



**LEGISLATION & PUBLIC
INFORMATION UNIT**
1831 K Street
Sacramento, CA 95811-4114
Tel: (916) 504-5800
TTY: (800) 719-5798
Intake Line: (800) 776-5746
Fax: (916) 504-5807
www.disabilityrightsca.org

August 2, 2017

Honorable Ricardo Lara
Chair, Appropriations Committee
California State Senate
Capitol Building, Room 5050
Sacramento, CA 95814

RE: AB 451 (ARAMBULA) – SUPPORT

Dear Senator Lara:

Disability Rights California, a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, supports the provision in AB 451 related to transfer of voluntary patients. This bill is scheduled for hearing in the Senate Appropriations Committee on August 21, 2017.

This bill states that hospitals, including stand-alone-psych hospitals, may not require a person to be on a 5150 hold as a condition of accepting a patient transfer. People who seek and receive voluntary services are more likely to benefit from the services and have positive mental health outcomes.

When people with mental health disabilities are in crisis, they often seek care in the same way others with urgent health conditions do - they go to the nearest emergency department. Some come voluntarily to the emergency department seeking treatment, or are brought in by family members. After an evaluation by an emergency physician, some patients need additional psychiatric services and require transfer by ambulance to a psychiatric hospital to receive a higher level of mental health care.

Current practice places several barriers in the way of patients getting this care. A survey of California emergency physicians by the sponsors of the bill revealed that, almost universally, hospitals require patients to be on a 5150 hold or they will not accept transfer of that patient from the emergency department. There is no such mandate in law.

Further, this hospital requirement places an unnecessary barrier to care, does not exist for any other health care condition, removes a person's autonomy and unreasonably stigmatizes people with mental health disabilities who are voluntarily seeking treatment. The federal New Freedom Commission on Mental Health found that, "Stigma leads others to avoid living, socializing, or working with, renting to, or employing people with mental [health disabilities] —especially severe disorders, such as schizophrenia. It leads to low self-esteem, isolation, and hopelessness... Responding to stigma, people with mental health problems internalize public attitudes and become so embarrassed or ashamed that they often conceal symptoms and fail to seek treatment (<http://govinfo.library.unt.edu/mentalhealthcommission/press/july03press.htm>).".

AB 451 clarifies that hospitals may not require a patient to be on a 5150 hold as a condition of accepting transfer of that patient from an emergency department. For these reasons we support this provision in the bill. Please contact me if you have any questions about our position on this bill.

Very truly yours,

A handwritten signature in black ink, appearing to read "Margaret Johnson", with a stylized flourish at the end.

Margaret Johnson, Esq.
Advocacy Director
Disability Rights California

cc: Honorable Joaquin Arambula, California State Assembly
Marla Cowan, Legislative Director, Office of Assembly Member
Arambula
Honorable Members, Senate Appropriations Committee
Brendan McCarthy, Consultant, Senate Appropriations Committee