



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Behavioral Wellness
Department No.: 043
For Agenda Of: June 2, 2020
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Alice Gleghorn, PhD, Director
Director(s) Department of Behavioral Wellness, 805-681-5220
Contact Info: Dr. Ole Behrendtsen, Medical Director
Behavioral Wellness, 681-5220
SUBJECT: Behavioral Wellness Staffing Contract - Amend and Extend Maxim Healthcare Staffing Services, Inc. for FY 2018-2021

County Counsel Concurrence:

As to form: Yes

Auditor-Controller Concurrence:

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Approve and authorize the Chair to execute a Second Amendment to the Agreement for Services of Independent Contractor with **Maxim Healthcare Staffing Services, Inc.**, a Maryland corporation (not a local vendor), for the provision of locum tenens psychiatry services to reflect the Contractor's corporate restructuring, add a Recreational Therapist position for FY 20-21, add language to allow temporary staff to move to permanent positions without incurring a placement fee, update certain other provisions as set forth in the Second Amended Agreement, extend the term of the Agreement to June 30, 2021, and add \$900,000 for FY 20-21, and increase the maximum contract amount by \$360,000 for FY 19-20 for a total contract maximum not to exceed **\$3,391,000** inclusive of \$1,131,00 for FY 18-19, \$1,360,00 for FY 19-20, and \$900,000 for FY 20-21;
- B. Delegate to the Behavioral Wellness Director the authority add positions and/or approve rate changes not to exceed 10% of the rate currently stated in Exhibit B-1, subject to the procedures set forth in Exhibit B, Section 2 in the First Amended Agreement, without returning to the Board with a separate amendment, and make immaterial changes to the agreement so long as the total contract maximum is unchanged, subject to the Board's ability to rescind this delegated authority at any time; and
- C. Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially physical

impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

Summary Text:

The above-referenced item is on the agenda to request authorization to amend and extend the Maxim Healthcare Staffing Services, Inc. (Maxim Staffing) agreement through this Second Amendment to reflect the Contractor's corporate restructuring, add a Recreational Therapist position for FY 20-21, add language to allow temporary staff to move to permanent positions without incurring a placement fee, update certain other provisions as set forth in the Second Amended Agreement, extend the term of the Agreement to June 30, 2021 and increase the Agreement by \$360,000 for FY 19-20, for a new contract maximum not to exceed \$3,391,000 inclusive of \$1,131,00 for FY 18-19, \$1,360,00 for FY 19-20, and \$900,000 for FY 20-21. In addition, to delegate authority to the Behavioral Wellness (BeWell) Director, or designee, to amend or add hourly positions; approve, as needed, rate changes not exceeding 10% of the rate currently stated in Exhibit B-1 of the First Amended Agreement; and make immaterial changes to the Agreement. Approval of the recommended actions will allow BeWell to provide mandated and greatly needed psychiatry services due to unanticipated and ongoing staffing needs.

Background:

BeWell provides a continuum of mental health and substance use disorder services to Santa Barbara County residents, including psychiatric and nursing services at its County facilities. Across the nation there is an ongoing shortage of psychiatric and nursing services. BeWell has experienced ongoing challenges that mirrors the national challenges of attracting and retaining qualified psychiatrists to work at the County's facilities. BeWell currently uses locum tenens temporary physicians to fill ongoing needs for psychiatric staff at outpatient facilities. Locums provide mandated psychiatric services such as diagnostic evaluations; medication evaluations; prescriptions for psychiatric medications; review, revision, and approval of client assessments; and participation in the development, review, revision, and approval of client treatment plans. Additionally, Maxim Staffing provides temporary nurse practitioners, occupational therapists, registered nurses, social workers, and professional coders to BeWell clinics and our other BeWell programs as needed. For FY 20-21, Maxim Staffing will begin referring Recreational Therapists.

The County initially entered into an Agreement for Services of Independent Contractor with Maxim Healthcare Services, Inc. on May 8, 2018. Maxim Healthcare Services recently restructured as an organization and transferred all of its operations and staffing to Maxim Staffing, a newly formed Maryland corporation. Both Maxim Healthcare Services, Inc. and Maxim Staffing are owned by Maxim Healthcare Holdings, Inc. In accordance with Paragraph 18 of the Agreement, Maxim Staffing provided notice of the transfer from Maxim Healthcare Services, Inc. to Maxim Staffing and stated that Maxim Staffing shall remain fully responsible for compliance with all of the terms of the Agreement for the Agreement's duration. (Attachment B.)

Performance Outcomes:

For FY 19-20, BeWell is currently utilizing twenty-one (21) Maxim Staffing professionals consisting of Emergency Medical Technicians, Licensed Vocational Nurse, Registered Nurse, Social Worker Psychiatric Technician, and License Married Family Therapist. The staff referred by Maxim are diverse and skilled to meet level of staffing required by BeWell. They are providing services throughout the County at various programs ranging from adult to children's services.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Funding Sources	FY 18-19	FY 19-20	FY 20-21	Total Cost FY 18-21
General Fund				
State	\$ 565,500.00	\$ 680,000.00	\$ 450,000.00	\$ 1,695,500.00
Federal	\$ 565,500.00	\$ 680,000.00	\$ 450,000.00	\$ 1,695,500.00
Fees				
Other:				
Total	\$ 1,131,000.00	\$ 1,360,000.00	\$ 900,000.00	\$ 3,391,000.00

Narrative: The above-referenced contract is funded by State and Federal funds. The funding sources are included in the FY 2019-2020 Adopted Budget and are in the FY 2020-2021 Proposed Budget.

Key Contract Risks:

With any contractor providing temporary staffing services, there is a risk that temporary personnel will make errors, engage in misconduct, or be negligent in performance of assigned duties. BeWell may terminate individual temporary staff with or without cause and Maxim Staffing is required to provide Professional Liability insurance for the temporary personnel placed with the County.

Special Instructions:

Please return one (1) Minute Order and one (1) complete copy of each of the above contracts to dmorales@co.santa-barbara.ca.us and one (1) to bwellcontractsstaff@co.santa-barbara.ca.us.

Attachments:

- Attachment A: Maxim Healthcare Staffing Services FY 18-21 BC 18-217 AM2
- Attachment B: Maxim Healthcare Staffing Services, Inc. Notice of Assignment of Agreement and Change of Control
- Attachment C: Maxim Healthcare Services FY 18-20 BC 18-217 AM1
- Attachment D: Maxim Healthcare Services FY 18-19 BC 18-217

Authored by:

D. Morales