



DATE: February 24, 2026

Behavioral Health Information Notice No: 26-009

TO: California Association for Alcohol/Drug Educators
California Association of Alcohol & Drug Program Executives, Inc.
California Association of DUI Treatment Programs
California Consortium of Addiction Programs and Professionals
California Behavioral Health Association
California Hospital Association
California Opioid Maintenance Providers
California State Association of Counties
Coalition of Alcohol and Drug Associations
County Behavioral Health Directors
County Behavioral Health Directors Association of California
California Association of Highway Patrolmen
California Peace Officer Association
Disability Rights California
Psychiatric Health Facility Administrators
Mental Health Rehabilitation Center Directors
United States Department of Veterans Affairs

SUBJECT: LANTERMAN-PETRIS-SHORT ACT (LPS) FACILITY DESIGNATION
INTERIM REGULATIONS

PURPOSE: To notify providers and stakeholders of publication of the LPS Facility
Designation Interim Regulations.

REFERENCE: Welfare and Institutions (W&I) Code sections [5008](#) and [5404](#).

California Department of Health Care Services

Deputy Director's Office, Behavioral Health
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www.dhcs.ca.gov

State of California

Gavin Newsom, Governor



California Health and Human Services Agency

BACKGROUND:

In 2023, Senate Bill (SB) 43 (Eggman, Chapter 637, Statutes of 2023) amended the definition of “gravely disabled” in the LPS Act, expanding it to include grave disability due to a severe substance use disorder and a co-occurring mental health disorder and severe substance use disorder. However, SB 43 did not alter the existing requirements for designating facilities to provide treatment under the LPS Act. In 2024, the Governor signed SB 1238 (Eggman, Chapter 644, Statutes of 2024), facilitating the implementation of SB 43 by expanding the types of health facilities counties may designate to provide treatment under the LPS Act.

SB 1238 also directed the Department of Health Care Services (DHCS) to update its regulatory requirements for LPS designated facilities. DHCS issues the attached LPS Facility Designation Interim Regulations pursuant to the authority in W&I Code sections 5008(n) and 5404(e).

POLICY:

DHCS has the sole authority to approve county designation of facilities to provide treatment under the LPS Act. (W&I Code § 5404(b).) DHCS’ LPS Facility Designation Interim Regulations are attached to this BHIN as Attachment A. The interim regulations are effective immediately and apply to all new applications for facility designation approval.

For facilities that are currently designated, counties must reapply for designation approval no later than September 1, 2027. Existing designated facilities must be in compliance with the requirements in Article 3 of the interim regulations by the reapplication date. DHCS encourages counties to apply early for existing designated facilities that currently meet the requirements in Article 3. Counties may contact DHCS to coordinate the submission of applications to meet the deadline.

A county may designate a facility listed in Section 3 of the LPS Facility Designation Interim Regulations to provide treatment pursuant to Chapter 2 of the LPS Act. To apply for facility designation approval or reapply for approval of an existing designated facility, the county’s behavioral health director shall submit to DHCS the Application for Facility Designation Approval or Renewal of Approval form DHCS 25-0022 (Attachment B).

If you have any questions regarding this Information Notice, please contact the Mental Health Licensing and Certification Branch at LPSinfo@dhcs.ca.gov.

February 24, 2026

Sincerely,

Original signed by

Janelle Ito-Orille, Chief
Licensing and Certification Division

Attachment A: Lanterman-Petris-Short Act (LPS) Facility Designation Interim
Regulations (Feb. 24, 2026)

Attachment B: Application for Facility Designation Approval or Renewal of Approval
form DHCS 25-0022 (02/2026)