



# Perilous Politics, Psychiatric Practice

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for the  
NCPS Annual Meeting



# Perilous Times & Perilous Politics

- ❖ Recent Mass Firearms Shooting Incidents
- ❖ Angry Young Men, or Mentally Ill?
- ❖ Violence and Mental Illness
- ❖ Proposals: Increase Mental Health Services
- ❖ Proposals: Firearms Restrictions
- ❖ Political Considerations
- ❖ CPA Firearms Violence Policy
- ❖ California Law Related to Psychiatric Practice



# Most Recent Incidents

- ❖ Florida nightclub
- ❖ Las Vegas
- ❖ Tehama County
- ❖ Stoneman Douglas School
- ❖ Yountville



# Angry Young Men, or Mentally Ill?

*“There is no reliable cure for angry young men who harbor violent fantasies. The only solution is to keep guns out of their hands.” ~ Amy Barnhorst, MD*

Mental Health System Can't Stop Mass Shooters  
New York Times Op-ed, February 21, 2018



# Firearm Violence

- ❖ 300 million firearms in US
- ❖ 32,000 die annually, firearm related
- ❖ 88 per day
- ❖ \$174 billion annual cost
- ❖ Presence in home increases risk 90%
- ❖ Stored in home increases risk 170%
- ❖ 88.8 firearms per 100 in US
- ❖ 40% US own 100% of firearms
- ❖ Homicide rate 345 per 100k in US
- ❖ CA: More suicides than homicides



# Firearm Violence

*“The most effective measure to prevent firearm related deaths is to reduce the presence of guns in homes and communities, and when they are present, to assure that they are securely stored and without access to anyone under 18 unless supervised by an adult, or to anyone who is severely depressed, suicidal or homicidal.”*

CPA Policy Statement on Community Firearm Violence  
Adopted by CPA Council, April 4, 2016





# Violence and Mental Illness

- ❖ Most individuals with MI are not dangerous
- ❖ Most violence committed by non-MI
- ❖ Suicide most common violence among MI
- ❖ MI 27x more likely to be victimized
- ❖ Yet, 2~4% MI do commit violent crimes
- ❖ Contention that 3% account for 10% of homicides, 20% officer fatalities, 29% family suicides, up to 50% of mass killings
- ❖ Predictors in order: alcohol and substance use; prior history of violence; young male
- ❖ Presence of severe mental illness, command hallucinations, not accepting treatment



# Proposals to Increase Mental Health Services

- ❖ “Report behavior of ‘mentally disturbed’ to authorities”
- ❖ “Problem isn’t a guns situation, it’s a mental health problem”
- ❖ Confusing national/state agendas
- ❖ US Health and Human Services Initiative
- ❖ Details? None to date





# Proposals Restricting Firearms

- ❖ More, better background checks
- ❖ Bumpstock ban (thanks Senator Feinstein)
- ❖ Ban assault rifles, magazines
- ❖ Raise age of ownership (Florida)
- ❖ Ban ownership if mentally ill (but  
Administration dissolved Obama rule)
- ❖ Arm teachers



# Political Considerations

- ❖ Several generations standoff between Democrats and Republicans
- ❖ Plays out in CA, other states, Congress
- ❖ New generation of activists, Stoneman Douglass, changing culture takes time?
- ❖ Weakening NRA? Commercial relationships
- ❖ Financial angel needed to “buyback” NRA dollars to elected officials?



# California Law, Violence and Psychiatric Practice

- ❖ Tarasoff Update
- ❖ 5150 Law Changes
- ❖ Gun Violence Restraining Orders (GVRO)
- ❖ Laura's Law
- ❖ Weapons Possession Statutes



# Tarasoff Rule Update

- ❖ Codified Tarasoff v Regents (1985)
- ❖ 2013 restored duty to protect in CA
- ❖ Pt poses serious risk, serious bodily injury to reasonably identifiable victim(s)
- ❖ If you warn, safe harbor, no liability
- ❖ But, flexibility: GVRO, 5150, not automatically liable



# Gun Violence Restraining Orders

- ❖ Much more focused approach
- ❖ Family or law enforcement petition
- ❖ Not buy or possess gun or ammunition
- ❖ Immediate and present threat of danger causing personal injury
- ❖ Therapeutic coaching of family (by you)
- ❖ Refer to law enforcement
- ❖ CA PC Sec 18100 (effective) Jan 1, 2015



# 5150 Law Changes

- ❖ Danger clarified, AB 1174 (2014)
- ❖ Not limited to imminent danger
- ❖ Must consider history
- ❖ Must record on application whether or not history was considered
- ❖ Unenforced by police agencies: state did not issue new form with advisement, box





# Laura's Law

- ❖ Assisted Outpatient Treatment Act – Court supervised intensive treatment
- ❖ History, one attempt or act, grave bodily harm, within 4 years
- ❖ Referral if 18, MI, deteriorating, offered and refusing Tx
- ❖ Only in 19 counties adopting AOT



# CA Weapons Possession Statutes

- ❖ Armed and Prohibited Persons list
- ❖ Tarasoff, 5-year, police must be notified
- ❖ Inpt, detained but voluntary, confiscation, return, LE petition within 30 days
- ❖ Involuntary inpt, 5-year surrender, if adjudicated a danger i.e. 5150, IST, NGRI, certifications, conserved
- ❖ Court procedures for return if challenged



# The Legislative Process in California





# CPA Sponsored Bills 2018





# Psychiatric Bed Registry AB 1136 (Eggman)

Problem: *Too few beds available, no consistent way to identify open beds when available. Laborious, inefficient “phonebook” approach to locate open Acute Psych, IMD or residential beds*

Solution: *Construct an online, real-time registry of beds*

Status: *In its second year, pending in the Assembly, recently amended, prospects hopeful*







# Innovative Loan Forgiveness AB 2018 (Maienschein)

*Problem: Chronic Psychiatrist Shortages  
in Community (Public) MH Systems.  
Limited availability of training in  
community psychiatry*

*Solution: Early loan repayment for  
psychiatric trainees committing to  
community psychiatry*

*Outcome: Pending Health Committee  
Hearing*





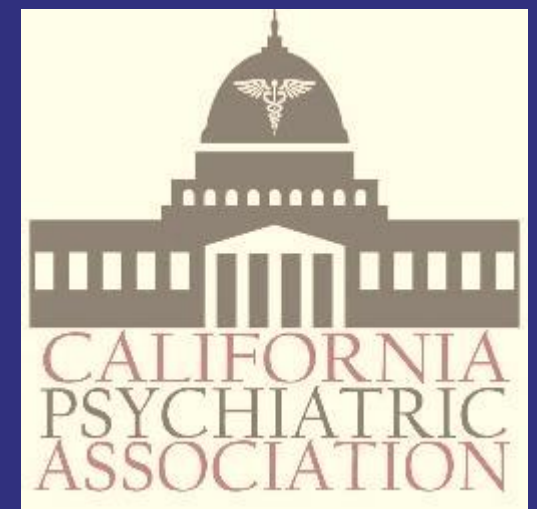


# Mental Health Provider Loan Forgiveness AB 2143 (Caballero)

*Problem: Improving pipeline of psychiatrists to community mental health programs while improving access to psychiatric care may not completely meet demand*

*Solution: Provide incentives in the form of loan repayment for MFTs, LCSWs, etc. to train as physician assistants, or psychiatric mental health nurse practitioners*

*Status: Pending Health Committee Hearing*





# Substance Use Programs for Youth AB 2328 (Nazarian)

*Problem: Youth who qualify for Medi-Cal lack substance use treatment options almost entirely*

*Solution: Create a continuum of care for youth using a combination of Federal entitlement funds and Proposition 64 set aside funds*

*Status: Pending Health Committee Hearing*





# Educating Primary Care Workforce State Budget Request

*Problem: The substantial primary care workforce has rudimentary and inadequate training in mental health issues even though they are on the frontlines of treating mental disorders*

*Solution: “Train up” the primary care workforce*

*Status: Assembly Budget Committee Hearing,  
April 4*





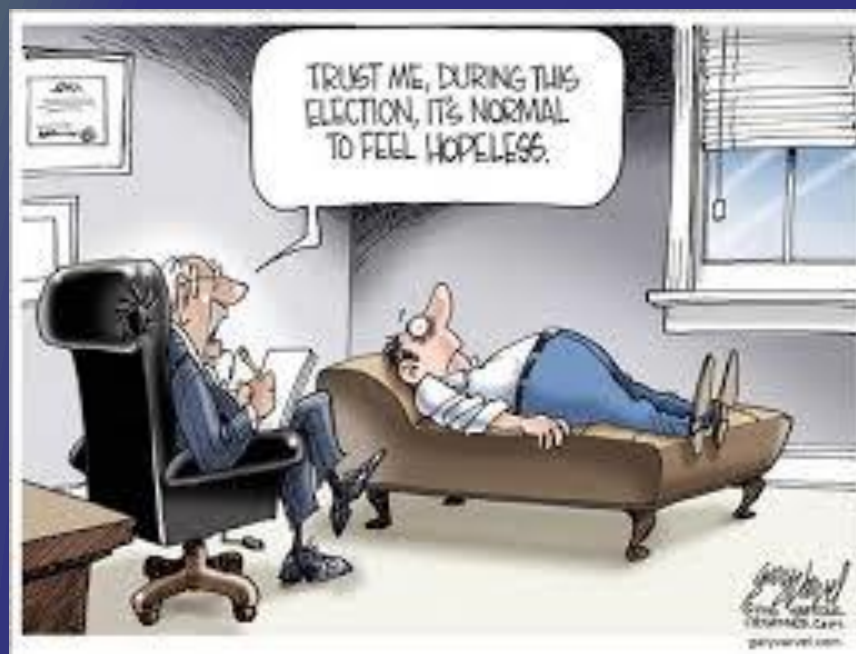
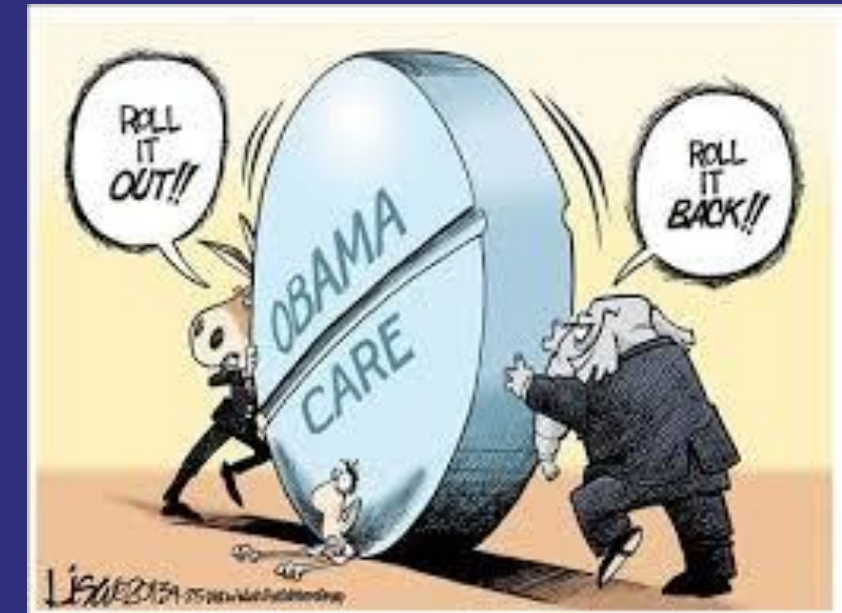
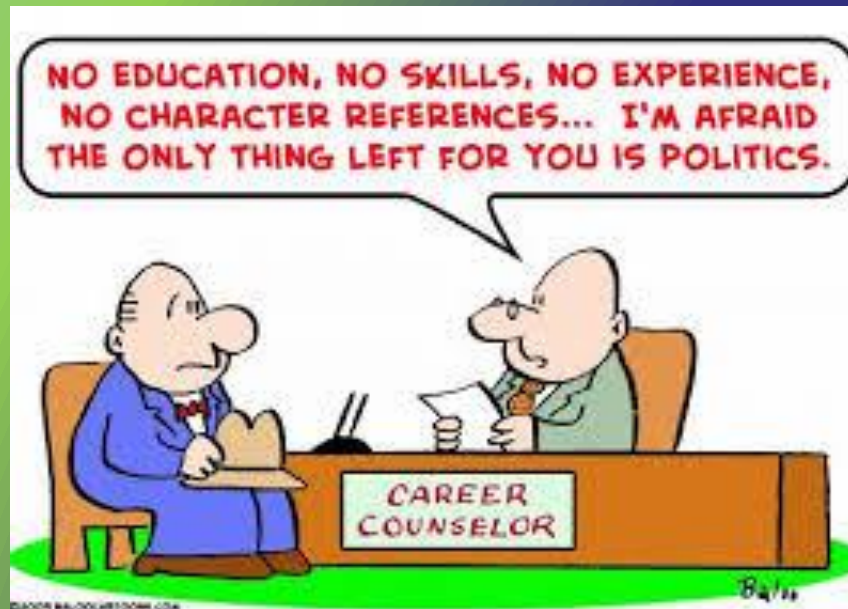
# What You Can Do

## CPA LEVEL ADVOCACY

- ❖ Join CPA or RFM Key Contact List (contact Randall)
- ❖ CPA Advocacy Mentors Available, Ask
- ❖ Join CA Treatment Advocacy Coalition Advocacy Email List (see Randall)
- ❖ Register for CPA Website Secure RFM Page (coming)
- ❖ “Like” @CalPsych Facebook Page
- ❖ Make Friends with Local Elected Officials
- ❖ Make Friends with Reporters
- ❖ CPA Advocacy Day, April 16, CPA Council members only
  - ❖ RFMs Must be NCPS Sponsored!!



# Lighter Side of Politics





QUESTIONS??



# Contact Me



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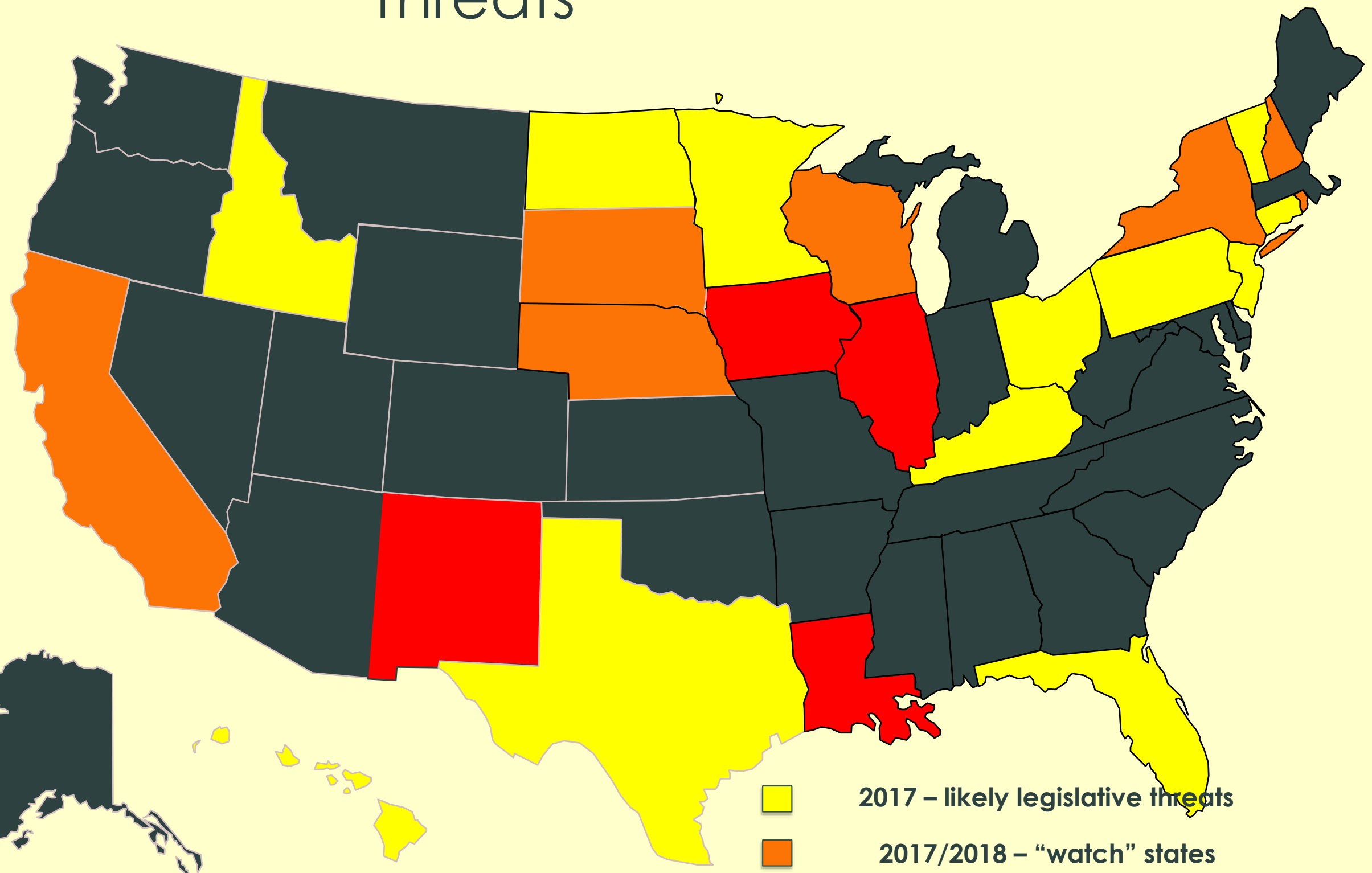
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# 2017 Psychologist Prescribing Threats



2017 – likely legislative threats



2017/2018 – “watch” states



Psychologist Prescribing Laws\*

\* - NM likely legislation to “soften” education requirements/IA and IL in “rulemaking” process