



# Proxy Parent Foundation newsletter

FALL 2023

ISSUE 29

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### PROXY PARENT FOUNDATION

We are Trustee of the PLAN of California Master Pooled Trust. We are open to any disabled person in California.

We offer Personal Support Services for beneficiaries with a mental illness or brain disorder who have joined our Master Pooled Trust.

We coordinate public and private social services and we also provide access to healthcare. Our mandate in working directly with beneficiaries is to maintain a family-like atmosphere that promotes a better quality of life for them.

Proxy Parent Foundation is a dba of Planned Lifetime Assistance Network (PLAN) of California, a 501(c)(3) nonprofit corporation.

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## Message from our Managing Director

*Bruce Lewitt*



When you enroll in Proxy Parent Foundation's Master Pooled Trust, we'll create a service plan together to determine the level of financial resources necessary to meet your disabled family member's present and future special needs. The service plan also includes the cost of Proxy Parent Personal Support Services. Each beneficiary's service plan remains independent, with its own resources. The service plan is evergreen, geared to adjust over time as circumstances in a beneficiary's life change. Ideally, we aim for the funds provided to last throughout the beneficiary's lifetime. As I do every year around this time, I review and, as necessary, update our beneficiaries' service plans. I present them to our Quality Assurance Committee (comprised of Proxy Parent Foundation Board members) for their input towards our goal to make sure every dollar spent not only serves the beneficiary's best interest but also, to responsibly supplement – not supplant, the beneficiary's public benefits.

Many tens of billions of California tax dollars are spent on mental health services every year. Ever wonder where it goes? Proxy Parent Board Member Randall Hager has good news for you in this newsletter and explains why it's so important to vote on Proposition 1 on March 5th. Are you a property owner with a disabled family member? Board President Joe DeCarlo

also has good news for you about Accessory Dwelling Units. California Superior Court Judge Taylor's latest book review examines the extraordinary memoir of a survivor of addiction, homelessness and psychosis. This is a bold affirmation that the combination of treatment and supportive community works!

## ADU's for the Disabled

*Joe DeCarlo\**



*This is an updated version of an article published in Fall 2019, reprinted due to a new law passage.*

Accessory Dwelling Units (ADUs) or sometimes called "Granny Flats," are residential dwelling units that provide complete independent living facilities for one or more persons. An ADU includes permanent provisions for living, sleeping, eating, cooking, and sanitation in the same parcel that an existing single-family residence is situated. There are no minimum lot size requirements for an ADU but usually they cannot exceed 1,200 square feet and must have their own entrance.

An ADU is one of the ways the state of California is trying to increase affordable housing and for families who have someone who is mentally or physically disabled who would benefit from being near family. ADUs provide a great alternative to their housing needs. There are two kinds of ADUs: detached and attached. An attached unit can be a unit that is modular and



# Who will care when I'm not there?

constructed over the garage or an addition to an existing single-family residence. If the detached unit is 5 feet apart from an existing structure and its occupant qualifies for Regional Center Services, you may be able to collect rent from the Regional Center – even if the tenant is a relative. You may also be qualified for live-in caregiver services.

The California state legislature passed regulations that make the construction and application process of ADUs easier and less costly. Cities must approve the construction plans within 60 days of submission if the structure meets the existing code. ADUs are allowed in areas zoned as residential and where residential uses are allowed in mixed use zoning districts. ADUs less than 750 square feet are not subject to California's impact fees. No additional parking spaces are required for the ADU if it is located within ½ mile from public transportation. As a note, there can be no more than 3 ADUs per residential lot zoned for single-family residences with a single-family residence already existing on the lot.

The ballpark cost of an ADU is \$250,000, plus or minus, depending on the size and location. AB 1033, a brand-new law, allows homeowners to sell the ADU as an individual unit, separate from the main single-family residence. FHA will now insure ADU loans.

*\*Joseph DeCarlo is the father of a 48-year-old autistic son "Joey" who also suffers from epilepsy. Joey lives at home with his parents and attends Project Independence, a Regional Center of Orange County funded program. Mr. DeCarlo is President of Proxy Parent Foundation and can be reached at joe@jdproperty.com.*

## Legislative Report

*by Randall Hagar, PPF Board Member  
Policy Consultant and Legislative Advocate  
California Psychiatric Association*



### CALIFORNIA'S MENTAL HEALTH MOVEMENT?

Governor Newsom in a master class on how to reform mental health

care recently announced California's Mental Health Movement a \$28 billion effort that focuses on reform and transformation of mental health services, housing, and outcomes and accountability for transparent results in all of these areas. This announcement coincided with his signing of SB 326 and AB 531 – which will become Proposition 1 on the March 5, 2024, ballot. The related SB 43 which reforms the grave disability standard for conservatorships was signed as well and will be operative on January 1. Taken together these efforts amount to an inflection point in how we address serious mental illness.

The bottom line is that these efforts will re-focus and reprioritize attention, resources, and treatment for individuals with the most critical mental health needs: in encampments dying on the streets from untreated health conditions, languishing in jails or prisons, perishing from drug overdoses, or neglected in the back bedrooms of family homes.

Housing and Inpatient Beds: AB 531, the first of two parts of Proposition 1, proposes a \$6.38 billion bond for housing which will help create upwards of 24,800

beds or units and create 45,800 outpatient treatment slots. These run the gamut of acute psychiatric inpatient care, subacute psychiatric care, substance use treatment and outpatient mental health services.

Mental Health Service Act: SB 326, the second part of Proposition 1. The need to reform the MHSA was apparent soon after it was adopted by voters in 2004 as a 1% tax on incomes over a million dollars. The MHSA has since generated \$31 billion for community treatment programs most of which were seemingly beneficial to participants, but not necessarily with a tight focus on the most severely mentally ill, whether they were homeless, being arrested and incarcerated in ever greater numbers, or those languishing untreated in the back bedrooms of family homes. This is in large part because there has been no uniform, coherent set of outcomes required of counties or the state in exchange for the funds. Spending priorities across the state were never articulated leaving the net social benefit debatable as funds are spent on widely disparate programs. SB 326 will reform and modernize the MHSA, correcting these defects.

Who will treat them? There is a dire shortage of mental health professionals to treat those with severe mental illness. Proposition 1 will provide a \$5.1 billion investment to provide education and training for the mental health workforce of the future, expanding the numbers of social workers, psychologists, psychiatric nurses and psychiatrists in the treatment system. This should provide 65,000 new mental health care workers over the next 5 years to provide care, reduce wait





# Proxy Parent Foundation

times for services, and reduce the overall neglect by the behavioral health treatment system of our most vulnerable individuals.

Children and Youth: tied to all this, the Governor has developed a Master Plan for Kids Mental Health which recruits 10,000 public schools into partnerships with health service plans and county operated behavioral health programs, targeting services to children and youth.

And on a parallel track the grave disability standard has changed with the signing by the Governor of SB 43. This new law creates a recognition that individuals with a severe mental illness who neglect medical conditions or personal safety are gravely disabled. Currently, as you may know, the law as drafted in 1967 limits its protections to those who neglect to secure adequate food, clothing, and shelter. SB 43 also recognizes individuals gravely disabled by a severe substance use disorder or chronic alcoholism as deserving of protections and benefits in the law. Other technical changes make implementation more effective. The premise is that the current gravely disabled standard does not accurately reflect the realities we see in our communities and on the streets of our cities. This change in the law is a very good thing.

I urge you to give a serious look at Proposition 1 which will be on the March 5, 2024 ballot. The countdown started in earnest on Thursday, November 2, with the launch of the “Yes on Proposition 1” campaign titled “Treatment Not Tents”. Be informed and vote! I know I will.

## BOOK REVIEW:

### Lucky to be Alive

Review of *Demystifying Disability*,  
by Emily Ladau  
(Ten Speed Press, 2021, 187 pp.)

by Timothy B. Taylor\*

The descriptive subtitle of Mark Logan’s brand-new book is “My Manic Memoir,” and it is certainly all of that. Readers of this newsletter are no strangers to the concept of a “dual diagnosis:” crippling mental health issues coupled with an overlay of severe substance abuse. The justice system is amply populated with people who face these interwoven and sometimes intractable challenges, and Logan has seen his share of courtrooms, psychiatric hospital beds, and jail cells. His story evokes the line from the 95-year-old blues song: “I been down so long it seems like up to me.” The book, set mostly in Seattle and Southern California, suffers from a non-linear presentation only a skilled novelist can pull off, and could have used an editor to eliminate repetition and the occasional textual infelicity. Looking past these defects, the attentive reader comes to understand that the often breathless narrative is a reflection of the bipolar disorder Logan learns of, denies, avoids, begrudgingly comes to accept, and still struggles with. The slim volume reads like a fever dream of casual lovers, short-term employment, name dropping, eviction, couch surfing and jail, homelessness and “sober living” (not to mention the destructive cycle of alcohol, illicit drugs, sobriety, and relapse). The account might well serve as the “searching and fearless moral inventory” called for in step 4 of AA, the admission of wrongs required by step 5, and “list of persons we harmed” mandated by step 8.

These are “hard pills” indeed, but necessary ones for people like Logan facing the harsh realities of mainstream society’s typical reaction to people unable to cope with the confluence of addiction and psychosis. Ongoing news reports and recent legislative activity have focused attention on two frequently interrelated societal problems that infuse Logan’s tale: homelessness and the shortcomings of our mental health “system.” The author is explicit in his gratitude for the Deputy Public Defender who got some of his cases diverted, for his AA sponsors who never gave up on him, and for a team of mental health case workers in Hollywood who picked him up, dusted him off, and got him back on the road of life. The challenge for those who would fix the deficiencies in the current system is how to make the success stories arising from the work of people like this happen more frequently and more permanently. It won’t be easy work, but it is work worth doing. Many readers of this newsletter have more than a passing familiarity with the concept of “hitting bottom” before deciding to seek help. Logan’s reminiscences are more than a little suggestive of someone who has reached this point several times. That he has survived this long after enduring so much gives the reader hope – for Logan and for many like him – that redemption is still available for those willing to undertake the hard travel it takes to get there and lucky enough to get the help they need along the way.

*\*Judge of the California Superior Court, County of San Diego. The views expressed in this, his ninth review for the Proxy Parent Newsletter, are not intended as a commercial endorsement, and are Judge Taylor’s opinions alone.*

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Please use this donation as our Proxy Parent Foundation enrollment donation. (Enrollment donations must be \$1000 or more and can be made in payments.)

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