

Legislation Text

File #: 2024-0013, **Version:** 1

Clerk 12/29/23

AN ORDINANCE relating to the King County behavioral health advisory board; empowering the King County behavioral health advisory board to be the advisory body for the crisis care centers levy; and amending Ordinance 18170, Section 1, and K.C.C. 2A.300.050.

STATEMENT OF FACTS:

1. On February 9, 2023, King County enacted Ordinance 19572 to provide for the submission of the crisis care centers levy to the voters of King County.
2. King County voters considered the levy as Proposition No. 1 as part of the April 25, 2023, special election, and fifty-seven percent of voters approved it.
3. The passage of Proposition No. 1 authorized the crisis care centers levy that will raise proceeds from 2024 to 2032 to create a regional network of five crisis care centers, restore and expand residential treatment capacity, and increase the sustainability and representativeness of the behavioral health workforce in King County.
4. Ordinance 19572, Section 7.B., requires the executive to establish an advisory body for the crisis care centers levy. Ordinance 19572 allows for the advisory body to be a preexisting King County board that has relevant expertise.
5. The executive's proposed crisis care centers levy implementation plan, required by Ordinance 19572, recommends the behavioral health advisory board to serve as the advisory body for the levy and to advise the executive and the council on matters pertaining to implementation of the

levy.

6. In 2019, the Washington state Legislature passed Engrossed Second Substitute Senate Bill 5432. The bill became Chapter 325, Laws of Washington 2019. The act established behavioral health administrative services organizations as entities that contract with the state health care authority to administer regional behavioral health services and programs, including crisis services and administration of the state's involuntary treatment act. King County, through the department of community and human services, behavioral health and recovery division, operates the behavioral health administrative services organization for the King County region.

7. K.C.C. 2A.300.050 requires revisions to reflect the repeal of RCW 70.96A.300 and to update outdated terminology.

8. The state requires in RCW 71.24.300 and WAC 182-538C-252 that each behavioral health administrative services organization develop a single, integrated behavioral health advisory board and defines board membership requirements and duties. The King County behavioral health advisory board was established by Ordinance 18170 and is defined in K.C.C. 2A.300.050 consistent with these state board requirements.

9. A significant portion of King County's existing behavioral health crisis services are administratively organized under the King County behavioral health administrative services organization. As the advisory body of that entity, the King County behavioral health advisory board has relevant expertise related to King County crisis services and is well positioned to be the crisis care centers levy advisory body.

10. Empowering the King County behavioral health advisory board to be the advisory body for the crisis care centers levy has the potential to promote the coordination and integration of crisis services across the continuum of behavioral health care managed by King County and avoid system fragmentation.

11. The King County behavioral health advisory board's membership composition and board duties can be expanded to fulfill the requirements in Ordinance 19572 while also fulfilling the state requirements in RCW 71.24.300 and WAC 182-538C-252.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 18170, Section 1, and K.C.C.2A.300.050 are hereby amended as follows:

A. There is hereby created the King County behavioral health advisory board. The board shall act in an advisory capacity to the executive on behavioral health policy, programs and services. The board shall serve and function as the ~~((mental))~~ behavioral health advisory board pursuant to RCW 71.24.300 ~~((and alcoholism and other drug addiction board pursuant to RCW 70.96A.300))~~ until such time as the statutory reference~~((s))~~ to the board~~((s))~~ ~~((are))~~ is repealed. The board shall also serve and function as the crisis care centers levy advisory body under Ordinance 19572.

B.1. The board shall be composed of no less than nine and no more than ~~((fifteen))~~ eighteen members, as determined by the executive.

2. The executive shall ~~((appoint the members of the board, subject to confirmation by the council as provided in K.C.C. 2.28.002))~~ recruit and select members of the board. The executive will transmit a notification letter, either in aggregate or individually, that includes the name, biography, and term of each prospective member to the council before appointing any member to the board. The executive will electronically file the letter with the clerk of the council, who will retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the committee of the whole, or its successor. The executive may proceed with the appointments set forth in the notification letter unless the council passes a motion requesting changes to the proposed appointments within thirty days of the executive's transmittal.

3. The board's composition shall be broadly representative of the community and geographical and demographic mix of the populations served. The board's composition shall include at least one resident of each King County crisis response zone as defined by Ordinance 19572.

4. At least fifty-one percent of the board membership shall be persons having lived experience or parents or legal guardians of persons having lived experience with behavioral health ~~((disorders))~~ conditions or persons self-identified as being in recovery from a behavioral health ~~((disorder and, included among these persons, at least one quarter of the board members shall be recovered persons with substance abuse disorders))~~ condition. Behavioral health conditions include mental health or substance use conditions or both. At least two members must be persons who have previously received crisis stabilization services.

5. At least two board members must be persons with professional training and experience in the provision of behavioral health crisis care.

6. Law enforcement shall be represented on the board.

~~((6-))~~ 7. No more than four elected officials may serve as board members at any time.

~~((7-))~~ 8. Employees, managers, or other decision makers of the behavioral health administrative services organization subcontracted agencies who have authority to make policy or fiscal decisions on behalf of the subcontracting agency shall not be members of the board~~((; and, if prohibited by RCW 70.96A.300, a board member may not be a provider of alcoholism or drug addiction treatment services))~~.

~~((8-))~~ 9. One quarter of the initial board members shall serve a partial term of one year, one quarter of the initial board members shall serve a partial term of two years, and the remainder of the initial board members shall serve a full term of three years. A full term shall be three years and board members may potentially serve up to two full three-year terms in addition to any partial term.

C. The board shall, subject to available resources and to its exercise of discretionary prioritization:

1. Serve in an advisory capacity to King County on matters concerning behavioral health ~~((disorders))~~

conditions including education, prevention, treatment, crisis response, and service delivery in the region;

2. Advise the executive and council on matters pertaining to the implementation of the crisis care centers levy;

3. Participate with the behavioral health administrative services organization to enhance the ability of the behavioral health system to work effectively and deliver high-quality services ~~((to consumers))~~;

~~((3-))~~ 4. Participate with the behavioral health administrative services organization to facilitate equitable access to education, prevention, treatment and recovery from behavioral health ~~((disorders))~~ conditions;

~~((4-))~~ 5. Utilize and develop relationships with public and private agencies and organizations concerned with behavioral health ~~((disorders))~~ conditions to advance the behavioral health system and drive system improvements;

~~((5-))~~ 6. Develop relationships with the community to promote integrated treatment of mental health, substance use ~~((disorder))~~ and physical health care services;

~~((6-))~~ 7. Represent the board and coordinate with other King County activities and endeavors intended to further the likelihood that the needs of individuals living with behavioral health ~~((disorders))~~ conditions are considered and addressed as appropriate;

~~((7-))~~ 8. Provide input to the state on various regulatory, policy and programmatic issues related to behavioral health;

~~((8-))~~ 9. Advocate for the needs of individuals living with behavioral health ~~((disorders))~~ conditions at the local and state level;

10. Visit each existing crisis care center annually to better understand the perspectives and priorities of crisis care centers operators, staff, and clients;

11. Report on the crisis care centers levy to the council and community through online annual reports beginning in 2025; and

~~((9-))~~ 12. Perform the other functions specified in RCW ~~((70.96A.300 and))~~ 71.24.300.

D.1. The board shall elect ~~((a))~~ members as chair and vice chair by a majority vote of its members. The terms of the chair ~~((is one))~~ and vice chair are two years.

2. The board shall adopt appropriate bylaws, including quorum requirements.

E. The department of community and human services shall provide ongoing administrative support to the ~~((committee))~~ board.

F. ~~((Members of the board shall serve without compensation.))~~ The department of community and human services may promote board participation through strategies such as compensating persons for time devoted to the official work of the board in accordance with county policies.