# Community Assistance, Recovery, and Empowerment Act

## Glossary of CARE Act Terminology[1]

The Community Assistance, Recovery, and Empowerment (CARE) Act authorizes specified adult persons to petition a civil court to create a voluntary CARE agreement or a court-ordered CARE plan that may include treatment, housing resources, and other services for persons with untreated schizophrenia and other psychotic disorders

**CARE agreement.** A voluntary settlement agreement entered into by the parties. A CARE agreement includes the same elements as a CARE plan to support the respondent in accessing community-based services and supports.

**CARE plan.** An individualized, appropriate range of community-based services and supports, which include clinically appropriate behavioral health care and stabilization medications, housing, and other supportive services, as appropriate, pursuant to Welfare and Institutions Code (WIC) Section 5982.

**CARE process.** The court and related proceedings[2] to implement the CARE Act.

**counsel.** The attorney representing the respondent, provided pursuant to WIC Section 5980 or chosen by the respondent, in CARE Act proceedings and matters related to CARE agreements and CARE plans.

**county behavioral health agency.** The local director of mental health services described in WIC Section 5607, the local behavioral health director, or both, as applicable, or their designee.

**court-ordered evaluation.** An evaluation ordered by a superior court pursuant to WIC Section 5977.

**graduation plan.** A voluntary agreement entered into by the parties at the end of the CARE program that includes a strategy to support a successful transition out of court jurisdiction and that may include a psychiatric advance directive. A graduation plan includes the same elements as a CARE plan to support the respondent in accessing community-based services and supports. The graduation plan shall not place additional requirements on the local government entities and is not enforceable by the court.

**homeless outreach worker.** A person who engages people experiencing homelessness to assess for unmet needs, offer information, services, or other assistance, or provide care coordination.

**Indian health care provider.** A health care program operated by the Indian Health Service, an Indian tribe, a tribal organization, or urban Indian organization (I/T/U) as those terms are defined in Section 4 of the Indian Health Care Improvement Act (25 U.S.C. Section. 1603).

**licensed behavioral health professional.** Either (1) a licensed mental health professional, as defined in WIC Section 4096(j) or (2) a person who has been granted a waiver of licensure requirements by the department pursuant to WIC Section 5751.2.

**petitioner.**[3] The entity who files the CARE Act petition with the court. Additionally, if the petitioner is a person listed in WIC Section 5974 other than the director of a county behavioral health agency, or their designee, the petitioner shall have the right to file a petition with the court, but at the initial hearing the court shall substitute the director of a county behavioral health agency, or their designee, of the county in which the proceedings are filed as petitioner. The petitioner who filed the petition may, at the court's discretion and in furtherance of the interests of the respondent, retain rights as described in WIC Section 5977(b)(7)(A).

**psychiatric advance directive.** A legal document, executed on a voluntary basis by a person who has the capacity to make medical decisions, that allows a person with mental illness to protect their autonomy and ability to self-direct care by documenting their preferences for treatment in advance of a mental health crisis.

**respondent.** The person who is subject to the petition for the CARE process.

**stabilization medications.** Medications included in the CARE plan that primarily consist of antipsychotic medications to reduce symptoms of hallucinations, delusions, and disorganized thinking. Stabilization medications may be administered as long-acting injections if clinically indicated. Stabilization medications shall not be forcibly administered.

**supporter.** An adult, designated pursuant to Chapter 4 (commencing with WIC Section 5980), who assists the person who is the subject of the petition, which may include supporting the person to understand, make, communicate, implement, or act on their own life decisions during the CARE process, including a CARE agreement, a CARE plan, and developing a graduation plan. A supporter shall not act independently.

### Acronyms

**CARE** Community Assistance, Recovery, and Empowerment

**CalHHS** California Health and Human Services

**DHCS** Department of Health Care Services

**JCC** Judicial Council of California

**MHSA** Mental Health Services Act

**WIC** Welfare and Institutions Code

[1] All definitions are from WIC Section 5971. For more information, see the CARE Act.
[2] Related proceedings include engagement by the county agency and clinical evaluation by the county behavioral health agency.
[3] For more information on specified individuals who can file petitions, visit the Judicial Council of California's CARE Act website or see WIC Section 5977(b)(7)(A).