



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:** October 2, 2018  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Alice Gleghorn, PhD, Director  
Director(s) Department of Behavioral Wellness, 681-5220  
Contact Info: Laura Zeitz, RN, PHF Program Manager, 681-5220  
**SUBJECT:** Behavioral Wellness - Memorandum of Understanding Emergency Mutual Aid  
FY 18-23

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- A. Approve and authorize the Director of Behavioral Wellness or designee to execute a Memorandum of Understanding (MOU) with the **County of San Luis Obispo Health Agency Behavioral Health** (not a local vendor) for the provision of **Emergency Mutual Aid** for each County's Psychiatric Health Facility (PHF) for a period of 5 years;
- B. Approve and authorize the Director of Behavioral Wellness or designee to execute a Memorandum of Understanding (MOU) with the **County of Ventura Health Care Agency Behavioral Health** (not a local vendor) for the provision of **Emergency Mutual Aid** for each County's Psychiatric Health Facility (PHF) or Acute Care Hospital Psychiatric Unit for a period of 5 years; 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 MOUs are on the agenda to request approval to enter into an agreement with County of San Luis Obispo and Ventura for the provision of emergency mutual aid for Psychiatric Health Facility (PHF) or Acute Care Hospital Psychiatric Unit to ensure compliance with Centers of Medicare & Medicaid Services (CMS) Emergency Preparedness Final Rule (42 CFR 482.15). Approval of the recommended actions will allow Behavioral Wellness to continue to provide mandated service and provide mutual aid in an emergency situation. The MOUs will take effect upon signing for an initial term of 5 years, with the option to renew for an additional 5 year term.

**Background:**

Behavioral Wellness operates the County’s acute Psychiatric Health Facility, which is known as the PHF. The Santa Barbara County PHF is a locked 16-bed facility that provides 24-hour comprehensive services to individuals in need of acute inpatient psychiatric care. The PHF is a Lanterman-Petris-Short designated facility and is the only acute psychiatric inpatient facility that accepts Medi-Cal within Santa Barbara County. The PHF is licensed as a Psychiatric Health Facility by the California Department of Health Care Services (DHCS) and is eligible under Health and Safety Code section 1250.2(d) to participate in the federal Medicare program if it meets all the federal conditions of participation.

Participation in Medicare qualifies the PHF for designation as a “Super-PHF,” meaning that it can bill both Medicare and Medi-Cal for services provided to qualified client beneficiaries. To maintain its eligibility to participate in the Medicare program, a Super-PHF must comply with federal and state regulations, including 22 CCR Division 5 Chapter 9, and compliance with the Centers for Medicare and Medicaid Services (CMS) Emergency Preparedness Final Rule (42 CFR 482.15)

The PHF Governing Board, established August 30, 2016, received the attached Emergency Mutual Aid MOUs at their September 25, 2018 regular meeting for review and approval. In the past Behavioral Wellness had a Mutual Aid agreement with Aurora Vista del Mar Hospital, located in Ventura County, to provide the mutual aid in the event of an emergency. However, due to the Thomas Fire in December 2017 and resulting damage to Aurora Vista del Mar, Behavioral Wellness determined the need to have mutual aid agreement with both North and South bordering counties, including Ventura and San Luis Obispo.

The purpose of the MOUs is to ensure that in the event of an emergency that necessitates evacuation in one of the participating counties, the clients admitted to and residing in the evacuated PHF or General Acute Care Hospital Psychiatric Unit (GACHPU) will be relocated to and admitted into the PHF/GACHPU in the non-evacuated county for continued care for the duration of the emergency, as needed. The MOUs are intended to replace the Letters of Agreement and to augment, but not replace, each facility’s disaster plan and the rules and procedures governing interaction with other organizations during a disaster. The initial term is for 5 years but either party may terminate upon 30 days written notice, and the provisions can be amended by consent of both parties at any time, as needed.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Narrative: The above referenced contract utilizes Federal Medicaid funds which are budgeted each year. Patient care provided through the Mutual Aid Agreement would be billed to the client's county. They services are not paid for with Federal emergency funds. The MOUs are zero dollar MOU's. There is no impact to General Fund with this budget revision. Personnel will be billed and reimbursed according to the then-prevailing ordinances, rules, regulations, and agreements. Use of equipment will be billed and reimbursed according to established FEMA equipment rates when applicable.

**Key Contract Risks:**

As with any contract funded by State and Federal Sources, there is a risk of future audit disallowances and repayments.

**Special Instructions:**

Please send one (1) minute order and executed contract to: Denise Morales at [dmorales@co.santa-barbara.ca.us](mailto:dmorales@co.santa-barbara.ca.us) and Contracts at [bwellcontractsstaff@co.santa-barbara.ca.us](mailto:bwellcontractsstaff@co.santa-barbara.ca.us).

**Attachments:**

Attachment A: Mutual Aid PHF SB-SLO Final FY 18 - 23

Attachment B: Mutual Aid PHF SB-Ventura Final FY 18 - 23

**Authored by:**

Denise Morales