



CALIFORNIA DEPARTMENT OF STATE HOSPITALS

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LANTERMAN-PETRIS-SHORT ACT FACT SHEET

WHO WE ARE

The Department of State Hospitals (DSH) manages the California state hospital system, which provides behavioral health services both in DSH facilities and through partnerships with county or privately operated treatment programs. DSH's mission is to provide evaluation and treatment in a safe, equitable, and responsible manner, by leading innovation and excellence across a continuum of care and settings.

As of FY 2024-25, DSH is responsible for the daily care of over 7,500 patients, with 5,505 on average in state hospitals.

WHO WE TREAT

Approximately 92% of the patients served in DSH hospitals are forensic commitments, whose treatment is mandated by a criminal or civil court judge, the Board of Parole Hearings, or are referred to DSH by the California Department of Corrections and Rehabilitation (CDCR). This includes individuals committed to DSH as Incompetent to Stand Trial on Felony Charges (FIST), Not Guilty by Reason of Insanity, an Offender with a Mental Health Disorder, a Sexually Violent Predator, or current CDCR incarcerated persons with complex behavioral health conditions requiring inpatient hospitalization.

DSH is statutorily mandated to serve these forensic patients and must ensure it has sufficient bed capacity to admit all forensic patients.

LANTERMAN-PETRIS-SHORT ACT PATIENTS

Counties are responsible for the care of individuals conserved under the Lanterman-Petris-Short (LPS) Act ([WIC §§ 5000-5550](#)). DSH is just one of several placement options for counties to treat LPS conservatees. Other options include medical, psychiatric, nursing, or other licensed facilities, county hospitals, University of California or U.S. government hospitals, and nonmedical facilities.

Under the LPS Act, it is the responsibility of the public guardian/conservator to arrange conservatees' treatment services.

In coordination with the local mental health department, conservatees may be referred to DSH for treatment. There are two types of LPS conservatees DSH may serve on behalf of the counties:

- 1) Standard conservatorships – individuals with serious mental illness who have been determined by a court to be unable to provide for their basic needs, and
- 2) Murphy conservatorships – individuals who were previously found by a court to be FIST; DSH was unable to restore them to competency and returned them back to the county jail/criminal court for the court to determine the appropriate next steps; the individual was subsequently conserved; they had a felony charge involving death, great bodily harm, or a serious threat to the physical well-being of another person; and were determined to be a "substantial danger" to others due to their mental illness.

DSH BEDS AVAILABLE TO TREAT LPS PATIENTS

DSH must prioritize treatment for the forensic patients it is statutorily mandated to treat. Therefore, the vast majority of DSH's 5,830 beds are used to treat forensic patients. Currently, DSH makes 581 beds available to the counties, with 44 additional beds planned to be added in 2026.

DSH has entered into a Memorandum of Understanding (MOU) with the counties, which was negotiated in collaboration with the California Mental Health Services Authority (CalMSHA). The MOU establishes the daily bed rates the counties pay DSH for their bed utilization and allocates the 581 beds across the individual counties for their use.

The counties are responsible for managing their allocated beds. This includes making referrals to DSH, determining who is prioritized for admission to the county's allocated beds, and facilitating LPS patient discharges to lower levels of care, including patients DSH has identified as ready for discharge. At any time, the county may also identify individuals for discharge and make arrangements for their discharge to free up one of their allocated beds for a patient with greater needs.

The Administration has also advanced other significant funding and policy changes to better support treatment of individuals with complex behavioral health conditions, including [CalAIM](#) criminal justice reforms, [BH Connect](#), [Behavioral Health Transformation/Prop 1](#), and [CARE Court](#). Some of these investments can support the county's efforts to treat its LPS/Murphy conservatorship population at the county level.

CONTACT INFORMATION

For more information, please contact the DSH Office of Legislation at (916) 654-2316 or Legislation@dsh.ca.gov.