CARE Act

Community Assistance, Recovery, and Empowerment Act

Eligibility Criteria

The **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.

Eligibility Criteria

- 18 years and older with a diagnosis of Schizophrenia Spectrum or Other Psychotic Disorders,
- The person has symptoms that are severe in degree and persistent in duration, which may cause behavioral functioning which interferes substantially with the primary activities of daily living (i.e., basic activities related to personal care), and which may result in an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period of time,
- The person is not stabilized with ongoing voluntary outpatient treatment,
- Either the person is unlikely to survive safely/independently in the community (such as maintaining personal safety, hygiene, diet, health, and/or necessary relationships without supervision) and the condition is deteriorating **OR** services and support are needed to prevent relapse or deterioration,
- Participation in CARE Act is the least restrictive alternative, **AND**
- The person will likely benefit from participating in a CARE plan or CARE agreement.

CARE-Eligible Diagnoses

Schizophrenia spectrum disorders include:
Schizophrenia, Schizoaffective Disorder, Schizophreniform Disorder, Other Specified Schizophrenia Spectrum and Other Psychotic Disorder, Unspecified Schizophrenia Spectrum and Other Psychotic Disorder.

Other psychotic disorders include:
Brief Psychotic Disorder, Delusional Disorder, Schizotypal Personality Disorder, Substance Medication-Induced Psychotic Disorder, Catatonia Associated with Another Mental Disorder, Unspecified Catatonia.

Psychiatric diagnoses that do not meet eligibility requirements:*

- Psychotic Disorder Due to a General Medical Condition
- Catatonia Associated with Another Medical Condition
- Major Depression with Psychotic Features
- Bipolar Disorder with Psychotic Features
- Any other Substance-Related Disorder not listed above

* *Except When Accompanied by Another Diagnosis Listed Above*

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What are the Schizophrenia & Related Disorders?

Schizophrenia:

Schizophrenia is a mental disorder that is diagnosed by a licensed health care professional based on criteria contained in the Diagnostic and Statistical Manual (DSM-5TR)© - and are defined by severe and persistent symptoms in the following domains:

- Delusions
- Hallucinations
- Disorganized thinking
- Grossly disorganized or abnormal movements or actions
- Negative symptoms - such as blunted emotions, apathy, impaired judgement, difficulty completing basic tasks, or social withdrawal.

To meet criteria for schizophrenia, symptoms must be associated with social or occupational dysfunction, have a duration of at least 6 months, and cannot be caused by another mental or physical disorder.

Related disorders:

The other Schizophrenia Spectrum Disorders share some of the same features of schizophrenia but may not meet all the criteria for that diagnosis or are better described by a different disorder.

Informational Resources

CARE Act website of the Judicial Council of California
CARE Act Fact Sheet (March 2023)
Glossary of CARE Act Terms

CARE Act Eligibility Criteria

Welfare Institutions Code § 5972

An individual shall qualify for the CARE process only if all of the following are true:

(a) The person is 18 years of age or older.

(b) The person is currently experiencing a severe mental illness, as defined in paragraph (2) of subdivision(b) of Section 5600.3 and has a diagnosis identified in the disorder class: schizophrenia spectrum and other psychotic disorders, as defined in the most current version of the Diagnostic and Statistical Manual of Mental Disorders. This section does not establish respondent eligibility based upon a psychotic disorder that is due to a medical condition or is not primarily psychiatric in nature, including, but not limited to, physical health conditions such as traumatic brain injury, autism, dementia, or neurologic conditions. A person who has a current diagnosis of substance use disorder as defined in paragraph (2) of subdivision (a) of Section 1374.72 of the Health and Safety Code, but who does not meet the required criteria in this section shall not qualify for the CARE process.

(c) The person is not clinically stabilized in on-going voluntary treatment.

(d) At least one of the following is true:

(1) The person is unlikely to survive safely in the community without supervision and the person's condition is substantially deteriorating.

(2) The person is in need of services and supports in order to prevent a relapse or deterioration that would be likely to result in grave disability or serious harm to the person or others, as defined in Section 5150.

(e) Participation in a CARE plan or CARE agreement would be the least restrictive alternative necessary to ensure the person's recovery and stability.

(f) It is likely that the person will benefit from participation in a CARE plan or CARE agreement.