



County of Santa Barbara

BOARD OF SUPERVISORS

Minute Order

May 8, 2018

Present: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

BEHAVIORAL WELLNESS

File Reference No. 18-00321

RE: Consider recommendations regarding Mental Health (MH) Amendments for Fiscal Years (FY) 2017-2019, as follows:

a) Approve, ratify, and authorize the Director of the Department of Behavioral Wellness to execute amendments to the Behavioral Wellness' MH agreements in accordance with the template amendment, to adjust the County Maximum Allowable (CMA) rate for FY 2017-2018, and for FY 2018-2019 as applicable, but with no change to the maximum contract amounts, for the following MH providers:

- i) Casa Pacifica - FY 2017-2018 First Amendment;
- ii) Child Abuse Listening and Mediation, Inc. - FY 2017-2018 First Amendment;
- iii) Community Action Commission - FY 2016-2019 Second Amendment;
- iv) Council on Alcoholism and Drug Abuse - FY 2017-2018 Second Amendment;
- v) Family Service Agency - FY 2017-2018 Second Amendment;
- vi) Good Samaritan Shelter, Inc. - FY 2017-2018 First Amendment;
- vii) PathPoint - FY 2016-2019 Third Amendment;
- viii) Telecare Corporation - FY 2016-2019 Second Amendment;
- ix) Transitions Mental Health Association - FY 2017-2018 Second Amendment
- x) Anka Behavioral Health - FY 2017-2018 First Amendment;
- xi) Mental Wellness Center - FY 2017-2018 Third Amendment; and
- xii) Crescend Health - FY 2017-2018 First Amendment; and

b) Determine that these activities are exempt from the California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(5), as government organizational or administrative activities that do not involve commitment to a specific project that may result in a potentially significant physical impact on the environment.



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A motion was made by Supervisor Wolf, seconded by Supervisor Adam, that this matter be Acted on as follows:

- a) i) through xii) Approved and authorized; and
- b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino



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: May 8, 2018
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Alice Gleghorn, Ph.D. Director
Director(s) Department of Behavioral Wellness, 684-5220
Contact Info: Christie Boyer, CPA Associate Director of Finance, 681-5231
SUBJECT: Behavioral Wellness – Mental Health Amendments FY 17-19

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: NA

Recommended Actions:

That the Board of Supervisors:

- A. Approve, ratify, and authorize the Director of the Department of Behavioral Wellness to execute amendments to the Behavioral Wellness' Mental Health (MH) agreements in accordance with the attached template amendment, to adjust the County Maximum Allowable (CMA) rate for FY 2017/18, and for FY 2018/19 as applicable, but with no change to the maximum contract amounts, for the following MH providers:
 1. Casa Pacifica – FY 17/18 First Amendment
 2. Child Abuse Listening and Mediation, Inc. – FY 17/18 First Amendment
 3. Community Action Commission – FY 16/19 Second Amendment
 4. Council on Alcoholism and Drug Abuse – FY 17/18 Second Amendment
 5. Family Service Agency – FY 17/18 Second Amendment
 6. Good Samaritan Shelter, Inc. – FY 17/18 First Amendment
 7. PathPoint – FY 16/19 Third Amendment
 8. Telecare Corporation – FY 16/19 Second Amendment
 9. Transitions Mental Health Association – FY 17/18 Second Amendment
 10. Anka Behavioral Health – FY 17-18 First Amendment
 11. Mental Wellness Center – FY 17/18 Third Amendment
 12. Crescend Health – FY 17/18 First Amendment

- B. Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(5), as government organizational or

administrative activities that do not involve commitment to a specific project that may result in a potentially significant physical impact on the environment.

Summary Text:

The Santa Barbara County Department of Behavioral Wellness provides a continuum of mental health services to Santa Barbara County residents, in part through contracted providers including Community Based Organizations (CBOs). These contractors are reimbursed based on the lower of their cost, published charges, or the CMA rate. This item is on the agenda to provide a 19.4% increase to the CMA rate for the specific CBOs listed above for FY 2017/18 and any subsequent fiscal years included in the contract term.

Background:

The CMA rate was established in FY 2012/13 after the Department of Health Care Services (DHCS) removed the State Maximum Allowable (SMA) rate limitation for mental health services. The CMA was kept as a local restriction to ensure that the per-minute cost of service delivery remained within prescribed levels. It is no longer a State or Federal requirement and therefore Behavioral Wellness must monitor the rate and recommend adjustments when necessary. The Department monitors contractor costs, rates, and service levels quarterly through a rate review process. Recent trends indicate a need to increase the CMA rate to account for the increased costs incurred by contractors. After careful and thorough consideration, executive management at Behavioral Wellness has concluded that adjusting the FY 2017/18 CMA rate by 19.4% is warranted and in the best interest of the County and contract agencies. For contracts extending into FY 2018/19, the 19.4% CMA increase would be applied to next year's rates as well. An increase to the rate is justified as the rate has not been adjusted since it was first set by the County in FY 2012/13. Contractors have incurred rising operational costs over the years primarily related to salaries and benefits and leasing space. Contractors need the ability to provide cost of living increases to employees to retain staff and remain competitive with the County and other local employers.

An adjustment to the CMA rate is also necessary to ensure that contractors do not incur significant cost settlements with the County. Approval of the recommended actions will allow these affected CBO agencies to avoid possible cash shortfalls while being compensated at levels within their original FY 2017/18 contract funding allocations.

Based on existing policy and financial provisions, a contractor would not be able to fully utilize their FY 2017/18 contract funding allocation as the costs in excess of the CMA limit would not be reimbursed at cost settlement. This would result in estimated unreimbursed costs of up to \$2.6M to County CBO organizations, a significant financial hardship to these partner organizations.

An adjustment to the CMA rate would allow contractors to recover the full cost of their service delivery for FY 2017/18 in accordance with the federal financial participation (FFP) process. The impact to the County would be minimal, as any County matching funds to the federal programs are already contemplated in the adopted budget and in existing contracts.

The approval of this recommendation will allow Behavioral Wellness to adjust the CMA rate in the Exhibit B-1 for each of the listed mental health contractors, without needing to bring each individual contract to the Board. With approval of the Board, Behavioral Wellness will update and individualize each MH contractor listed above with an amendment based on the attached template amendment, which includes the new CMA rates.

Fiscal and Facilities Impacts:

Budgeted: There are no budget impacts. The adopted FY 2017/18 budget is based on maximum contract amounts and this amendment does not alter existing contract maximum amounts.

Fiscal Analysis:

Behavioral Wellness will have to utilize existing matching funds (Realignment, MHSA) to provide a maximum 50% match to additional Federal funds received from the adjustment of the CMA limitation. Matching funds will not be in excess of amounts already considered in the adopted budget.

Key Contract Risks:

As with any contract funded by State and Federal sources, there is a risk of future audit disallowances and repayments. If Behavioral Wellness does not make this amendment, the County will be contractually required to limit contractor reimbursement to the existing CMA rate and contractors will have to use their existing funds or fundraise to pay for these unreimbursed costs estimated at \$2.6M. Some providers may have increased difficulties covering this contract deficiency which may result in significant financial hardship.

Special Instructions:

Please return one (1) Minute Order to BWellContractsStaff@co.santa-barbara.ca.us.

Attachments:

Attachment A: MH CMA FY 17-19 Contract Amendment Template

Authored by:

Christie Boyer, CPA

FOURTH AMENDMENT

TO AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR

This Fourth Amendment (hereafter Fourth Amended Contract) to the Agreement for Services of Independent Contractor, **BC 17053**, is made by and between the **County of Santa Barbara** (County) and **PathPoint** (Contractor), for the continued provision of services specified herein.

Whereas, Contractor(s) represents that it is specially trained, skilled, experienced, and competent to perform the special services required by County and County desires to retain the services of Contractor pursuant to the terms, covenants, and conditions referenced herein;

Whereas, due to increased costs, County and Contractor have determined the need to adjust the County Maximum Allowable (CMA) rate for FY 17-18 and subsequent years;

Whereas, this Fourth Amended Contract incorporates the terms and conditions set forth in the Agreement approved by the County Board of Supervisors in June 2016, the First Amended Contract approved by the County Board of Supervisors in June 2017, the Second Amended Contract approved by the County Board of Supervisors in July 2017, and the Third Amended Contract to be approved by the County Board of Supervisors on July 3, 2018, except as modified in this Fourth Amended Contract.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, County and Contractor(s) agree as follows:

I. In Exhibit B-1 MH, Schedule of Rates and Contract Maximum, modify the County maximum rates as follows:

Contracted Services	Service Type	Mode	Service Description	Unit of Service	Service Function Code	County Maximum Allowable Rate
Medi-Cal Billable Services	24-Hour Services	05	Adult Crisis Residential	Bed Day	40	\$412.38
			Adult Residential	Bed Day	65	\$201.14
	Day Services	10	Day Treatment Half Day	Hour	81	\$172.09
			Day Treatment Full Day	Day	85	\$241.70
			Day Rehab Half Day	Hour	91	\$100.39
			Day Rehab Full Day	Day	95	\$156.70
	Outpatient Services	15	Targeted Case Management	Minutes	01	\$2.41
			Intensive Care Coordination	Minutes	07	\$2.41
			Collateral	Minutes	10	\$3.12
			(1) MHS- Assessment	Minutes	30	\$3.12
			MHS - Plan Development	Minutes	31	\$3.12
			(1) MHS- Therapy (Family, Individual, Group)	Minutes	11, 40, 50	\$3.12
			MHS - Rehab (Family, Individual, Group)	Minutes	12, 41, 51	\$3.12
			MHS - IHBS	Minutes	57	\$3.12
			MHS - TBS	Minutes	58	\$3.12
			Medication Eval/Management-Psychiatrist	Minutes	60	\$5.76
			Medication Support and Training	Minutes	61, 62	\$5.76
			Crisis Intervention	Minutes	70	\$4.63

II. All other terms remain in full force and effect.

FOURTH AMENDMENT

Fourth Amendment to Agreement for Services of Independent Contractor between the **County of Santa Barbara** and **PathPoint**.


IN WITNESS WHEREOF, the parties have executed this Fourth Amendment to be effective on the date executed by COUNTY.

COUNTY OF SANTA BARBARA:
ALICE GLEGHORN, PH.D., DIRECTOR
DEPARTMENT OF BEHAVIORAL WELLNESS

By: _____

Date: _____

CONTRACTOR:
PATHPOINT

By: 

Authorized Representative

Name: Henry Bruell

Title: President/CEO

Date: 6/26/2018

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: _____
Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
THEODORE A. FALLATI, CPA
AUDITOR-CONTROLLER

By: _____
Deputy

APPROVED AS TO INSURANCE FORM:
RAY AROMATORIO
RISK MANAGEMENT

By: _____
Risk Management

FOURTH AMENDMENT

Fourth Amendment to Agreement for Services of Independent Contractor between the **County of Santa Barbara and PathPoint.**

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment to be effective on the date executed by COUNTY.

COUNTY OF SANTA BARBARA:
ALICE GLEGHORN, PH.D., DIRECTOR
DEPARTMENT OF BEHAVIORAL WELLNESS

By: 

Date: 6/26/18

CONTRACTOR:
PATHPOINT

By: _____
Authorized Representative

Name: _____

Title: _____

Date: _____

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: 
Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:

THEODORE A. FALLATI, CPA
AUDITOR-CONTROLLER

By: 
Deputy

APPROVED AS TO INSURANCE FORM:

RAY AROMATORIO
RISK MANAGEMENT

By: 
Risk Management