

To : Mental Health Board Members

From : Tom Campbell

Date : April 6, 2016

Re : Public Contact Policy

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The Office of the County Counsel has advised me on the proper Mental Health Board policy regarding individual members' handling of complaints and inquiries received from the public. This memorandum is intended to summarize that advice for instructional purposes.

The purpose of the Mental Health Board is to advise the Board of Supervisors. This purpose does not authorize the Mental Health Board to intervene in matters concerning any individual receiving mental health services through the County. This purpose also does not authorize the Mental Health Board to respond to general complaints and inquiries regarding the functioning of County agencies.

Upon receipt of any complaint, inquiry, or request for advice or assistance from a member of the public, a Mental Health Board member should seek guidance from the Mental Health Director or her direct designee. In doing so, the Mental Health Board member should be aware of the confidentiality rights of persons specifically named in the communication. The Mental Health Director or her direct designee cannot reference any information specific to those persons, including confirmation that the named persons are receiving County services. At most, the Mental Health Director or her direct designee can only confirm that the communication from the public has been received and referred for appropriate processing.

This policy shall apply also to Mental Health Board meetings where a member of the public wishes to discuss a matter that identifies a particular individual. The Chair shall prohibit the release of an individual's personal information in open session. The Chair shall instead direct the member of the public to the Mental Health Director or her direct designee.

This policy similarly applies to public complaints, inquiries, or requests for advice or assistance received regarding the general functioning of County agencies. A Mental Health Board member who receives this type of communication should seek guidance from the Mental Health Director or her direct designee.

This policy does not preclude Mental Health Board members from communicating with members of the public in their capacity as individuals.

Please contact John Reed, Deputy County Counsel, at 916-874-5571 if you have any questions about any of these matters.