

ATTACHMENT C: OPERATIONAL AND FISCAL ANALYSIS RELATED TO IMPLEMENTATION OF W&I 5270

5270 Impact on Current Hold Process

Hold Type	Estimated # per Year (Natividad MHU and CHOMP Garden Pavilion)	Assumption	Estimated Projected 5270 Increase/Decrease
5350 (T-Con)	130 per FY	<ul style="list-style-type: none"> T-Con referrals will decrease as 5270 is an alternative legal authority for extended hospital treatment T-Con referrals will decrease (even without pursuing a 5270 on a particular case) because T-Con applications will no longer be required by day 12 or 13 of a patient's hospital stay (under § 5250) T-Con acceptance rate will increase due to more appropriate referrals Anticipate approximately 20% of 5270s will lead to a T-Con referral 	<ul style="list-style-type: none"> 15-25% (20-33) decrease in T-Con referrals
5270	None	<ul style="list-style-type: none"> 5270s will naturally flow from T-Con referrals which may be withdrawn or denied, and from T-Cons not advancing to Permanent Conservatorship Some withdrawn/denied T-Con referrals (estimate 30%) will be redirected to 5270 Not all withdrawn/denied T-Cons will transition to 5270 because § 5270 allows doctor to file on the last day of 17-day hold, which allows 5 additional days of treatment 	<ul style="list-style-type: none"> 15-25% (20-33) of current T-Con referrals redirected to 5270 (expected upper limit)

5270 Savings - Current Cost per T-Con

T-Con Role	Average Time Spent	Rate	Cost	Estimated Cost Impact
County Counsel	4.5 Hours	\$200	\$900	Estimated savings of \$18,000 - \$29,700 per FY
Public Guardian	6.4 Hours	\$60	\$384	Estimated savings of \$7,680 - \$12,672 per FY
Behavioral Health Staff	N/A	N/A	N/A	Any costs are nominal and absorbed as part of normal work
TOTAL Estimated T-Con Savings from 5270 Adoption:				\$25,680 - \$42,372

5270 Savings – Hearing Types and Potential Increases Due to 5270

Hearing Type	Description	Participants	Analysis - Estimated Cost Impact
Certification Review Hearing	<ul style="list-style-type: none"> • Scheduled by day 4 of 5270 to determine if the psychiatric treatment facility has probable cause to detain the person for the remainder of the hold period • May not occur if patient is discharged or voluntarily accepts services 	<ul style="list-style-type: none"> • Patient’s Rights Advocate • Hearing Officer (Court) • Social worker, Nurse or Doctor / Hospital Staff 	<ul style="list-style-type: none"> • Approx 450 Hearings per year currently, with 5270 generating ~ 5-8% (23-36) more hearings per FY • Average hearing cost is \$150; ~ \$3450 to \$5400 additional cost per FY
Writ of Habeas Corpus	<ul style="list-style-type: none"> • Gives every person detained for intensive treatment a right to a hearing for his or her release after he or she or any person acting on his or her behalf has made a request for release. Court must hold an evidentiary hearing within two judicial days after the petition is filed. • Both 14-day and T-Con; majority have been 14-day hold 	<ul style="list-style-type: none"> • Patient’s Counsel • County Counsel • Doctor / Hospital Staff + Superior Court, (State) • Transport Staff 	<ul style="list-style-type: none"> • Writs are a small subset of CR Hearings, approximately 6%; estimate an 8-12% increase annually above current level* • Neutral to minimal fiscal increase estimated, with any costs absorbed without additional staff/funding; more of a shift in work
Riese Hearing	<ul style="list-style-type: none"> • Also known as an antipsychotic medication capacity hearing • Typically occurs during 14-day 5250 hold if client refuses medication • Generally will NOT occur a second time (during T-Con or 5270), however, may be necessary for 5270 or T-Con status 	<ul style="list-style-type: none"> • Public Defender • County Counsel • Hearing Officer (Court) • Doctor (often submits declaration only) • Transport Staff 	<ul style="list-style-type: none"> • Riese Hearings are less likely during 5270, however, estimate a 6-8% increase annually above current level* • Neutral to minimal fiscal increase estimated, with any costs absorbed without additional staff/funding; more of a shift in work

*** Estimates developed with input from other California counties who have adopted W&I 5270**