan of another person or with a non-educational loan, lines of credit, home equity loans, credit card debt, business loans, mortgages, personal loans, and other consumer loans. This section ensures that MHSA Loan Assumption Program funds are only used for the repayment of educational loans, pursuant to Section 5822, subdivision (b), of the Mental Health Services Act and that MHSA funds are expended in a cost-effective manner that is accountable to the taxpayers and to the public, in accordance with the intent and purpose of the MHSA. (See MHSA, § 3, subd. (e).)

Section 3852. Selection Process

Section 3852, subdivision (a)

Specific Purpose: Subdivision (a) of section 3852 specifies that the County shall receive and review application packages for the MHSA Loan Assumption Program and select and approve applicants for participation.

Rationale for Necessity: This provision is necessary to inform the County of its responsibilities to review the application packages submitted for the MHSA Loan Assumption Program and to determine which applicants to approve for participation in the Program. This provision ensures that participation in the MHSA Loan Assumption Program remains consistent with the intent of Part 3.1 of the MHSA that education and training programs address locally identified needs. (Welf. & Inst. Code § 5820, subds. (b), (c).)

Section 3852, subdivision (b)

Specific Purpose: Subdivision (b) of section 3852 specifies that the County shall develop a process for selection and criteria for participation in the MHSA Loan Assumption Program.

Rationale for Necessity: This provision is necessary to inform the County of its responsibilities to develop a process and to establish criteria for selecting participants for the MHSA Loan Assumption Program. This provision ensures that participation in the MHSA Loan Assumption Program remains consistent with the intent of Part 3.1 of the MHSA that education and training programs address locally identified needs. (Welf. & Inst. Code § 5820, subds. (b), (c).)

Section 3852, subdivision (c)

Specific Purpose: Subdivision (c) of section 3852 specifies that each approved application shall include written certification by the County Mental Health Director or his or her authorized designee that the Loan Assumption Program Application package is complete.

Rationale for Necessity: This provision is necessary to inform the County of the requirement that the County Mental Health Director or his or her designee certify that the Loan Assumption Program Application package is complete. This certification furthers the intent of the MHSA that programs be accountable. (Welf. & Inst. Code § 3, subd. (e).)

Section 3853. Requirements for Participation

Section 3853, subdivision (a)

Specific Purpose: Subdivision (a) of section 3853 specifies that the applicant becomes a participant in the MHSA Loan Assumption Program when the County Mental Health Director or his/her designee has approved and signed the Loan Assumption Application.

Rationale for Necessity: This provision is necessary to inform the County of the requirement that, for an applicant to participate in the MHSA Loan Assumption Program, the County Mental Health Director or his or her designee must approve and sign the Loan Assumption Application. This is necessary to ensure that the County Mental Health Director or his or her designee has reviewed and approved the application according to the County's established selection criteria. This certification furthers the intent of the MHSA that programs be accountable and the intent of Part 3.1 of the Act that education and training programs address locally identified needs. (See Welf. & Inst. Code §§ 3, subd. (e), 5820, subd. (b).)

Section 3853, subdivision (b)

Specific Purpose: Subdivision (b) of section 3853 specifies that a participant in the MHSA Loan Assumption Program shall continue to make payments to the educational lending institution holding his/her loan, as required by the terms of the loan.

Rationale for Necessity: This provision is necessary to clarify that eligibility for participation in the MHSA Loan Assumption Program does not alter the original agreement between the MHSA Loan Assumption Program participant and his or her lending institution for repayment of the loan. The participant must continue to make payments to the educational lending institution holding the loan as per the terms of the loan.

Section 3854. Application Requirements

Sections 3854, subdivisions (a), (a)(1)-(3)

Specific Purpose: Subdivisions (a), (a)(1)-(3) of section specify the information which the applicant must include in the MHSA Loan Assumption Program application package.

Rationale for Necessity: These provisions are necessary to inform the County of the documents which must be included by the applicant in their MHSA Loan Assumption Program application package. The completed application package must include a completed loan assumption application, written certification by the applicant's employer that the applicant is employed or has made a commitment to employment in a Public Mental Health System position that is hard-to-fill or in which it is hard to retain staff, and a signed proposed loan assumption agreement. These provisions make specific the loan assumption program referenced in section 5822, subdivision (b), of the Act.

Section 3854.1. MHSA Loan Assumption Application

Sections 3854.1, subdivisions (a), (a)(1)-(5)

Specific Purpose: Subdivisions (a) and (a)(1) through (5) of section 3854.1 specify the information which must be included in the Loan Assumption Application.

Rationale for Necessity: This provision is necessary to inform the County of the information which must be included by the applicant in his or her Loan Assumption Application. The completed application must include the applicant's name and social security number, the applicant's address and telephone number(s), the applicant's date of birth, the name of the applicant's educational lending institution(s) and the balance(s) of the applicant's eligible educational loan(s). This information is necessary to enable the County to verify the applicant's identity and his or her eligibility for participation in the MHSA Loan Assumption Program. These provisions make specific the loan assumption program referenced in section 5822, subdivision (b), of the Act.

Section 3854.2. MHSA Loan Assumption Agreement

Section 3854.2, subdivision (a)

Specific Purpose: Subdivision (a) of section 3854.2 specifies that the term of the loan assumption agreement and each renewal shall be twelve (12) consecutive months.

Rationale for Necessity: This provision is necessary to inform the County that the duration of the loan assumption agreement and each subsequent loan assumption renewal is twelve (12) months and that those twelve (12) months are consecutive. This provision ensures that the County and the applicant both understand and agree to the duration of the agreement for participation in the MHSA Loan Assumption Program. These provisions make specific the loan assumption program referenced in section 5822, subdivision (b), of the Act.

Section 3854.2, subdivision (b)

Specific Purpose: Subdivision (b) of section 3854.2 specifies that the loan assumption agreement shall include a statement that the applicant understands that his/her loan(s) will only be assumed after he/she has maintained employment for twelve (12) consecutive months in an eligible position.

Rationale for Necessity: This provision is necessary to ensure that the participant is adequately informed that to participate in the MHSA Loan Assumption Program the participant must maintain employment in the Public Mental Health System for at least twelve (12) consecutive months. This provision ensures that the applicant understands and agrees to the required commitment to employment in the Public Mental Health System, in accordance with section 5822, subdivision (b), of the MHSA.

Section 3854.2, subdivision (c)

Specific Purpose: Subdivision (c) of section 3854.2 specifies that a participant in the MHSA Loan Assumption Program may not enter into more than one loan assumption agreement at a time, but the agreement may include more than one loan.

Rationale for Necessity: This provision is necessary to inform the County that the applicant is prevented from entering into more than one loan assumption agreement at a time, but that he or she may combine one or more loans into one agreement. This provision ensures the applicant understands and agrees to participate in only one loan assumption agreement at a time but allows the participant to combine one or more educational loan into one loan assumption agreement to simplify the process. This provision makes specific the loan assumption program referenced in section 5822, subdivision (b), of the Act.

Section 3855. MHSA Loan Assumption Program Renewal

Section 3855, subdivision (a)

Specific Purpose: Subdivision (a) of section 3855 specifies that for each year in which the participant wishes to continue to participate in the MHSA Loan Assumption Program, he/she shall submit to the County a loan assumption renewal, prior to the expiration of the loan assumption agreement.

Rationale for Necessity: This provision is necessary to inform the County of the requirement that, in order to continue to participate in the MHSA Loan Assumption Program beyond the twelve (12) month term, the participant must submit a loan assumption program renewal prior to the expiration of the existing loan assumption agreement. This provision ensures that the applicant understands and agrees to the requirement to submit a loan assumption program renewal prior to the expiration of the existing loan assumption agreement. These provisions make specific the loan assumption program referenced in section 5822, subdivision (b), of the Act.

Section 3856. Participation Compliance

Section 3856, subdivision (a)

Specific Purpose: Subdivision (a) of section 3856 specifies that the County shall monitor the participant's compliance with all requirements of the MHSA Loan Assumption Program and shall remove or suspend any participant who does not comply with his/her loan assumption agreement.

Rationale for Necessity: This provision is necessary to inform the County of the requirements to monitor each participant's compliance with the requirements of the MHSA Loan Assumption Program and to remove or suspend the participant if he or she is found to be out of compliance with the loan assumption agreement. This section ensures the integrity of the MHSA Loan Assumption Program over time, in accordance with the intent and purpose of the MHSA that MHSA programs be accountable to the taxpayers and to the public. (MHSA, § 3, subd. (e).)

Section 3856, subdivision (b)

Specific Purpose: Subdivision (b) of section 3856 specifies that, if a participant is removed or suspended from the MHSA Loan Assumption Program, no further loan assumption payments shall be made by the County until the participant has achieved sufficient compliance for reinstatement.

Rationale for Necessity: This provision is necessary to inform the County of the requirement to withhold loan assumption payments to a participant who has been found to be out of compliance with the loan assumption agreement until such time as the participant has achieved sufficient compliance for reinstatement. This provision is necessary to ensure that MHSA funds are expended in a cost-effective manner and that MHSA programs are accountable to the taxpayers and to the public, in accordance with the intent and purpose set forth in section 3, subdivision (e), of the Act.

Section 3856, subdivision (c)

Specific Purpose: Subdivision (c) of section 3856 specifies that, if a program participant withdraws or is removed from the MHSA Loan Assumption Program at any

time prior to completing the employment required in his/her loan assumption agreement, he/she is liable for all educational loan obligations.

Rationale for Necessity: This provision is necessary to inform the County that any participant who is either voluntarily or involuntarily removed from the MHSA Loan Assumption Program prior to completing his or her employment obligations must assume responsibility for any further educational loan payments. This provision is necessary to ensure that MHSA funds are expended in a cost-effective manner and that MHSA programs are accountable to the taxpayers and to the public, in accordance with the intent and purpose set forth in section 3, subdivision (e), of the Act.