
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguin, Chair
2025 - 2026 Regular

Bill No: AB 1387 **Hearing Date:** June 24, 2025
Author: Quirk-Silva
Version: June 12, 2025
Urgency: No **Fiscal:** No
Consultant: SJ

Subject: *Mental health multidisciplinary personnel team*

HISTORY

Source: Orange County Sheriff's Office

Prior Legislation: AB 1788 (Quirk-Silva), vetoed, 2024
SB 1342 (Bates), Ch. 621, Stats. 2022
SB 1054 (Ochoa-Bogh), Ch. 506, Stats. 2022
AB 728 (Santiago), Ch. 337, Stats. 2019
AB 998 (Grayson), Ch. 802, Stats. 2018
AB 210 (Santiago), Ch. 514, Stats. 2017

Support: California State Sheriffs' Association; Mental Health America of California

Opposition: None known

Assembly Floor Vote: 76 - 0

PURPOSE

The purpose of this bill is to authorize counties to establish a mental health multidisciplinary personnel team to serve justice-involved individuals with mental illness while incarcerated in county jail and upon release.

Existing law authorizes a county to establish a homeless adult and family multidisciplinary personnel team with the goal of facilitating the expedited identification, assessment, and linkage of homeless individuals to housing and supportive services within that county and to allow provider agencies and members of the personnel team to share confidential information for the purpose of coordinating housing and supportive services to ensure continuity of care. (Welf. & Inst. Code, § 18999.8, subd. (a)(1).)

Existing law defines "homeless adult and family multidisciplinary personnel team" to mean any team of two or more persons who are trained in the identification and treatment of homeless adults and families, and who are qualified to provide a broad range of services related to homelessness. Specifies the types of professionals who may be on the team. (Welf. & Inst. Code, § 18999.8, subd. (b)(2).)

Existing law authorizes a county to establish a child abuse multidisciplinary personnel team within that county to allow provider agencies to share confidential information in order for

provider agencies to investigate reports of suspected child abuse or neglect. (Welf. & Inst. Code, § 18961.7, subd. (a).)

Existing law defines “multidisciplinary personnel” in the context of child abuse and neglect as any team of three or more people who are trained in the prevention, identification, management, or treatment of child abuse or neglect cases, and who are qualified to provide a broad range of services related to child abuse or neglect. Specifies the type of professionals who may be on the team. (Welf. & Inst. Code, § 18951, subd. (d).)

Existing law permits a city, county, city and county, or community-based nonprofit organization to establish a domestic violence multidisciplinary personnel team consisting of two or more persons who are trained in the prevention, identification, management, or treatment of domestic violence cases and who are qualified to provide a broad range of services related to domestic violence. (Pen. Code, § 13752, subd. (a).)

Existing law authorizes a city, county, city and county, or community-based nonprofit organization to establish a human trafficking multidisciplinary personnel team consisting of two or more persons who are trained in the prevention, identification, management, or treatment of human trafficking cases and who are qualified to provide a broad range of services related to human trafficking. (Pen. Code, § 13753, subd. (a).)

Existing law defines a “multidisciplinary personnel team” in the context of adult protective services to mean any team of two or more persons who are trained in the prevention, identification, management, or treatment of abuse of elderly or dependent adults and are qualified to provide a broad range of services related to abuse of elderly or dependent adults. (Welf. & Inst. Code, § 15610.55, subd. (a).)

Existing law allows an area agency on aging or a county, or both, to establish an aging multidisciplinary personnel team with the goal of facilitating the expedited identification, assessment, and linkage of older adults to services and to allow provider agencies and members of the personnel team to share confidential information for the purpose of coordinating services. (Welf. & Inst. Code, § 9450, subd. (a)(1).)

Existing law defines “aging multidisciplinary personnel team” to mean any team of two or more persons who are trained in and who are qualified to provide a broad range of services related to older adults. (Welf. & Inst. Code, § 9450 subd. (b)(1).)

This bill authorizes a county to establish a mental health multidisciplinary personnel team with the goal of facilitating the expedited identification, assessment, and linkage of justice-involved persons diagnosed with a mental illness to supportive services within that county while incarcerated and upon release from county jail and to allow provider agencies and members of the personnel team to share confidential information for the purpose of coordinating supportive services to ensure continuity of care.

This bill includes the following definitions:

- “Justice-involved person” means an individual who is currently incarcerated within a county jail or who has been incarcerated in a county jail.
- “Mental health multidisciplinary personnel team” means a team of two or more persons who are trained in the identification and treatment of individuals with mental illness and

who are qualified to provide a broad range of services related to mental health. Provides that the team may include any of the following: mental health and substance abuse services personnel and practitioners or other trained counseling personnel; medical personnel with sufficient training to provide health services; social services workers with experience or training in the provision of services to adults with mental illness and eligibility for services; case managers or case coordinators responsible for referral, linkage, or coordination of care and services provided to adults or families.

- “Provider agency” means a governmental or other agency that has, as one of its purposes, the identification, assessment, and linkage of housing or supportive services to individuals with mental illness. Specifies that the provider agencies serving adults that may share information under the provisions of this bill include, but are not limited to, all of the following entities or service agencies:
 - Social services.
 - Health services.
 - Mental health services.
 - Substance abuse services.
 - Probation.
 - Law enforcement.
 - Legal counsel for the adult or family representing them in a criminal matter.
 - Veterans services and counseling.
 - Homeless services.
 - Tribal programs.

This bill authorizes members of a mental health multidisciplinary personnel team engaged in the identification, assessment, and linkage of supportive services to a justice-involved person to disclose to, and exchange with, one another information and writings that relate to information that may be designated as confidential under state law if the member of the team reasonably believes it is required for the identification of mental illness and the provision of services.

This bill provides that a discussion relative to the disclosure or exchange of the information or writings during a team meeting is confidential and, notwithstanding any other law, testimony concerning that discussion is not admissible in any criminal, civil, or juvenile court proceeding.

This bill provides that disclosure and exchange of information may occur electronically if there is adequate verification of the identity of the mental health multidisciplinary personnel who are involved in that disclosure or exchange of information.

This bill prohibits disclosure and exchange of information to anyone other than members of the mental health multidisciplinary personnel team, or a person qualified to receive such information, as specified.

This bill requires all mental health multidisciplinary team members and their departments to establish and maintain a secure and standardized system for sharing a person’s confidential records. Requires this process to ensure both of the following:

- All records and information is kept confidential in a manner that complies with all privacy laws.
- All records are guarded against unauthorized access.

This bill authorizes the mental health multidisciplinary personnel team to designate a person qualified to be a member of the team for a particular case. Provides that a person designated as a team member may receive and disclose relevant information and records, subject to the confidentiality provisions in the bill.

This bill requires a county to develop protocols describing how and what information may be shared by the mental health multidisciplinary personnel team to ensure that confidential information gathered by the team is not disclosed in violation of state or federal law. Requires a copy of the protocols to be distributed to each participating agency and to persons in those agencies who participate in the multidisciplinary personnel team, and to be posted on the county's internet website within 30 days of adoption.

This bill requires a protocol developed in a county to include, but not be limited to, all of the following:

- The items of information or data elements that will be shared.
- The participating agencies.
- A description of how the information shared will be used by the mental health multidisciplinary personnel team only for intended purposes.
- The information retention schedule that a participating agency must follow.
- A requirement that no confidential information or writings be disclosed to a person who is not a member of the multidisciplinary personnel team, except to the extent required or permitted under applicable law.
- A requirement that a participating agency develop uniform written policies and procedures that include security and privacy awareness training for employees who will have access to information pursuant to this protocol.
- A requirement that all persons who have access to information shared by a participating agency sign a confidentiality statement that includes, at a minimum, general use, security safeguards, acceptable use, and enforcement policies.
- A requirement that a participating agency employ security controls that meet applicable federal and state standards, including reasonable administrative, technical, and physical safeguards to ensure data confidentiality, integrity, and availability and to prevent unauthorized or inappropriate access, use, or disclosure.
- A requirement that participating agencies take reasonable steps to ensure information is complete, accurate, and up to date to the extent necessary for the agency's intended purposes and that the information has not been altered or destroyed in an unauthorized manner.

This bill requires all transmissions to comply with the Confidentiality of Medical Information Act, the Information Practices Act of 1977, the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), the federal Health Information Technology for Economic and Clinical Health Act (HITECH), and the corresponding implementing regulations relating to privacy and security in the Code of Federal Regulations.

This bill requires a member of the mental health multidisciplinary personnel team who receives information or records regarding a justice-involved person in that member's capacity as a member of the team to be under the same privacy and confidentiality obligations and subject to the same confidentiality penalties as the person disclosing or providing the information or

records. Requires the information or records obtained to be maintained in a manner that ensures the maximum protection of privacy and confidentiality rights.

This bill provides that nothing in its provisions be construed to supersede or preempt the applicability of any existing state or federal privacy laws, including, but not limited to, the following:

- HIPAA
- The Information Practices Act of 1977.
- The Confidentiality of Medical Information Act.
- Section 5328 of the Welfare and Institutions Code.

This bill provides that information and records communicated or provided to a team member by all providers and agencies are to be deemed private and confidential and to be protected from discovery and disclosure by all applicable statutory and common law protections. Provides that existing civil and criminal penalties apply to the inappropriate disclosure of information held by the team members.

COMMENTS

1. Need For This Bill

According to the author:

California's justice system cannot achieve true rehabilitation without addressing the mental health crisis in our correctional facilities. More than half of those incarcerated struggle with mental health challenges, yet too many do not receive the care they need. AB 1387 ensures that every individual receives consistent, coordinated treatment from the beginning of incarceration through release. By breaking down barriers to information-sharing and prioritizing continuity of care, this bill strengthens public safety, reduces recidivism, and upholds our commitment to a more just and effective rehabilitation system.

2. Mental Illness Among the County Jail Population

Mental illness is prevalent among the county jail population. A recent article noted:

While the jail population has dropped markedly over the last decade, the number of inmates with mental health needs has grown, from around 11,000 in the year preceding realignment to 25,000 before the pandemic. The BSCC defines inmates with mental health needs as those who have been identified as having a psychological disorder and who are actively in need of and receiving mental health services.

Following the pandemic-era drop in the overall jail population, the number of inmates with mental health needs also declined and is now around 19,000—still much higher than pre-realignment levels. Additionally, the percentage of inmates with mental health needs has continued to climb, from around 20% in January 2010 to a staggering 53% in June 2023. (Public Policy Institute of California

(PPIC), *County jails house fewer inmates, but over half face mental health issues* (Oct. 23, 2023) available at <<https://www.ppic.org/blog/county-jails-house-fewer-inmates-but-over-half-face-mental-health-issues/>>.)

3. Multidisciplinary Teams

California first authorized multidisciplinary personnel teams (MDTs) in the 1980s. MDTs allow for a coordinated interagency response to elder abuse, child abuse, domestic violence, human trafficking, and homelessness. MDTs are formed and operated at the county level and bring together the expertise of a wide range of individuals trained in the prevention, identification, and treatment of elder abuse, child abuse, domestic violence, or human trafficking, and who are qualified to provide related services. In the case of homelessness, the MDT focuses on assessment and linkage to services. MDTs allow team members to share confidential information with each other for the purposes of meeting the specific goals of the MDT as outlined in statute. Statutes authorizing the creation of the various MDTs include provisions related to privacy and confidentiality.

MDTs are seen as an effective tool for conducting timely and objective investigations and facilitate coordination among the different agencies and entities participating on the MDT. This bill is modeled after existing statutes authorizing MDTs. Specifically, this bill authorizes a county to establish a mental health multidisciplinary personnel team with the goal of facilitating the expedited identification, assessment, and linkage of justice-involved persons diagnosed with a mental illness to supportive services within that county while incarcerated and upon release from county jail. This bill also allows provider agencies and team members to share confidential information for the purpose of coordinating supportive services. Additionally, this bill includes a number of provisions designed to maintain the confidentiality of records, prevent improper disclosure of records, and generally provide guardrails to protect the privacy rights of individuals receiving services.

4. California Advancing and Innovating Medicine (CalAIM) Justice-Involved Initiative

In recent years, there have been various efforts to improve continuity of health care for those re-entering society following incarceration. In 2023, California became the first state in the nation to receive federal approval to offer a targeted set of Medicaid services to youth and eligible adults in state prisons, county jails, and youth correctional facilities for up to 90 days prior to release. The goal of establishing pre-release Medi-Cal enrollment is to ensure individuals have continuity of coverage and access to services upon their release in order to improve health outcomes and facilitate successful re-entry.

5. Veto of AB 1788

This bill is a reintroduction of AB 1788 from the 2023-2024 legislative session. In his veto message, Governor Newsom wrote:

My Administration is supportive of policies that can improve equity and supportive services to justice-involved (JI) individuals. The Department of Health Care Services (DHCS) is currently implementing the CalAIM JI Initiative, which provides pre-release Medi-Cal enrollment to ensure JI individuals have continuity of coverage upon release and access essential health services that will help them successfully return to their communities. For this reason, this bill is premature and

may be duplicative. It would be more timely to assess this proposal following the full implementation of the DHCS CalAIM JI Initiative and the ability to evaluate data and identify any remaining gaps.

In response to the Governor's veto message, the author contends that AB 1387 is complimentary to the CalAIM J-I Initiative which requires a person to be eligible for Medi-Cal and within 90 days of release. The author additionally asserts that clarification regarding applicable privacy and confidentiality laws is necessary given confusion on the part of some local government entities when implementing other programs authorized by prior legislation involving more than one county agency.

6. Argument in Support

Mental Health of America writes:

Transition services from institutions for mental diseases, jails, and mental health rehabilitation centers help ensure that individuals with mental health challenges won't experience any disruptions in care and can be safely integrated into their community. These services help individuals develop independence and can reduce cycling between California's health crisis and justice system. Justice involved individuals have significant challenges reintegrating into their community due to the stigma of being formerly incarcerated and the lack of assistance to identify the services they need. Without proper support, individuals can fall through the cracks of California's safety net programs, experience additional health challenges leading to more health crises, and potentially be incarcerated again.

This bill ensures a designated mental health multidisciplinary personnel team is established to provide transitional services and support that can prevent mental health crises from developing and promote long-term wellness goals.

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