

## Fact Sheet on Senate Bill (SB) 43 (Eggman): Changes to Lanterman-Petris-Short (LPS) Act “Grave Disability”

### What is SB 43 (Eggman)?

SB 43 (Eggman), which was signed into law by Governor Newsom in the Fall of 2023, makes several significant changes to the state’s laws that govern when people can be involuntarily detained. These laws were established by the Lanterman-Petris-Short (LPS) Act in 1967. SB 43 makes significant changes to LPS laws by:

- Expanding the state’s “gravely disabled” criteria to allow for the involuntary detention and conservatorship of individuals on the basis of:
  - A standalone “severe” substance use disorder (SUD) or a co-occurring mental health disorder and severe SUD which leads to the individual’s inability to:
    - Provide for their basic personal needs for personal safety; or
    - Provide for their basic personal needs for necessary medical care.

### When will SB 43 be implemented in Los Angeles County?

SB 43 allows counties to implement these changes between January 1, 2024, and January 1, 2026. In November 2023, the Departments of Mental Health and Public Health sent a [report](#) to the Board of Supervisors (Board) detailing the extensive work that will need to be completed before the County, along with our local partner and law enforcement agencies, are able to implement SB 43. The Departments also recommended to the Board that the County defer local implementation of SB 43. After further discussion with the Departments, the Board voted to implement SB 43 in Los Angeles County by January 1, 2026.

### What is SB 43 intended to achieve?

The author of SB 43, Senator Eggman, has stated that the bill is intended to make it easier for counties to ensure that people are receiving the care that they need. SB 43 will allow law enforcement officers and behavioral health staff designated by the County to bring people into care if they are so sick that they are unable to provide for their basic needs, their personal safety, or their necessary medical care due to mental health or severe SUDs. The Board and the County supported SB 43 due to the belief that SB 43 may create more opportunities for the County and our local partners to engage residents who may not be getting the care and services they need.

### Why does the County need more time before it is ready to implement SB 43?

In order to ensure that our residents receive the appropriate care, while maintaining both community safety and respecting our residents’ legal rights, there is a large amount of work

that the County must complete before we are ready to implement SB 43. To prepare for local implementation the County must:

- **Make sure that SB 43 is implemented uniformly across the County.**  
This means that the County will have to develop new criteria for “grave disability,” then train and recertify thousands of local providers and law enforcement agents on those new criteria so that involuntary detentions are applied uniformly and in an appropriate and equitable manner.
- **Make sure that people who are involuntarily detained under the new criteria receive proper care and treatment.**  
SB 43 allows new types of people to be placed on involuntary detentions (e.g., those who have severe SUDs, those who are not providing for their own necessary medical care, or those whose personal safety is at risk due to their mental health or severe SUD). However, the current capacity of facilities that can deliver involuntary services was already limited prior to SB 43 implementation and locked facilities to treat clients who only have a SUD do not yet exist in the State. The County Departments of Mental Health and Public Health must work with local agencies to ensure that they have the right kind of treatment facilities, the right kind of staff, the proper licensing from the state, and sufficient capacity to treat individuals who will be eligible for involuntary detention under SB 43.
- **Work with the Courts to update court orders and conservatorship orders.**  
The Departments of Mental Health and Public Health will need to collaborate with the courts and our justice partners involved in conservatorship hearings to organize and operationalize services and placements for clients involuntarily detained and placed into conservatorship. We must work together to ensure that the Departments are able to adhere to the court orders and ensure the proper treatment for the clients.
- **Educate our local communities and partner agencies about SB 43.**  
The County will need to educate the community, cities, our contractors and provider partners as well as the families of individuals suffering from serious mental illness and severe SUDs about how the County will implement SB 43 and the new criteria that will guide involuntary detentions.

All of this work will take time and careful coordination across our many internal and external partners. As the Departments of Mental Health and Public Health engage in the work listed above and prepare to implement SB 43 by January 1, 2026, the Departments will continue to provide regular update reports to the Board.