

MEMORANDUM –

DATE: August 30, 2023
TO: Alameda County Behavioral Health (ACBH) Specialty Mental Health Services (SMHS) Providers
FROM: Torfeh Rejali, Quality Assurance (QA) Administrator *Torfeh Rejali*
SUBJECT: **Change to Medication Consent Requirements**

This memorandum is to announce removal of the requirement for signed patient consent to receive antipsychotic medications, resulting from [California Senate Bill 184](#).

Overview of Changes

[Section 852 of Title 9](#) of the California Code of Regulations required mental health facilities that provide Specialty Mental Health Services and community mental health services to maintain a written record of a voluntarily admitted patient’s consent to receive antipsychotic medications, including the patient’s signature. California Senate Bill 184, chaptered on June 30, 2022, eliminated the requirement to obtain patient signatures.

The new [Welfare and Institutions Code \(WIC\) 5325.3, Article 7](#), applies to administration of antipsychotic medications to voluntary patients who consent to receiving those services as part of Specialty Mental Health Services covered under Medi-Cal, or as part of community mental health services, a health facility (24 hour services), or a facility that has a community residential treatment program.

WIC 5325.3 states that for the purposes noted above, providers are no longer required to obtain the signature of the patient but must maintain written consent records that contain both of the following:

- A notation that information about informed consent to antipsychotic medications has been discussed with the patient, and
- A notation that the patient understands the nature and effect of antipsychotic medications and consents to administration of those medications.

Department of Health Care Services (DHCS) also recently noted this change on their CalAIM Behavioral Health Initiative [Frequently Asked Questions](#) webpage.

ACBH Medication Consent Requirements

Given this new statute, ACBH no longer requires completion of medication informed consent forms for administration of antipsychotic or other medications for patients receiving voluntary Specialty Mental Health Services across the different levels of care. However, providers will be required to document the necessary information, noted above, in the clinical record.

Action Steps

Please communicate this change to your teams as appropriate. For questions, please contact QATA@acgov.org.

