
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 416 (Krell) - Involuntary commitment

Version: July 17, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: HEALTH 11 - 0, JUD. 13 - 0

Mandate: No

Consultant: Agnes Lee

Bill Summary: AB 416 would require a county behavioral health director to include an emergency physician as one of the practice disciplines eligible to be designated by the county, when developing and implementing procedures for the county's designation and training of professionals as authorized under the Lanterman-Petris-Short (LPS) Act.

Fiscal Impact: Unknown potential cost pressures to counties for administration. County behavioral health departments that currently develop and implement procedures for the county's designation and training of professionals for purposes of involuntary detainment of individuals, would be required to extend those activities to include emergency physicians as one of the eligible practice disciplines.

Background: The LPS Act provides for involuntary detentions for varying lengths of time for the purpose of evaluation and treatment, provided certain requirements are met. A county-designated facility is authorized to involuntarily detain an individual for up to 72 hours (known as a "5150 hold") for evaluation and treatment if they are determined to be, as a result of a mental health disorder, a danger to self or others, or gravely disabled. Persons authorized to take a person to a county-designated facility for a 5150 hold include: a peace officer, a professional person in charge of a facility designated by the county for evaluation and treatment, a member of the attending staff of a facility designated by the county for evaluation and treatment, a designated member of a mobile crisis team, or a professional person designated by the county. Current law exempts specified individuals, including a peace officer responsible for the detainment of a person, from criminal and civil liability for an action by a person who is released at or before the end of the period for which they were detained.

Current law authorizes the county behavioral health director to develop procedures for the county's designation and training of professionals who will be designated to perform duties related to 5150 holds. These procedures may include, but are not limited to, the following:

- The license types, practice disciplines, and clinical experience of professionals eligible to be designated by the county.
- The initial and ongoing training and testing requirements for professionals eligible to be designated by the county.
- The application and approval processes for professionals seeking to be designated by the county, including the timeframe for initial designation and procedures for renewal of the designation.

- The county's process for monitoring and reviewing professionals designated by the county to ensure appropriate compliance with state law, regulations, and county procedures.

Proposed Law: Specific provisions of the bill would:

- Require a county behavioral health director to include an emergency physician as one of the practice disciplines eligible to be designated by the county when developing and implementing procedures, as described above.
- Add county-designated professional persons to the list of individuals who are exempted from criminal and civil liability for an action by a person who is released at or before the end of the period for which they were detained.

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