



April 7, 2023

The Honorable Thomas Umberg
Chairman, Senate Judiciary Committee
1021 O St., Ste. 6530
Sacramento, CA 95814

RE: SB 43 (Eggman) Behavioral Health — Co-sponsor

Dear Chairman Umberg,

The California State Association of Psychiatrists (CSAP) is proud to co-sponsor SB 43 (Eggman), which would ensure that the court is able to consider relevant testimony related to medical history in the medical record during conservatorship proceedings by creating a hearsay exception for medical history contained in the medical record. This bill would also modernize the definition of “gravely disabled” within the Lanterman-Petris Short (LPS) Act to better meet the needs of individuals experiencing severe mental illness.

Despite all efforts to reduce the need for conservatorship, the reality is that they can sometimes be the last resort to provide critical treatment to those who are gravely disabled. As such, the current definition and interpretation of “gravely disabled” does not accurately reflect the realities CSAP is seeing in its communities and on the streets. Additionally, CSAP continues to see the struggles of community members that cycle in and out of hospitalizations, shelters, and jails without getting the concrete connections to needed medication and treatment.

These aforementioned problems point to the fact that legislation like SB 43 is needed. CSAP supports SB 43 because it would include under the definition of “gravely disabled” a condition in which, as a result of a mental health disorder or substance use disorder, there is a substantial risk of serious harm to a person’s mental or physical health. This focus on a person’s ability to provide for their own personal or medical care, or self-protection and safety, is important because it ensures that those who are truly vulnerable receive the help they need. Furthermore, CSAP is encouraging support of the provision of SB 43 that ensures relevant history can be considered by the court in a uniform manner across the state. Tools focused on acute symptoms are not suited for chronic and severe conditions that we see on our streets. This bill will also ensure that a complete and accurate picture is presented in court when considering the very serious step of conservatorship.

For these reasons, CSAP is pleased to co-sponsor SB 43 (Eggman) and would like to thank you for being a champion for mental health care in California.

Sincerely,

A handwritten signature in black ink, appearing to read 'ETW', is positioned below the word 'Sincerely,'.

Dr. Emily T. Wood, MD, PHD
Chairwoman CSAP Governmental Affairs Committee

CC: Members, Senate Judiciary Committee