



# Community Assistance, Recovery, and Empowerment Act

## CARE Act Eligibility Video Transcript

The CARE Act stands for the Community Assistance, Recovery, and Empowerment Act. The CARE Act creates a new pathway to deliver mental health treatment and support services to the most severely impacted Californians who often experience homelessness or incarceration without treatment. This pathway is accessed when a person, called the “petitioner,” requests court-ordered treatment, services, support, and housing resources under the CARE Act for another person called the “respondent.”

You may be wondering, who is eligible? For a person to be eligible for services under the CARE Act, they must meet seven eligibility criteria. In this video, we will walk through the seven criteria that must be met for a person to receive CARE Act services and provide examples. Please note, the examples provided in this video are only circumstances that **may** qualify, all determinations of eligibility will be made by the court and are case-specific.

**Number 1:** The person must be 18 years old or older. That means the respondent must be an adult.

**Number 2:** The person must have a diagnosis of schizophrenia spectrum or another psychotic disorder in the same class. That means that people with other serious mental illnesses, like bipolar disorder or major depression don't qualify, unless they also have an eligible diagnosis. For example, eligible diagnoses include, but are not limited to schizophrenia, schizoaffective disorder, or schizophreniform disorder.

**Number 3:** The person must be currently experiencing a mental illness that:

- is severe in degree and persistent in duration,
- may cause behavioral functioning that substantially interferes with the activities of daily living, **and**
- may lead to an inability to maintain independent functioning without treatment, support, and rehabilitation for a long or indefinite period.

That means the illness is serious, may last a long time, and may cause significant problems in the person's life. For example, the person is having trouble with basic activities related to personal care due to a long-lasting mental illness, which could lead to their inability to care for themselves without assistance.

**Number 4:** The person is not currently clinically stabilized in an on-going voluntary treatment program. That means that the person is not already in a voluntary program that is working for them. For example, the person may be refusing voluntary treatment or have temporarily accepted voluntary treatment, but failed to continue treatment without reason.



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**Number 5:** At least one of the following must be true:

- Either the person is unlikely to survive safely in the community without supervision **and** their condition is substantially deteriorating.

That means that the person's mental health condition is getting worse and there is a good chance that they will be unable to live safely in the community without someone watching over them. For example, the person has been recently, frequently hospitalized due to symptoms such as delusions or impaired judgement. **OR**

- The person is in need of services and supports in order to prevent a relapse or decline in health that would likely result in grave disability or serious harm to themselves or others.

That means that if the person doesn't get additional services and supports that there is a good chance that they will meet the criteria for psychiatric hospitalization. For example, the person has access to safe housing, but because of their mental illness, chooses to live in unsafe conditions.

**Number 6:** The person's participation in CARE Act proceedings must be the **least** restrictive alternative to ensure the person's recovery and stability. That means that there are no less restrictive options that would also help the person enough to make them stable. For example, CARE may be necessary because other less-restrictive alternatives have not been successful.

And lastly, **Number 7:** The person's participation in a CARE plan or CARE agreement must be likely to benefit them. That means that there is a good chance that going through CARE Act proceedings will be good for the person. For example, the person was improving when participating in treatment programs that are similar to ones that they are likely to receive through CARE.

We have now gone through all seven eligibility criteria which will be considered by the court and must be met in order for someone to be eligible for services under the CARE Act.

These criteria are also included on the Petition to Commence CARE Act Proceedings, form [CARE-100](#), which is necessary to begin a CARE Act case. In addition, form [CARE-050-INFO](#), provides more examples and information on eligibility.

For CARE Act forms, information, and other resources, head to the [California Courts website](#).

