



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: August 30, 2016
Placement: Administrative
Estimated Time: 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, 805-681-5220
Contact Info: Laura Zeitz, RN, Program Manager
Behavioral Wellness, 805-681-5220

SUBJECT: Designation of a Governing Board for the Psychiatric Health Facility

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: Select_Concurrence

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Adopt and authorize the Chair to execute the attached resolution designating a PHF Governing Board to serve as Governing Body of the Psychiatric Health Facility (PHF), to oversee operations of the PHF including medical staff issues, quality of care and other programmatic concerns.
- B. Identify which Supervisor will serve as a member of the PHF Governing Board, and which Supervisor will serve as the alternate member (with future appointments to the PHF Governing Board to take place as part of the annual consideration of Board of Supervisor appointments to Boards, Commissions, and Committees).
- C. Determine that the approval of the recommended action is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), since the recommended action is a government administrative activity which does not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

Summary Text:

The County of Santa Barbara operates a Psychiatric Health Facility (PHF) for the care of individuals in need of psychiatric hospitalization. This newly created PHF Governing Body will replace the current Board of Supervisors oversight, to achieve sustainable governance infrastructure that will meet state and federal regulations.

Background:

The Santa Barbara County PHF is a 16-bed, locked inpatient psychiatric facility that provides comprehensive services to individuals in need of acute psychiatric care. The PHF is licensed by the State Department of Health Care Services (DHCS) as a “psychiatric health facility” and is eligible under Health and Safety Code section 1250.2(d) to participate as a hospital in the federal Medicare program if it meets all the federal conditions of participation. Participation in Medicare qualifies the facility 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, the PHF is subject to inspection approximately every five years by the Federal Centers for Medicare and Medicaid Services (CMS). This inspection entails a review that the PHF has met the conditions for DHCS licensure as set forth in California regulations at Title 22 California Code of Regulations (CCR) Division 5, Chapter 9, and that it meets the conditions of participation for hospitals pursuant to federal regulations at 42 CFR Part 482. Both state and federal regulations require an effective governing body that is legally responsible for the conduct of the facility.

During the last CMS inspection in 2011, the PHF was cited for not clearly designating a governing body to provide this oversight. It was subsequently determined that the County Board of Supervisors was the Governing Body of the PHF and that the Board should provide regular and continuous oversight of the PHF operations. Following this determination and over the past five years, PHF, through its CEO and Medical Director provided regular updates to the Board of Supervisors during regular Board meetings. These reports and updates addressed utilization of PHF beds, the challenges posed with individuals found incompetent to stand trial (ISTs) who were court ordered to the PHF, PHF fiscal updates, PHF staff updates, and PHF contracts with outside vendors. Despite these regular updates, CMS inspectors found during this recent inspection that these communications with the Governing Body were insufficient. The feedback provided this time was that the Governing Body must meet as often as necessary to discuss overall operational issues, including but not limited to, medical staff credentialing, patient’s rights (including management of restrained and secluded patients and grievances), effectiveness of the infection control program and practices, contracted service providers, and the effectiveness of the Quality Assessment and Performance Improvement (QAPI) program.

To achieve this objective in an effective and sustainable manner, the PHF CEO and Medical Director have worked with the County CEO to propose the establishment of a different form of PHF Governing Body that can meet to discuss the required matters on a quarterly basis, or as often as needed. The proposed PHF Governing Board will be comprised of one member from the Board of Supervisors; one alternative Supervisor from the Board of Supervisors to attend when needed due to unavailability of the appointed Supervisor; the County Deputy CEO for Health and Human Services; the PHF Medical Director; the PHF CEO; and the Director of the Public Health Department. This PHF Governing Board will receive direct reports from the PHF Medical Staff’s Medical Practice Committee, including updates on data from the QAPI program, medical staff issues, and quality of care; the PHF Medical Director and CEO will provide additional information on overall PHF operations. An organizational chart of the

governance structure can be found in Attachment B. The PHF Governing Board will make annual reports to the full Board of Supervisors, which retains authority to set general policy on fiscal and personnel matters within the County.

Special Instructions:

Please send one copy of the Minute Order to: admhscontractsstaff@co.santa-barbara.ca.us.

Attachments:

Attachment A: Resolution Designating a PHF Governing Board

Authored by:

L. Zeitz, S. Grimesey, C. Andersen, Q. Lopez

cc: County Executive Office, County Counsel