



July 29, 2021

The Honorable Anthony Portantino
Chairman, Senate Appropriations Committee
State Capitol, Room 5050
Sacramento, CA 95814

RE: AB 998 (Lackey) Incarcerated persons: health records—SUPPORT

Dear Chairman Portantino,

On behalf of the California State Association of Psychiatrists, I write in support of AB 998 (Lackey), which would require, when the jurisdiction of an inmate is transferred from or between the Department of Corrections and Rehabilitation, the State Department of Hospitals, and county agencies caring for inmates, those agencies to disclose, by electronic transmission when possible, mental health records regarding each transferred inmate who received mental health services while in custody of the transferring facility, at the time of transfer or within 7 days of the transfer.

According to the author, lack of available information should not be a reason for someone to have their mental health put in jeopardy. When health professionals do not have the required information on a patient to provide care, it hurts the patient and wastes time and money spent on another diagnosis.

Supporters cite the American Federation of State, County, and Municipal Employees (AFSCME), which states that in accordance with Penal Code section 2962, prior to releasing a prisoner on parole, an evaluation of the prisoner must be conducted by specified clinicians. The purpose of this evaluation is to both ensure society is protected from prisoners with dangerous mental disorders and to provide further treatment if it is necessary. The lack of adequate mental health records creates a situation that is not safe for our communities if prisoners are released on parole without proper mental health evaluations.

AB 998 would require mental health records to be disclosed to ensure sufficient mental health history is available for the purpose of satisfying specified requirements relating to parole and to ensure the continuity of mental health treatment of an inmate being transferred between those facilities. This bill ensures that health providers, and state and local agencies, share relevant documents about a person's mental health, wherever they are in custody.

For all these reasons, the California State Association of Psychiatrists is pleased to support AB 998 and would like to urge your aye vote on this measure.

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(916) 446-4656

Sincerely,

A handwritten signature in blue ink, appearing to read "Yoder", with a stylized, cursive script.

Paul J. Yoder
Legislative Advocate

CC: Members, Senate Appropriations Committee
Assemblymember Tom Lackey