



Legislation Text

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AN ORDINANCE relating to the King County behavioral health advisory board; empowering the King County behavioral health advisory board to be the advisory body for the crisis care centers levy; and amending Ordinance 18170, Section 1, and K.C.C. 2A.300.050.

STATEMENT OF FACTS:

1. On February 9, 2023, King County enacted Ordinance 19572 to provide for the submission of the crisis care centers levy to the voters of King County.
2. King County voters considered the levy as Proposition No. 1 as part of the April 25, 2023, special election, and fifty-seven percent of voters approved it.
3. The passage of Proposition No. 1 authorized the crisis care centers levy that will raise proceeds from 2024 to 2032 to create a regional network of five crisis care centers, restore and expand residential treatment capacity, and increase the sustainability and representativeness of the behavioral health workforce in King County.
4. Ordinance 19572, Section 7.B., requires the executive to establish an advisory body for the crisis care centers levy. Ordinance 19572 allows for the advisory body to be a preexisting King County board that has relevant expertise.
5. The executive's proposed crisis care centers levy implementation plan, required by Ordinance 19572, recommends the behavioral health advisory board to serve as the advisory body for the levy and to advise the executive and the council on matters pertaining to implementation of the

levy.

6. In 2019, the Washington state Legislature passed Engrossed Second Substitute Senate Bill 5432. The bill became Chapter 325, Laws of Washington 2019 and is codified at chapter 71.24 RCW. The act established behavioral health administrative services organizations as entities that contract with the state health care authority to administer regional behavioral health services and programs, including crisis services and administration of the state's involuntary treatment act.

King County, through the department of community and human services, behavioral health and recovery division, operates the behavioral health administrative services organization for the King County region.

7. K.C.C. 2A.300.050 requires revisions to reflect the repeal of RCW 70.96A.300 and to update outdated terminology.

8. The state requires in RCW 71.24.300 and WAC 182-538C-252 that each behavioral health administrative services organization develop a single, integrated behavioral health advisory board and defines board membership requirements and duties. The King County behavioral health advisory board was established by Ordinance 18170 and is defined in K.C.C. 2A.300.050 consistent with these state board requirements.

9. A significant portion of King County's existing behavioral health crisis services are administratively organized under the King County behavioral health administrative services organization. As the advisory body of that entity, the King County behavioral health advisory board has relevant expertise related to King County crisis services and is well positioned to be the crisis care centers levy advisory body.

10. Empowering the King County behavioral health advisory board to be the advisory body for the crisis care centers levy has the potential to promote the coordination and integration of crisis services across the continuum of behavioral health care managed by King County and avoid

system fragmentation.

11. The King County behavioral health advisory board's membership composition and board duties can be expanded to fulfill the requirements in Ordinance 19572 while also fulfilling the state requirements in RCW 71.24.300 and WAC 182-538C-252.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 18170, Section 1, and K.C.C.2A.300.050 are hereby amended as follows:

A. There is hereby created the King County behavioral health advisory board. The board shall act in an advisory capacity to the executive on behavioral health policy, programs and services. The board shall serve and function as the ~~((mental))~~ behavioral health advisory board pursuant to RCW 71.24.300 ~~((and alcoholism and other drug addiction board pursuant to RCW 70.96A.300))~~ until such time as the statutory reference~~((s))~~ to the board~~((s))~~ ~~((are))~~ is repealed. The board shall also serve and function as the crisis care centers levy advisory body under Ordinance 19572.

B.1. The board shall be composed of no less than nine and no more than ~~((fifteen))~~ eighteen members, as determined by the executive.

2. The executive shall appoint the members of the board, subject to confirmation by the council as provided in K.C.C. 2.28.002.

3. The board's composition shall be broadly representative of the community and geographical and demographic mix of the populations served. The board's composition shall include at least one resident of each King County crisis response zone as defined by Ordinance 19572.

4. ~~((At least fifty one percent))~~ A majority of the board membership shall be made up of one or more of the following: persons having lived experience ~~((or))~~ with one or more behavioral health conditions; parents or legal guardians of persons having lived experience with one or more behavioral health ~~((disorders or))~~ conditions; and persons self-identified as being in recovery from ~~((a))~~ one or more behavioral health ~~((disorder~~

~~and, included among these persons, at least one quarter of the board members shall be recovered persons with substance abuse disorders~~) conditions. Behavioral health conditions include mental health or substance use conditions or both. At least two members must be persons who have previously received crisis stabilization services.

5. At least two board members must be persons with professional training and experience in the provision of behavioral health crisis care.

6. Law enforcement shall be represented on the board.

~~((6-))~~ 7. No more than four elected officials may serve as board members at any time.

~~((7-))~~ 8. Board members shall not be ~~((E))~~ employees, managers or other decision makers of ~~((subcontracted agencies))~~ entities with which King County, acting as the region's behavioral health administrative services organization, contracts, who have authority to make policy or fiscal decisions on behalf of the ~~((subcontracting agency shall not be members of the board; and, if prohibited by RCW 70.96A.300, a board member may not be a provider of alcoholism or drug addiction treatment services))~~ entities.

~~((8-))~~ 9. One quarter of the initial board members shall serve a partial term of one year, one quarter of the initial board members shall serve a partial term of two years, and the remainder of the initial board members shall serve a full term of three years. A full term shall be three years and board members may potentially serve up to two full three-year terms in addition to any partial term.

C. The board shall, subject to available resources and to its exercise of discretionary prioritization:

1. Serve in an advisory capacity to King County on matters concerning behavioral health ~~((disorders))~~ conditions including education, prevention, treatment, crisis response, and service delivery in the region;

2. Advise the executive and council on matters pertaining to the implementation of the crisis care centers levy;

3. Participate with King County, in its capacity as the region's behavioral health administrative services organization to enhance the ability of the behavioral health system to work effectively and deliver

high-quality services ~~((to consumers))~~;

~~((3-))~~ 4. Participate with King County, in its capacity as the region's behavioral health administrative services organization to facilitate equitable access to education, prevention, treatment and recovery from behavioral health ~~((disorders))~~ conditions;

~~((4-))~~ 5. Utilize and develop relationships with public and private agencies and organizations concerned with behavioral health ~~((disorders))~~ conditions to advance the behavioral health system and drive system improvements;

~~((5-))~~ 6. Develop relationships with the community to promote integrated treatment of mental health, substance use ~~((disorder))~~, and physical health care services;

~~((6-))~~ 7. Represent the board and coordinate with other King County activities and endeavors intended to further the likelihood that the needs of individuals living with behavioral health ~~((disorders))~~ conditions are considered and addressed as appropriate;

~~((7-))~~ 8. Provide input to the state on various regulatory, policy, and programmatic issues related to behavioral health;

~~((8-))~~ 9. Advocate for the needs of individuals living with behavioral health ~~((disorders))~~ conditions at the local and state level;

~~((9-))~~ 10. Visit each existing crisis care center annually to better understand the perspectives and priorities of crisis care centers operators, staff, and clients;

11. Report on the crisis care centers levy to the council and community through online annual reports beginning in 2025; and

12. Perform the other functions specified in RCW ~~((70.96A.300 and))~~ 71.24.300.

D.1. The board shall elect ~~((a))~~ members as chair and vice chair by a majority vote of its members. The terms of the chair ~~((is one))~~ and vice chair are two years.

2. The board shall adopt appropriate bylaws, including quorum requirements.

E. The department of community and human services shall provide ongoing administrative support to the ~~((committee))~~ board.

F. ~~((Members of the board shall serve without compensation))~~ 1. In accordance with K.C.C. 2.28.006, board members who are neither employees of King County nor employees of other municipal governments, and who are not otherwise compensated for their participation on the board as part of a professional role, shall receive compensation for attendance at official board meetings and crisis care center visits. The compensation may only be paid a maximum of twice per month.

2. The initial compensation shall be seventy-five dollars per official board meeting or crisis care center visit and shall not exceed one-hundred fifty dollars per month before December 31, 2024. Beginning January 1, 2025, the compensation amount per meeting or visit shall be automatically adjusted annually, and every year thereafter, at the rate equivalent to the twelve-month change in the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index for All Urban Consumers for the Seattle-Tacoma-Bellevue Statistical Metropolitan Area, which is known as the CPI-U. However, if the twelve-month CPI-U is negative, there shall not be an adjustment.