

Assisted Outpatient Treatment (AOT) and Community Assistance, Recovery and Empowerment (CARE) Act



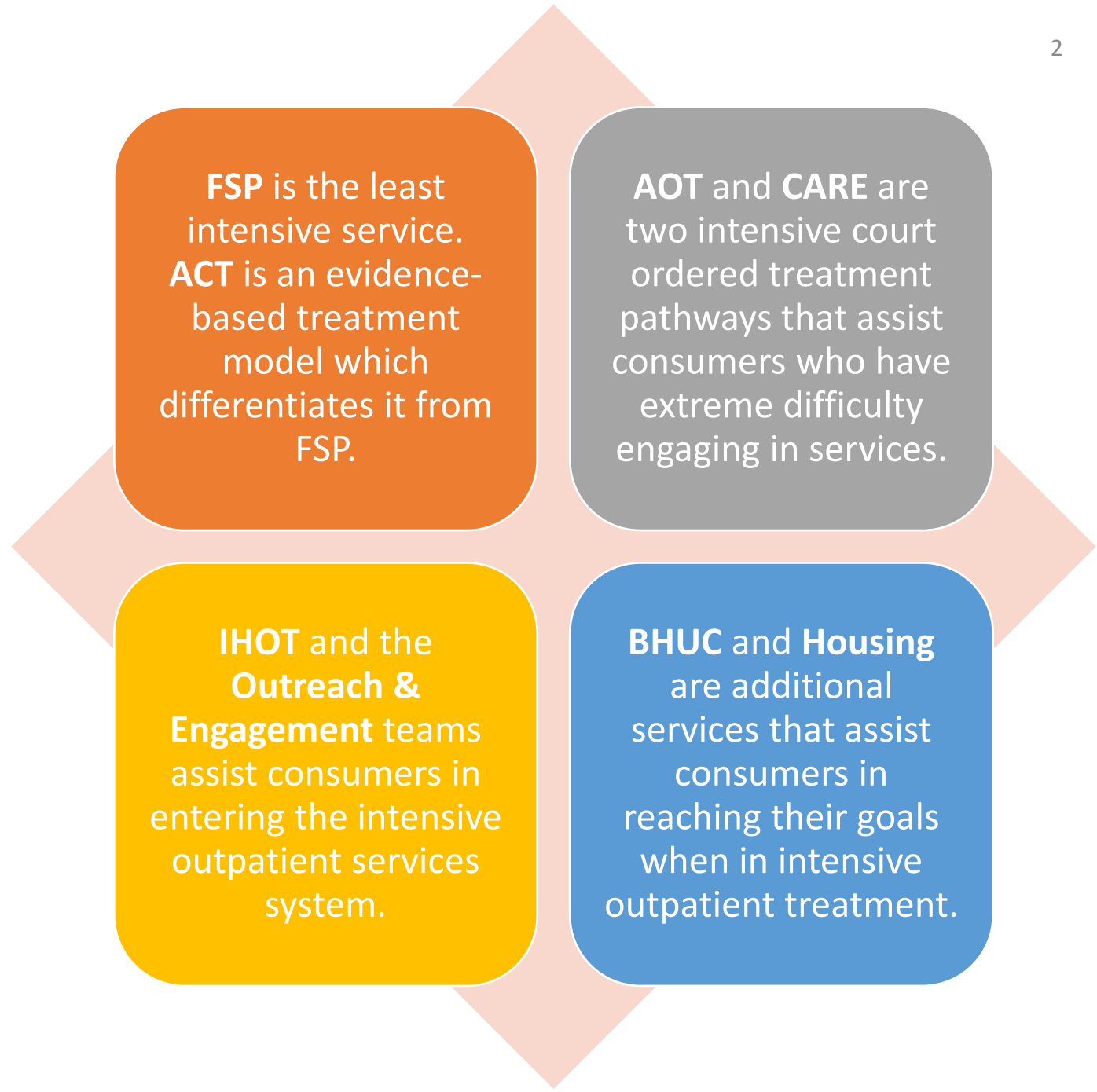
WELLNESS • RECOVERY • RESILIENCE



COUNTY OF SANTA CLARA
Behavioral Health Services
Supporting Wellness and Recovery

Adult Older Adult (AOA)

Cross Systems Initiatives (CSI) Division



Assisted Outpatient Treatment - AOT

- A form of civil commitment for individuals with severe mental illness who are unable or unwilling to receive or adhere to community mental health services voluntarily.
- It aims to interrupt the cycle of repetitive psychiatric crises and resulting hospitalizations, incarcerations, and homelessness.
- Individuals may be enrolled in AOT services voluntarily and with a court order.
- Family members can make AOT referral.

Criteria

Community-based

“Laura’s Law” AB1421
AB1976

Go Live Date:
February 16, 2022

Voluntary and
involuntary

AOT Petition-
Civil
Commitment
process

**Unlimited outreach
and assertive
engagement**



COUNTY OF SANTA CLARA
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AOT Petition & Court Order



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[Learn about Assisted Outpatient Treatment \(AOT\) | Behavioral Health Services | County of Santa Clara \(santaclaracounty.gov\)](#)

Civil Commitment Process

- Confidential court proceedings & due process rights
- Opportunity to engage voluntarily at every step
- Non-compliance on its own will not result in incarceration

Cannot administer medication involuntarily

Response to non-compliance:

- Continue assertive outreach and engagement efforts
- More frequent court hearings
- Continued monitoring for safety and evaluation for need to inpatient commitment

Two ways to access AOT

1 - Call Center 1(800) 704-0900
Option **#3**
to speak with AOT triage staff

2 – Fill out AOT referral form
Email to:
AOT@hhs.sccgov.org

AOT services



COUNTY OF SANTA CLARA
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County team – **Outreach and Engagement Team** (aka: AOT triage)

- Receives and triages referrals
- Investigates criteria and supports petition process
- Warm handoff

Contracted providers – 150 treatment slots

- Telecare AOT
- MHS / TURN BHS AOT

Service delivery model – **Assertive Community Treatment (ACT)**

Services:

- Mental health services
- Intensive case management
- 24/7 crisis support
- Psychiatry & medication management
- Benefit and housing support
- Life skill development
- Guidance and support to help people reach recovery goals

Approach:

- Multidisciplinary team providing wrap around services
- 90% of services provided in the community

AOT Criteria

- 18 years of age or older with SMI
- In view of the person's treatment history and current behavior, at least one of the following is true:
 - Person is unlikely to survive safely in the community without supervision and the person's condition is substantially deteriorating
 - Person needs AOT to prevent relapse or deterioration that would be likely to result in grave disability or serious harm to the person or to others, as defined in Section 5150.
- Historical lack of compliance with treatment and at least one is true:
 - Within the last 36 months, the person has been hospitalized at least 2 times due to mental illness, including the mental health unit of correctional facility.
 - There has been one or more acts of serious and violent behavior toward themselves or another, threats or attempts to cause serious physical harm to themselves or another within the last 48 months due to mental illness.
- Offered an opportunity to participate in treatment plan and continued to fail to engage.
- Participation in AOT is the least restrictive placement necessary to ensure recovery and stability.
- Likely that the person would benefit from AOT.

Community Assistance, Recovery and Empowerment – CARE Act



CARE Act is a **new civil court process** supported and served by **existing programs**. It supports and opens a new pathway for participants to access community-based set of services.



The goal is to prevent conservatorship, institutionalization or incarceration for individuals with untreated schizophrenia and other psychotic disorders who meet CARE Act criteria.

Information and resources for petitioners:

[CARE Act - California Health and Human Services](#);

[Adult Civil Mental Health \(ca.gov\)](#);

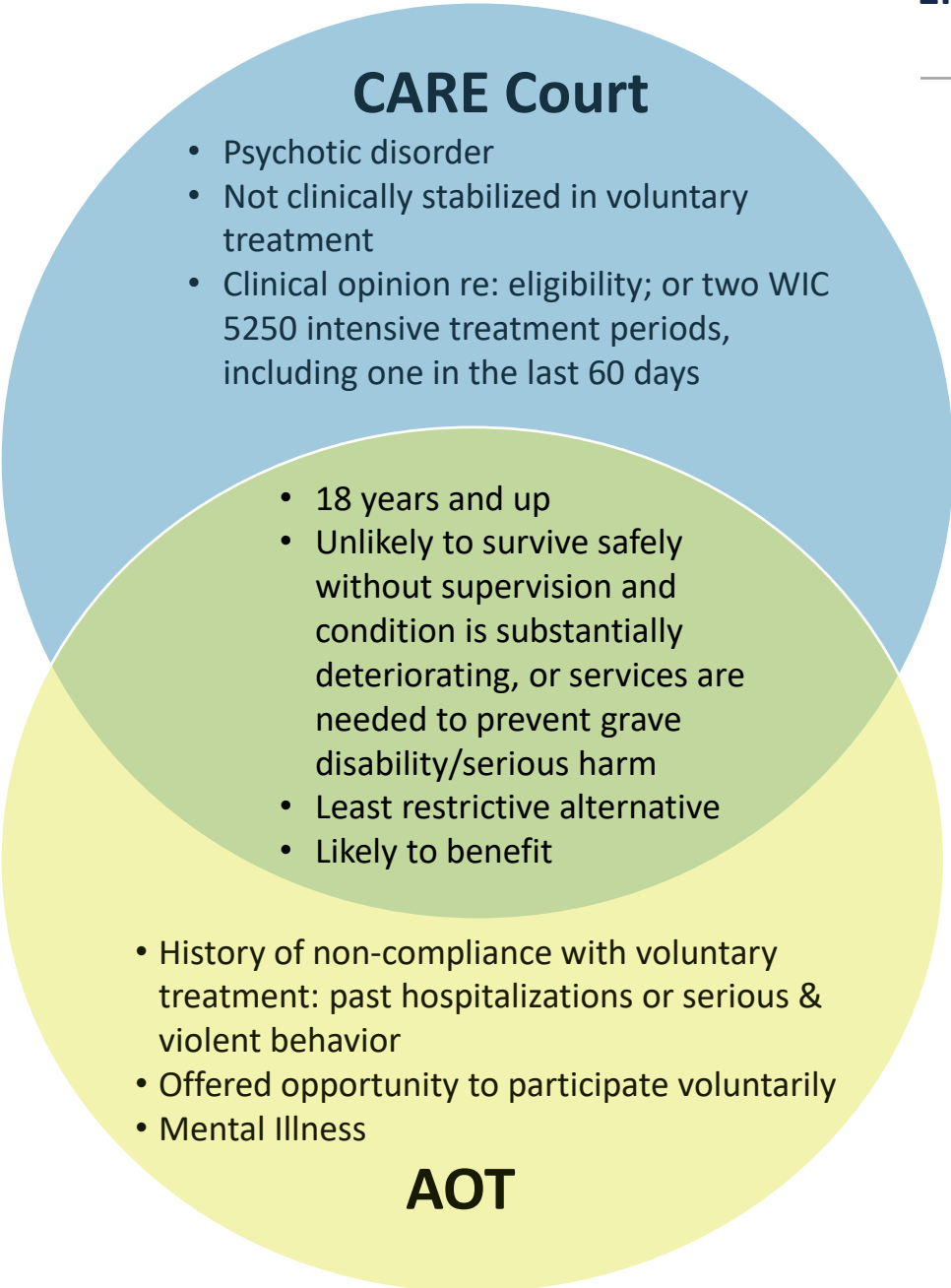
[CARE Act | California Courts | Self Help Guide](#)



In Santa Clara County, CARE Act Pathway started on **December 1, 2024**, as part of Cohort II of implementing counties.

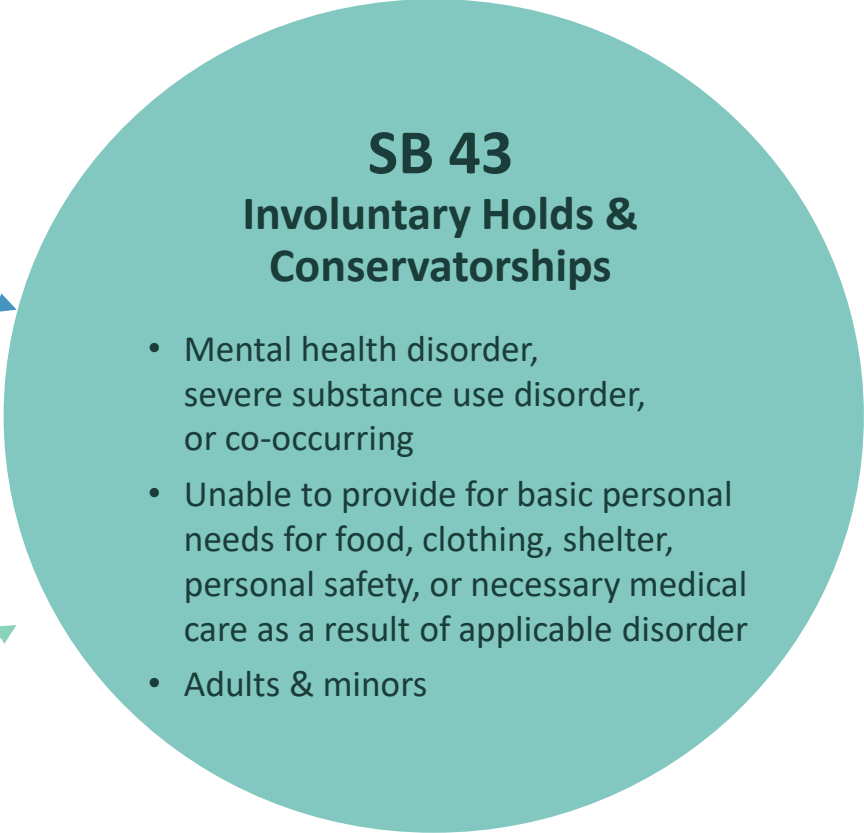
Eligibility for Court-Ordered Voluntary Treatment via CARE Court and AOT, and Involuntary Holds/Conservatorships under SB 43

Voluntary treatment



**SB 43
Involuntary Holds & Conservatorships**

Involuntary treatment



CARE Act – How to Access?



- Contact the CARE Outreach and Engagement team at
(800) 704-0900 Option #3 or
CAREoutreach@hhs.sccgov.org
- For CARE Outreach referral form go to:
<https://bhsd.santaclaracounty.gov/CARECourt>

- In person or mail filing at the Probate Clerk's Office, Santa Clara County Superior Court, Downtown Superior Courthouse, 191 N. First Street, San Jose, CA 95110
- Electronically via court's website
<https://santaclaracourts.ca.gov/forms-filing/e-filing>


CARE Act and AOT – key differences in process

CARE Act

- Diagnosis: Schizophrenia/ Psychotic disorder
- Process begins by filing CARE petition with the Court (CARE Outreach step is optional)
- Petitioner: BHSD or other qualified petitioner
- The petitioned individual is subject to the court order and the BHSD may also be subject to the court order
- A pathway into existing intensive outpatient services: FSP, ACT, AOT

AOT

- Diagnosis: Serious mental illness
- Process begins by submitting AOT referral to BHSD. AOT petition with the Court is a measure of last resort.
- Petitioner: Always BHSD
- Only the petitioned individual is subject to the court order
- A level of care/ dedicated intensive outpatient treatment program - AOT



Consumers with Commercial/Private Insurance

CARE can provide court oversight for services offered by the Commercial/Private insurance. It does not offer consumers different services from another source.

❖ Expectations from and impacts on the commercial plan services:

- ✓ The Plan can initiate CARE process by filing a petition directly with the court or submitting CARE Outreach referral to BHSD.
- ✓ The Plan will need to appear in CARE court or provide reports to CARE court on the consumer's progress.
- ✓ CARE court would have some say in the way the Commercial/Private insurance provides services.

❖ Expectations from the BHSD Outreach team:

- ✓ The BHSD team will investigate if CARE criteria are met
- ✓ The BHSD team will attempt to reconnect the consumer with services offered by the Plan, as appropriate
- ✓ If CARE Petition is filed, the BHSD team will facilitate the serving of the notices to the consumer and BHSD will become the substitute petitioner after the first hearing(s).



Questions