



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: November 8, 2016
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Alice Gleghorn, Ph.D., Director
Director(s) Behavioral Wellness, 681-5220
Contact Info: Pam Fisher, PsyD, Deputy Director
Behavioral Wellness, 681-5220
SUBJECT: Multi-year PC 1000/DUI Revenue Agreements

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Approve, ratify and authorize the Chair to execute a Revenue Agreement for Services of Independent Contractor with **Central Coast Headway** (a local vendor) for the provision of Driving Under the Influence (DUI) Program services, with projected annual revenue of \$22,170, for the period of July 1, 2016 through June 30, 2019.
- B. Approve, ratify and authorize the Chair to execute a new Revenue Agreement to replace the existing multi-year Revenue Agreement for Services of Independent Contractor with **Zona Seca, Inc.** (a local vendor) for the provision of DUI and PC 1000 Program Services to incorporate a rate increase for the DUI program approved by the Department of Health Care Services (DHCS), with a projected annual revenue of \$15,870 for the period of July 1, 2016 through June 30, 2019.
- C. Determine that the above actions are organizational or administrative actions of government that will not result in direct or indirect physical changes in the environment, pursuant to section 15378(b)(5) of the California Environmental Quality Act (CEQA) guidelines.

Auditor-Controller Concurrence

As to form: Yes

Summary Text:

The Department of Behavioral Wellness Alcohol and Drug Program is the Administrative agency for DHCS for DUI and Penal Code (PC) 1000 Drug Diversion Programs in Santa Barbara County. DUI programs provide alcohol and drug education and counseling services pursuant to Health and Safety Code (HSC) Section 11836. The Drug Diversion Programs are certified by Behavioral Wellness, in accordance with Penal code 1211, and Behavioral Wellness is responsible for establishment of fees and requirements of the program. PC 1000 programs have been in place in Santa Barbara County and approved by the County Board of Supervisors since 1995.

Approval of the above listed contracts will allow for the continued provision of these Programs, and an increase in the rates Zona Seca Inc. charges for its DUI programs, as approved by DHCS.

Background:

Behavioral Wellness provides state-authorized DUI program services and PC 1000 Drug Diversion Programs in Santa Barbara County through local community based organizations. Central Coast Headway operates a DUI program. Zona Seca operates a DUI and PC 1000 program.

DUI Programs:

Under Vehicle Code section 23103.5 subdivision (e) or (f), the court shall order defendants on probation for a conviction of driving under the influence to enroll in an alcohol and drug education program (DUI programs), licensed under Health & Safety Code 11836; DUI programs serve to assist any California resident in restoring his/her driving privileges following a conviction for driving under the influence. Clients required to enroll and complete a state-licensed DUI program are referred by the courts. Programs offered vary in level and are commensurate to the level of offense. Behavioral Wellness certifies the DUI program provider and receives revenue for DUI Program administration as the lead agency. Behavioral Wellness receives a fee of \$30 per client enrolled DUI program. The annual anticipated revenue from the Central Coast Headway and Zona Seca DUI programs is estimated at \$36,690.

PC 1000 Drug Diversion Programs:

PC 1000 provides for a deferred entry of judgment (Drug Diversion Program), to provide services for clients who are formally charged with first-time alcohol/drug misdemeanor offenses and who are found eligible for deferred entry of judgment at the discretion of the local courts. Drug Diversion Programs have been in place in Santa Barbara County since 1995. Providers of PC 1000 programs collect program fees from clients, as approved by the County and State Alcohol and Drug Program. Pursuant to Penal Code Section 1211, Behavioral Wellness is authorized to assess an administrative charge to offset the costs of administering these programs.

Eligible defendants for PC 1000 programs are provided education and counseling services through 6-month, 9-month, 12-month, and 18-month programs operated by community based organizations that are certified by the Department of Behavioral Wellness. Upon successful completion of the program, the defendant's charges are dismissed. Behavioral Wellness receives a fee of \$50 per client enrolled in the PC 1000 program. Behavioral Wellness certifies the PC 1000 provider and receives revenue for the administration as the lead agency from the provider. Behavioral Wellness certifies five (5) providers of PC 1000 Drug Diversion Programs in Santa Barbara County, including Zona Seca. The annual anticipated revenue to Behavioral Wellness from the PC 1000 program for Zona Seca is estimated at \$1,350.

Central Coast Headway (CCH) has provided DUI services as a certified provider for Behavioral Wellness since 2006. CCH offers the Wet Reckless Program, a program for 18-20 year olds, and 3, 6, 9, and 18-month programs. Behavioral Wellness receives a fee of \$30 per client enrolled in the DUI program. The anticipated annual revenue to Behavioral Wellness from the DUI program is estimated at \$22,170.

Zona Seca has provided both PC 1000 and DUI program services since 2006 and currently has a multi-year contract with Behavioral Wellness for those services through June 2017. However, due to DHCS granting Zona Seca approval to increase their DUI program fee on July 1, 2016, the contract is being revised to add the new rate changes and to update the contract terms, as well as to renew the contract for a new multi-year period from July 1, 2016 through June 30, 2019. Zona Seca submitted to DHCS its fee increase justification, including a projected budget reflecting the new fee cost per unit of services with the new fees, revised payment agreement and proof that the program fees did not exceed the 10 percent profit if the new fees were approved. DHCS approved Zona Seca’s new DUI rate increased charges on July 1, 2016.

The anticipated annual revenue to Behavioral Wellness from both providers and for both programs is \$38,040. Approval of the recommended actions will allow Behavioral Wellness to continue to provide needed Drug Diversion Programs by Central Coast Headway and Zona Seca and will allow Behavioral Wellness to comply with the approved DHCS fee increases for Zona Seca’s DUI Programs.

Performance Measure:

Behavioral Wellness has an administrative role for the DUI and PC 1000 programs to do the following:

- Review any new application for licensure;
- Provide liaison activities with the courts, county probation department, and DUI programs;
- Develop and ensure the implementation of the programs in compliance with regulations.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY 16-17 Revenue (Projected):</u>	<u>Current FY 17-18 Revenue (Projected):</u>	<u>Current FY 18-19 Revenue (Projected):</u>	<u>Annualized On-going Revenue (Projected):</u>
General Fund				
State				
Federal				
Fees PC 1000	\$ 1,350.00	\$ 1,350.00	\$ 1,350.00	\$ 1,350.00
Fees DUI	\$ 36,690.00	\$ 36,690.00	\$ 36,690.00	\$ 36,690.00
Total	\$ 38,040.00	\$ 38,040.00	\$ 38,040.00	\$ 38,040.00

Narrative:

No funds are expended by the Department of Behavioral Wellness as part of this agreement. The anticipated revenue has been included in the FY 2016-17 Adopted Budget. Based on prior year revenue for the programs, Behavioral Wellness projects approximately \$1,350 per year from the PC 1000 program provider; while combined annual revenue from the DUI programs is projected to be \$36,690. Because the fees payable to Behavioral Wellness depend on the number of clients required to enroll in

the PC 1000 and DUI programs, the actual revenue could be higher or lower than anticipated in any given year.

Key Contract Risks:

There is a risk that a provider may have fewer clients than anticipated, resulting in lower fees payable to Behavioral Wellness.

Special Instructions:

Please return one (1) Minute Order and one (1) executed contract for each of the above to admhscontractsstaff@co.santa-barbara.ca.us

Attachments:

Attachment A: Central Coast Headway FY 16-19 DUI Revenue Contract

Attachment B: Zona Seca FY 16-19 PC 1000/DUI Revenue Contract

Attachment C: Zona Seca FY 16-19 DHCS DUI Rate Approval

Authored by:

DMorales