

## The Mental Health Services Act Defined

**Words matter**, by providing you with the exhaustive list of the Mental Health Services Act (MHSA) legal definitions, we hope to empower you and to further your understanding and interpretation of the MHSA; which in turn strengthens our programs and community.

Much time and attention to detail went into creating the MHSA definitions. The law was unprecedented in 2005 and remains so today. The level of community involvement that went into the creation of the MHSA is unparalleled.

The MHSA was codified in the Welfare and Institutions Code (WIC) on January 1, 2005. Next, the California Code of Regulations (CCR) was compiled to contain the regulations that instruct us (county, clients, family members, diverse communities, and all stakeholders) on how to implement the MHSA.

The CCR is the official compilation and publication of the regulations adopted, amended or repealed by state agencies pursuant to the Administrative Procedure Act (APA). Properly adopted regulations that have been filed with the Secretary of State have the force of law.

The definitions on the following pages have been pulled directly from the CCR/WIC and are to be applied to the MHSA.

To learn more about the Mental Health Services Act (MHSA), please visit:

- [MHSA in California Code of Regulations \(CCR\)](#)
- [Mental Health Services Act in California Welfare and Institutions Code \(WIC\)](#) (as of January 2020)

## MHSA Definitions

**“Adult”** means an individual 18 years of age through 59 years of age.

**“Bridge Funding”** means funding that the County used which enabled the County to continue to provide services/programs from the date the funding for the program(s) or a portion of the program(s) specified below ended, until the County's initial Community Services and Supports component of the County's Three-Year Program and Expenditure Plan was approved and Mental Health Services Act funds became available. The use of bridge funding is limited to the following programs:

- (1) The Children's System of Care Services.
- (2) Integrated Services for the Homeless Mentally Ill.
- (3) The Mentally Ill Offender Crime Reduction Act.

**“Capital Facilities and Technological Needs”** means projects for the acquisition and development of land and the construction or renovation of buildings or the development, maintenance or improvement of information technology for the provision of Mental Health Services Act administration, services, and supports. Capital Facilities and Technological Needs does not include housing projects.

**“Capital Facilities and Technological Needs Account” or “CFTN Account”** means money in a County's Local Mental Health Services Fund that the County allocates for CFTN, or transfers from the CSS Account for CFTN.

**“Capitalized Operating Subsidy Reserve”** means funds set aside at, or before, permanent loan closing for the purpose of supplementing income for the payment of operating expenses.

**“Children and Youth”** means individuals from birth through 17 years of age.

- (1) Individuals age 18 and older who meet the conditions specified in Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the

Government Code are considered children and youth and are eligible to receive services.

**“Client”** means an individual of any age who is receiving or has received mental health services. As used in these regulations, the term “client” includes those who refer to themselves as clients, consumers, survivors, patients or ex-patients.

**“Client Driven”** means that the client has the primary decision-making role in identifying his/her needs, preferences and strengths and a shared decision-making role in determining the services and supports that are most effective and helpful for him/her. Client driven programs/services use clients' input as the main factor for planning, policies, procedures, service delivery, evaluation and the definition and determination of outcomes.

**“Community Collaboration”** means a process by which clients and/or families receiving services, other community members, agencies, organizations, and businesses work together to share information and resources in order to fulfill a shared vision and goals.

**“Community Program Planning”** means the process to be used by the County to develop Three-Year Program and Expenditure Plans, and updates in partnership with stakeholders to:

- (1) Identify community issues related to mental illness resulting from lack of community services and supports, including any issues identified during the implementation of the Mental Health Services Act.
- (2) Analyze the mental health needs in the community.
- (3) Identify and re-evaluate priorities and strategies to meet those mental health needs.

**“Community Services and Supports Account” or “CSS Account”** means the money in a County's Local Mental Health Services Fund that the County allocates for Community Services and Supports programs and services as described in Article 6.

**“Community Services and Supports Component or CSS Component”** means the section of the Three-Year Program and Expenditure Plans that

refers to service delivery systems for mental health services and supports for children and youth, transition age youth, adults, and older adults. These services and supports are similar to those found in Welfare and Institutions Code sections 5800 et. seq. (Adult and Older Adult Systems of Care) and 5850 et. seq. (Children's System of Care).

**“County”** means the County Mental Health Department, two or more County Mental Health Departments acting jointly, and/or city-operated programs receiving funds per Welfare and Institutions Code Section 5701.5.

**“Cultural Competence”** means incorporating and working to achieve each of the goals listed below into all aspects of policy-making, program design, administration and service delivery. Each system and program is assessed for the strengths and weaknesses of its proficiency to achieve these goals. The infrastructure of a service, program or system is transformed, and new protocol and procedure are developed, as necessary to achieve these goals.

- (1) Equal access to services of equal quality is provided, without disparities among racial/ethnic, cultural, and linguistic populations or communities.
- (2) Treatment interventions and outreach services effectively engage and retain individuals of diverse racial/ethnic, cultural, and linguistic populations.
- (3) Disparities in services are identified and measured, strategies and programs are developed and implemented, and adjustments are made to existing programs to eliminate these disparities.
- (4) An understanding of the diverse belief systems concerning mental illness, health, healing and wellness that exist among different racial/ethnic, cultural, and linguistic groups is incorporated into policy, program planning, and service delivery.
- (5) An understanding of the impact historical bias, racism, and other forms of discrimination have upon each racial/ethnic, cultural, and linguistic population or community is incorporated into policy, program planning, and service delivery.

(6) An understanding of the impact bias, racism, and other forms of discrimination have on the mental health of each individual served is incorporated into service delivery.

(7) Services and supports utilize the strengths and forms of healing that are unique to an individual's racial/ethnic, cultural, and linguistic population or community.

(8) Staff, contractors, and other individuals who deliver services are trained to understand and effectively address the needs and values of the particular racial/ethnic, cultural, and/or linguistic population or community that they serve.

(9) Strategies are developed and implemented to promote equal opportunities for administrators, service providers, and others involved in service delivery who share the diverse racial/ethnic, cultural, and linguistic characteristics of individuals with serious mental illness/emotional disturbance in the community.

**“Department”** means the State Department of Health Care Services.

**“Family Driven”** means that families of children and youth with serious emotional disturbance have a primary decision-making role in the care of their own children, including the identification of needs, preferences and strengths, and a shared decision-making role in determining the services and supports that would be most effective and helpful for their children. Family driven programs/services use the input of families as the main factor for planning, policies, procedures, service delivery, evaluation and the definition and determination of outcomes.

**“Financial Incentive Programs Funding Category”** means the funding category of the Workforce Education and Training component of the Three-Year Program and Expenditure Plan that funds stipends, scholarships and the Mental Health Loan Assumption Program for the purpose of recruiting and retaining Public Mental Health System employees.

**“Full Service Partnership”** means the collaborative relationship between the County and the client, and when appropriate the client's family, through

which the County plans for and provides the full spectrum of community services so that the client can achieve the identified goals.

**“Full Service Partnership Service Category”** means the service category of the Community Services and Supports component of the Three-Year Program and Expenditure Plans, under which the County, in collaboration with the client, and when appropriate the client's family, plans for and provides the full spectrum of community services so that children and youth, transition age youth, adults and older adults can achieve the identified goals.

**“Full Spectrum of Community Services”** means the mental health and non-mental health services and supports necessary to address the needs of the client, and when appropriate the client's family, in order to advance the client's goals and achieve outcomes that support the client's recovery, wellness and resilience.

**“Fully Served”** means clients, and their family members who obtain mental health services, receive the full spectrum of community services and supports needed to advance the client's recovery, wellness and resilience.

**“General System Development Service Category”** means the service category of the Community Services and Supports component of the Three-Year Program and Expenditure Plans under which the County uses Mental Health Services Act funds to improve the County's mental health service delivery system for all clients and/or to pay for specified mental health services and supports for clients, and/or when appropriate their families.

**“Individual Services and Supports Plan”** means the plan developed by the client and, when appropriate the client's family, with the Personal Service Coordinator/Case Manager to identify the client's goals and describe the array of services and supports necessary to advance these goals based on the client's needs and preferences and, when appropriate, the needs and preferences of the client's family.

**“Innovation Account” or “INN Account”** means the money in a County's Local Mental Health Services Fund that the County allocates for Innovative Projects as described in Article 9.

**“Innovation Component”** means the section of the Three-year Program and Expenditure Plan that consists of one or more Innovative Projects.

**“Innovation Funds”** means the Mental Health Services Fund distributed to the County pursuant to Welfare and Institutions Code Section 5892, subdivision (a)(6).

**“Innovative Project”** means a project that the County designs and implements for a defined time period and evaluates to develop new best practices in mental health services and supports.

**“Integrated Service Experience”** means the client, and when appropriate the client's family, accesses a full range of services provided by multiple agencies, programs and funding sources in a comprehensive and coordinated manner.

**“Investment Gain”** means any realized earning, less any realized loss, on Local Mental Health Services Fund money invested by a County, including capital gains, dividends, and interest.

**“Investment Loss”** means a realized reduction in principal of Local Mental Health Services Fund money invested by a County.

**“Linguistic Competence”** means organizations and individuals working within the system are able to communicate effectively and convey information in a manner that is easily understood by diverse audiences, including individuals with Limited English Proficiency; individuals who have few literacy skills or are not literate; and individuals with disabilities that impair communication. It also means that structures, policies, procedures and dedicated resources are in place that enable organizations and individuals to effectively respond to the literacy needs of the populations being served.



**“Local Mental Health Services Fund”** means a County account that holds Mental Health Services Fund money and any Investment Gain on that money.

**“Mental Health Career Pathway Programs Funding Category”** means the funding category of the Workforce Education and Training component of the Three-Year Program and Expenditure Plan that funds education, training and counseling programs designed to recruit and prepare individuals for entry into and advancement in jobs in the Public Mental Health System.

**“Mental Health Loan Assumption Program”** means a program to make payments to an educational lending institution on behalf of an employee who has incurred debt while obtaining an education, provided the individual agrees to work in the Public Mental Health System for a specified period of time, in a capacity that meets the employer's workforce needs.

**“Mental Health Services Act”** means the laws that took effect on January 1, 2005 when Proposition 63 was approved by California voters and codified in the Welfare and Institutions Code.

**“Mental Health Services Act Housing Program Service Category”** means the service category of the Community Services and Supports component of the Three-Year Program and Expenditure Plans under which Mental Health Services Act funds, administered through the California Housing Finance Agency, are used to acquire, rehabilitate or construct permanent supportive housing for clients with serious mental illness and provide operating subsidies.

**“Mental Health Services Fund”** means a fund in the State Treasury, established pursuant to Welfare and Institutions Code section 5890(a), to hold tax revenue generated pursuant to Revenue and Taxation Code section 17043, which is distributed to Counties to fund Mental Health Services Act programs and services.

**“Older Adult”** means an individual 60 years of age and older.



**“Outreach and Engagement Service Category”** means the service category of the Community Services and Supports component of the Three-Year Program and Expenditure Plan under which the County may fund activities to reach, identify, and engage unserved individuals and communities in the mental health system and reduce disparities identified by the County.

**“Prevention and Early Intervention Account” or “PEI Account”** means the money in a County's Local Mental Health Services Fund that the County allocates for PEI programs as described in Article 7, or transfers from the CSS Account for PEI programs as described in Article 7.

**“Prevention and Early Intervention Component”** means the section of the Three-Year Program and Expenditure Plan intended to prevent mental illnesses from becoming severe and disabling.

**“Prevention and Early Intervention funds”** means the Mental Health Services funds allocated for prevention and early intervention programs pursuant to Welfare and Institutions Code section 5892, subdivision (a)(3).

**“Planning Estimate”** means the estimate provided by the Department to the County of the maximum amount of Mental Health Services Act funding that the County can request.

**“Project-Based Housing”** means the unit(s) of an apartment complex, duplex, triplex, or other structure leased and/or purchased by the County for the purpose of providing housing.

**“Prudent Reserve”** means Local Mental Health Services Fund money held by a County for use as described in sections 5847(b)(7), (f), and 5892(b)(1) of the Welfare and Institutions Code.

**“Public Mental Health System”** means publicly-funded mental health programs/services and entities that are administered, in whole or in part, by the Department or County. It does not include programs and/or services administered, in whole or in part, by federal, state, county or private

correctional entities or programs or services provided in correctional facilities.

**“Public Mental Health System Workforce”** means current and prospective Department and/or County personnel, County contractors, volunteers, and staff in community-based organizations, who work or will work in the Public Mental Health System.

**“Redistributed Funds”** means monies from the Reversion Account that the State Controller distributes to other counties as specified in sections 5892(h)(1) and 5899.1(a) of the Welfare and Institutions Code.

**“Regional Partnership”** means a group of County approved individuals and/or organizations within geographic proximity that acts as an employment and education resource for the Public Mental Health System. The group may include educational and employment service entities, individuals and/or entities within the Public Mental Health System, and individuals and/or entities that have an interest in the Public Mental Health System, such as county staff, mental health service providers, clients, and clients' family members.

**“Residency and Internship Programs Funding Category”** means the funding category of the Workforce Education and Training component of the Three-Year Program and Expenditure Plan that funds psychiatric residency programs and post-secondary mental health internship programs in order to increase the number of licensed and/or certified individuals employed in the Public Mental Health System.

**“Reversion Account”** means an account within the Mental Health Services Fund to hold funds reverted from counties pursuant to sections 3420.50, 3420.55 and 3420.60.

**“Reversion Account”** means an account within the Mental Health Services Fund to hold funds reverted from counties pursuant to sections 3420.50, 3420.55 and 3420.60.

**“Reversion Period”** means the length of time a County has to spend its Local Mental Health Services Fund money before the funds become subject to reversion. The length of time varies depending on a County's population and the component account to which the County allocates the money, as provided in sections 3420.50, 3420.55 and 3420.60.

**“Small County”** means a County in California with a total population of less than 200,000, according to the most recent estimate by the California State Department of Finance, as of the first day of the fiscal year.

**“Stakeholders”** means individuals or entities with an interest in mental health services in the State of California, including but not limited to: individuals with serious mental illness and/or serious emotional disturbance and/or their families; providers of mental health and/or related services such as physical health care and/or social services; educators and/or representatives of education; representatives of law enforcement; and any other organization that represents the interests of individuals with serious mental illness/ and/or serious emotional disturbance and/or their families.

**“Supported Employment Services”** means vocational rehabilitation activities provided to a client and/or a family member of a client for the purpose of obtaining, sustaining and enhancing their employment.

**“Training and Technical Assistance Funding Category”** means the funding category of the Workforce Education and Training component of the Three-Year Program and Expenditure Plan that funds consultation and/or education to assist those providing services and supports to individuals, clients and/or family members of clients who are working in and/or receiving services from the Public Mental Health System.

**“Transition Age Youth”** means youth 16 years to 25 years of age.

**“Underserved”** means clients of any age who have been diagnosed with a serious mental illness and/or serious emotional disturbance and are receiving some services, but are not provided the necessary or appropriate opportunities to support their recovery, wellness and/or resilience. When appropriate, it includes clients whose family members are not receiving

sufficient services to support the client's recovery, wellness and/or resilience. These clients include, but are not limited to, those who are so poorly served that they are at risk of homelessness, institutionalization, incarceration, out-of home placement or other serious consequences; members of ethnic/racial, cultural, and linguistic populations that do not have access to mental health programs due to barriers such as poor identification of their mental health needs, poor engagement and outreach, limited language access, and lack of culturally competent services; and those in rural areas, Native American rancherias and/or reservations who are not receiving sufficient services.

**“Workforce Education and Training”** means the component of the Three-Year Program and Expenditure Plan that includes education and training programs and activities for prospective and current Public Mental Health System employees, contractors and volunteers.

**“Workforce Education and Training Account” or “WET Account”** means the money in a County's Local Mental Health Services Fund that the County allocates for Workforce Education and Training as described in Article 8, or transfers from the CSS Account for Workforce Education and Training as described in Article 8.

**“Workforce Staffing Support Funding Category”** means the funding category of the Workforce Education and Training component of the Three-Year Program and Expenditure Plan that funds staff needed to plan, administer, coordinate and/or evaluate Workforce Education and Training programs and activities.

The above mentioned MHSA definitions were pulled directly from the California Code of Regulations. To learn more, visit:

- [MHSA in California Code of Regulations \(CCR\)](#)
- [Mental Health Services Act in California Welfare and Institutions Code \(WIC\)](#) (as of January 2020)

- § 3200.010. Adult.
- § 3200.020. Bridge Funding.
- § 3200.022. Capital Facilities and Technological Needs (Cftn).
- § 3200.025. Capital Facilities and Technological Needs Account or Cftn Account.
- § 3200.028. Capitalized Operating Subsidy Reserve.
- § 3200.030. Children and Youth.
- § 3200.040. Client.
- § 3200.050. Client Driven.
- § 3200.060. Community Collaboration.
- § 3200.070. Community Program Planning Process.
- § 3200.079. Community Services and Supports Account or Css Account.
- § 3200.080. Community Services and Supports Component or Css Component.
- § 3200.090. County.
- § 3200.100. Cultural Competence.
- § 3200.110. Department.
- § 3200.120. Family Driven.
- § 3200.125. Financial Incentive Programs Funding Category.
- § 3200.130. Full Service Partnership.
- § 3200.140. Full Service Partnership Service Category.

- § 3200.150. Full Spectrum of Community Services.
- § 3200.160. Fully Served.
- § 3200.170. General System Development Service Category.
- § 3200.180. Individual Services and Supports Plan.
- § 3200.181. Innovation Account or Inn Account.
- § 3200.182. Innovation Component.
- § 3200.183. Innovation Funds.
- § 3200.184. Innovative Project.
- § 3200.190. Integrated Service Experience.
- § 3200.195. Investment Gain.
- § 3200.197. Investment Loss.
- § 3200.210. Linguistic Competence.
- § 3200.213. Local Mental Health Services Fund.
- § 3200.215. Mental Health Career Pathway Programs Funding Category.
- § 3200.217. Mental Health Loan Assumption Program.
- § 3200.220. Mental Health Services Act.
- § 3200.225. Mental Health Services Act Housing Program Service Category.
- § 3200.227. Mental Health Services Fund.
- § 3200.230. Older Adult.
- § 3200.240. Outreach and Engagement Service Category.
- § 3200.244. Prevention and Early Intervention Account or Pei Account.
- § 3200.245. Prevention and Early Intervention Component.
- § 3200.246. Prevention and Early Intervention Fund.
- § 3200.250. Planning Estimate.
- § 3200.251. Project-Based Housing.
- § 3200.252. Prudent Reserve.

- § 3200.253. Public Mental Health System.
- § 3200.254. Public Mental Health System Workforce.
- § 3200.254.1. Redistributed Funds.
- § 3200.255. Regional Partnership.
- § 3200.256. Residency and Internship Programs Funding Category.
- § 3200.257. Reversion Account.
- § 3200.258. Reversion Period.
- § 3200.260. Small County.
- § 3200.270. Stakeholders.
- § 3200.275. Supported Employment Services.
- § 3200.276. Training and Technical Assistance Funding Category.
- § 3200.280. Transition Age Youth.
- § 3200.300. Underserved.
- § 3200.310. Unserved.
- § 3200.320. Workforce Education and Training.
- § 3200.323. Workforce Education and Training Account or Wet Account.
- § 3200.325. Workforce Staffing Support Funding Category.