
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

SB 823 (Stern) - Mental health: the CARE Act

Version: February 21, 2025

Urgency: No

Hearing Date: April 28, 2025

Policy Vote: HEALTH 11 - 0

Mandate: Yes

Consultant: Agnes Lee

Bill Summary: SB 823 would expand eligibility criteria for an individual to qualify for the Community Assistance, Recovery, and Empowerment (CARE) Act process to include a diagnosis of bipolar I disorder.

Fiscal Impact: Costs related to expanding eligibility for the CARE process include:

- Unknown, potentially significant ongoing costs to conduct additional CARE court hearings (Trial Court Trust Fund, General Fund). Although courts are not funded on the basis of workload, increased pressure on staff time and resources may create a need for increased funding for courts from the General Fund to perform existing duties.
- Unknown, potential ongoing General Fund costs to fund counties for public defender services due to increased workload.
- Unknown, potentially significant ongoing General Fund costs to county behavioral health departments to provide more evaluations and behavioral health treatment services. Cost to counties would be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.
- Unknown, potential ongoing cost pressures for state programs to the extent the bill increases utilization of housing, social services, and other medical services as part of the CARE plan (General Fund and federal funds).

Background: Current law establishes the CARE Act, which provides community-based behavioral health services and supports to Californians living with schizophrenia spectrum or other psychotic disorders who meet health and safety criteria. It is a new civil court process where certain people, such as family members, first responders, and providers, may file a petition to the court to create a voluntary CARE agreement or a court-ordered CARE plan. A CARE agreement or CARE plan may include treatment, housing resources, and other services. The CARE Act is intended to serve as an upstream intervention for individuals experiencing severe impairment to prevent avoidable psychiatric hospitalizations, incarcerations, and Lanterman-Petris-Short (LPS) conservatorships.

Current law requires an individual, to qualify for the CARE process, to meet the following criteria:

- Be 18 years of age or older;

- Be currently experiencing a serious mental disorder, as defined, and have a diagnosis of schizophrenia spectrum or other psychotic disorder, as defined. Prohibits an individual who has a current diagnosis of substance use disorder, but who does not also meet the required criteria, from qualifying for the CARE process;
- Not be clinically stabilized in ongoing voluntary treatment;
- Be unlikely to survive safely in the community without supervision and their condition is substantially deteriorating; or, be in need of services and supports in order to prevent a relapse or deterioration that would be likely to result in grave disability or serious harm to self or others, resulting in involuntary detention;
- Participation in a CARE plan or CARE agreement would be the least restrictive alternative necessary to ensure the individual's recovery and stability; and,
- Be likely to benefit from participation in a CARE plan or CARE agreement.

Proposed Law: SB 823 would expand eligibility criteria for an individual to qualify for the CARE Act process to include a diagnosis of bipolar I disorder.

Related Legislation:

SB 331 (Menjivar) would, among other provisions, permit an original petitioner to remain as the petitioner through the CARE process, as specified. The bill is scheduled to be heard in the Senate Judiciary Committee on April 29, 2025.

SB 367 (Allen) would, among other provisions, provide that under a court order, information filed with the court related to a CARE Act respondent's health may be used outside of CARE Act proceedings, such as an LPS conservatorship petition. The bill is scheduled to be heard in the Senate Judiciary Committee on April 29, 2025.

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