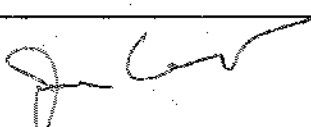


**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**


(1) DEPARTMENT County Administrative Office	(2) MEETING DATE August 18, 2009	(3) CONTACT/PHONE Geoff O'Quest, 781-5014
(4) SUBJECT Request to approve the recommended responses to the 2008-2009 Grand Jury report titled "A Psychotic Episode: Drug Induced? Lessons From One Case."		
(5) SUMMARY OF REQUEST Among the reports released by the San Luis Obispo County Grand Jury in its FY 2008-2009 Final Report was "A Psychotic Episode: Drug Induced? Lessons from One Case." The report examines the case of a man who complained to the Grand Jury that he was mistreated and possibly endangered when he was admitted to the County Psychiatric Health Facility. Two responses are required to the Presiding Judge and the Grand Jury on this report: The Department of Mental Health Services is required to respond to Findings 1 – 6 and Recommendations 1 – 3 by August 20, 2009 (attached). The Board of Supervisors is required to respond to the same Findings and Recommendation by September 19, 2009.		
(6) RECOMMENDED ACTION It is recommended that your Board adopt the response to the Grand Jury Report on "A Psychotic Episode: Drug Induced? Lessons from One Case," and that the adopted response be forwarded to the Presiding Judge of the Superior Court by August 20, 2009, with a copy to the Grand Jury.		
(7) FUNDING SOURCE(S) N/A	(8) CURRENT YEAR FINANCIAL IMPACT N/A	(9) ANNUAL COST N/A
(10) BUDGETED? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A		
(11) OTHER AGENCY INVOLVEMENT/IMPACT (LIST): The Health Agency has contributed to this report.		
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____		
(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input checked="" type="checkbox"/> All	(14) LOCATION MAP <input type="checkbox"/> Attached <input type="checkbox"/> N/A	(15) Maddy Act Appointments Signed-off by Clerk of the Board <input type="checkbox"/> N/A
(16) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)	(17) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions (Orig) <input type="checkbox"/> Contracts (Orig + 3 Copies) <input type="checkbox"/> Ordinances (Orig) <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Email Resolution and Ordinance to CR_Board_Clerk (in Word)	
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A	(19) BUDGET ADJUSTMENT REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A	(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	(22) Agenda Item History <input checked="" type="checkbox"/> N/A Date _____
(23) ADMINISTRATIVE OFFICE REVIEW 		

County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM. D430 • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5011



JIM GRANT
INTERIM COUNTY ADMINISTRATOR

TO: Board of Supervisors
FROM: Geoff O'Quest, Administrative Analyst 
DATE: August 18, 2009

SUBJECT: Request to approve the recommended responses to the 2008-2009 Grand Jury report titled "A Psychotic Episode: Drug Induced? Lessons from One Case."

RECOMMENDATION

It is recommended that your Board adopt the response to the Grand Jury Report on "A Psychotic Episode: Drug Induced? Lessons from One Case," and that the adopted response be forwarded to the Presiding Judge of the Superior Court by August 20, 2009, with a copy to the Grand Jury.

DISCUSSION

The San Luis Obispo County Grand Jury has released its FY 2008-2009 Final Report. Among the topics investigated was "A Psychotic Episode: Drug Induced? Lessons from One Case." The report examines the case of a man who complained to the Grand Jury that he was mistreated and possibly endangered when he was admitted to the County Psychiatric Health Facility and was placed on an involuntary 72-hour hold, where he was locked in an isolation room (i.e., "placed in seclusion").

The Grand Jury has stipulated that two responses are required to the Presiding Judge and the Grand Jury on this report. First, the Department of Mental Health Services is required to respond to Findings 1 – 6 and Recommendations 1 – 3 of the report by August 20, 2009. The response from the Department of Mental Health Services is attached. Second, the Board of Supervisors is required to respond to the same Findings and Recommendation by September 19, 2009. The Board's responses are as follows:

Grand Jury Finding #1:

The complainant was admitted to the San Luis Obispo County Psychiatric Health Facility at 1:13 AM on a Saturday morning in October 2007 acting irrationally. He was released about 9 AM that same morning, was coherent and functioning well enough to be safely taken home by a friend.

Board of Supervisors Response:

The Board adopts the response of the Department of Mental Health Services. The Department agrees with this Finding.

Grand Jury Finding #2:

The San Luis Obispo County Psychiatric Health Facility has in place a policy prescribing that mental patients who have "ingested alcohol and/or more medications than directed, or any person suspected of having ingested any of these substances" should be sent to an emergency room.

Board of Supervisors Response:

The Board adopts the response of the Department of Mental Health Services. The Department agrees with this Finding.

Grand Jury Finding #3:

The patient in this case communicated to the health facility staff minutes after his admission that he'd been using a prescribed pain medication patch hours before he was determined to be a danger to himself or others.

Board of Supervisors Response:

The Board adopts the response of the Department of Mental Health Services. The Department disagrees wholly with this Finding. The patient record does not indicate that the patient communicated this minutes after his admission.

Grand Jury Finding #4:

This patient was not taken to a hospital emergency room.

Board of Supervisors Response:

The Board adopts the response of the Department of Mental Health Services. The Department agrees with this Finding.

Grand Jury Finding #5:

The Health Facility routinely allows video records showing the behavior of isolated 5150 patients to be erased after 30 days.

Board of Supervisors Response:

The Board adopts the response of the Department of Mental Health Services. The Department disagrees partially with this Finding. The digital video recording system automatically records over older information approximately every thirty days.

Grand Jury Finding #6:

Mental health department officials say that it takes them too long under current conditions to receive results of a toxicology screen.

Board of Supervisors Response:

The Board adopts the response of the Department of Mental Health Services. The Department agrees with this Finding.

Grand Jury Recommendation #1:

The County Psychiatric Health Facility should review how its policy of taking possible drug overdose patients to the emergency room is implemented. The results of that review should be reported to the Board of Supervisors within three months to assure patient protection.

Board of Supervisors Response:

The Board adopts the response of the Department of Mental Health Services. The Department states that the recommendation will not be implemented because it is not warranted. The Department has a policy in place that states that patients will be taken to the emergency room in cases where there is evidence of a drug overdose. There was no evidence of a drug overdose in this case.

Grand Jury Recommendation #2:

The Psychiatric Health Facility should retain for at least two years the video records of 5150 patients' isolation room behavior, as a way both of assuring appropriate treatment of patients and of protecting the county in the case of legal action.

Board of Supervisors Response:

The Board adopts the response of the Department of Mental Health Services. The Department states that the recommendation will not be implemented because it is not warranted or is not reasonable. The Department meets with the Patient's Rights Advocate to review the video records of all patients that are placed in seclusion. Copies of video records for any seclusions identified as not following proper procedures will be kept for two years.

Grand Jury Recommendation #3:

Mental Health officials must assure that speedy toxicology screens are available when needed, with a stated policy that requires such action.

Board of Supervisors Response:

The Board adopts the response of the Department of Mental Health Services. The Department states that the recommendation has already been implemented.

OTHER AGENCY INVOLVEMENT

The Health Agency's Department of Mental Health Services has contributed to this report.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this item.

RESULTS

Adoption of the findings and recommendations will fulfill the County's obligation to respond to Grand Jury reports as specified in Section 933 of the Penal Code.

ATTACHMENTS

Health Agency response to the FY 2008-2009 Grand Jury Report on "A Psychotic Episode: Drug Induced? Lessons from One Case."

The FY 2008-2009 Grand Jury Report "A Psychotic Episode: Drug Induced? Lessons from One Case."