



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: Sheriff and Probation
Department No.: 032 and 022
For Agenda Of: 05/19/2020
Placement: Departmental
Estimated Time: 30 Minutes
Continued Item: No
If Yes, date from:
Vote Required: No

TO: Board of Supervisors
FROM: Bill Brown, Sheriff – Coroner & Tanja Heitman, Chief Probation Officer
Contact Info: Shawn T. Lammer, Lieutenant, (805) 681-4252 & Shawn E. Small, Deputy Chief Probation Officer, (805) 803-8586
SUBJECT: First Amendment to Agreement with California Forensic Medical Group (CFMG/WellPath) for healthcare services at Probation and Sheriff detention facilities.

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 Chair to execute a First Amendment to Agreement for Services with California Forensic Medical Group (CFMG/WellPath) for healthcare services (medical and mental health services) at the Santa Barbara Main Jail and for medical services only for Probation's juvenile facilities to extend these services (medical and mental health) to the North Branch Jail with the existing term to end March 31, 2022, in an amount not to exceed a total amount of \$21,238,371; and
- b) 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 significant 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:

CFMG/Wellpath currently provides healthcare services (medical and mental health) to the inmate population housed at the Sheriff's Santa Barbara Main Jail and medical services only for the Probation's juvenile facilities. This first amendment allows for CFMG/Wellpath to provide inmate healthcare services (medical and mental health) in both the Sheriff's Office North Branch Jail and Santa Barbara Main Jail and continues medical services only for both the Probation's juvenile detention facilities. The term of this agreement remains April 1, 2017 to March 31, 2022.

The accompanying agreement, attachments, and amendments have been negotiated between the parties, representatives from the Sheriff's Office, Probation Department, Behavioral Wellness, Public Health Department, and CEO's Office for the County and representatives of CFMG/Wellpath for the provider. Any amended exhibits from the original agreement have been listed as such in the accompanying attachments.

Background:

On February 28, 2017, the Board of Supervisors approved the Sheriff and the Probation Department to contract with the California Forensic Medical Group (CFMG) for healthcare services (medical and mental health services) at the jail and for medical services only for Probation's juvenile facilities.

In October of 2018, CFMG joined with Correct Care Solutions (CCS). CFMG's parent company, Correctional Medical Group Companies (CMGC) became Wellpath. Although the newly formed parent company is known as Wellpath, CFMG and CCS operate as separate entities with shared policies and procedures. In California, only entities owned solely by physicians are permitted to practice medicine. For this reason, complex healthcare organizations in California typically are organized with a physician-owned entity to provide care, and a management company to manage the business aspects. In this case, CFMG is the professional medical corporation, and Wellpath (formerly CMGC) is the management organization. Thus, our agreement with CFMG remains intact and will remain with CFMG for this amended agreement even though CFMG is now referred to as Wellpath.

The County of Santa Barbara Sheriff's Office along with numerous county entities and construction related companies have been working diligently on the construction of the North Branch Jail (NBJ). With unforeseen delays in this construction as is common in construction projects of this size, the official opening date has changed over the course of the past few years. In order to accommodate for the potential of some more unforeseen delays, this amended agreement will be aligned with the opening of the NBJ and contains verbiage in the Amended Statement of Work (Attachment C, Amended Exhibit A Statement of Work) to allow for this alignment.

Although the Sheriff's Office will be operating two distant facilities by removing inmates from the Main Jail to NBJ, the appropriate level of healthcare services will be needed for both. In collaboration with the CEO's Office, Behavioral Wellness, Public Health, Wellpath, and the Sheriff's Office, the appropriate staffing model was developed and finalized (Attachment F). Additionally, the Amended Exhibit A Statement of Work (Attachment C), Amended Exhibit B Payment Arrangements/ Periodic Compensation (Attachment E), Amended Exhibit E Staffing Matrices Adult and Juvenile Facilities, (Attachment G), Amended Exhibit F Staffing Compensation Rates

(Attachment H), Amended Exhibit G Care Statistics (Attachment I), Amended Exhibit H Service Level Agreements (Attachment J), and Amended Exhibit I Mandatory Reporting (Attachment K) have all been updated to be inclusive of procedural changes, operational efficiencies, operational changes, NCCHC requirements, Medicated Assisted Treatment (MAT), more in-depth reporting, and to reflect changes provided by Behavioral Wellness and Public Health. Medication costs have also been adjusted to reflect current usage. The increased costs can be associated to treatments requiring specialized medication (Hepatitis C, long lasting injectable mental health medication, Medicated Assisted Treatment (MAT) medication, etc.) and medication provided to the mentally ill at release. As previously discussed with the Board of Supervisors, the Sheriff’s Office has plans with the Department of State Hospitals (DSH) to establish a Jail Based Competency Program (JBCT). In event this is approved by the Board of Supervisors, agreement language has been added to the Statement of Work (Attachment C, Amended Exhibit A Statement of Work) to allow for this program. The Sheriff’s Office will present this program for consideration of Board approval in the very near future.

In reviewing hours of operation for medical coverage at Probation’s juvenile detention facilities, modifications were made to the medical staffing positions and schedule to provide RN coverage seven (7) days a week from 7:00 AM to 11:00 PM.

NCCHC Update: As further discussed in the annual report presented to the Board of Supervisors on September 17, 2019, changes to the NCCHC adult standards occurred in April of 2018, and these changes were not minor. After reviewing these changes and conducting in-house audits, the Sheriff’s Office was scheduled for the NCCHC formal audit in late March of 2020. Due to the COVID-19 outbreak, this audit has been postponed and will be rescheduled when allowed. The Probation Department also continues to work toward NCCHC accreditation for both juvenile facilities and has conducted two internal audits in preparation. The Probation Department is prepared for the formal audit although it is also likely to be delayed due to COVID-19.

We will be returning to the Board of Supervisors within 60 days after July 1, 2020, for our annual healthcare services report. At this time, we will provide additional information for the past Fiscal Year’s services.

Fiscal and Facilities Impacts:

Santa Barbara County Fourth Year Summary of Costs				
	Main Jail	North Branch Jail	Probation	TOTAL
Total Labor	5,055,649.00	2,433,990.00	971,774.00	8,461,413.00
Services and Supplies	68,847.00	33,146.00	8,658.00	110,651.00
Other Direct	289,707.00	139,476.00	18,328.00	447,511.00
Subtotal Expenses	5,414,203.00	2,606,612.00	998,760.00	9,019,575.00
G&A	679,305.00	169,826.00	101,204.00	950,335.00
Total Healthcare Services	6,093,508.00	2,776,438.00	1,099,964.00	9,969,910.00
Pharmacy Costs	366,400.00	0.00	105,000.00	471,400.00
EMR Fees	20,664.00	0.00	2,163.00	22,827.00
Total	6,480,572.00	2,776,438.00	1,207,127.00	10,464,137.00

The costs associated with the contract and the first amendment are anticipated and included in both the FY 2019-20 adopted budget and the FY2020-21 recommended budget. Approval of this

amendment won't increase the General Fund Contribution to the Probation Department or the Sheriff's Office.

Attachments:

- Attachment A: First Amendment for Services Agreement with Independent Contractor
- Attachment B: Original Agreement inclusive of all Exhibits
- Attachment C: Amended Exhibit A Statement of Work
- Attachment D: Redline of original Exhibit A Statement of Work
- Attachment E: Amended Exhibit B Payment Arrangements, Periodic Compensation
- Attachment F: Updated Certificate of Liability Insurance
- Attachment G: Amended Exhibit E Staffing Matrices Adult and Juvenile Facilities
- Attachment H: Amended Exhibit F Staffing Compensation Rates
- Attachment I: Amended Exhibit G Care Statistics
- Attachment J: Amended Exhibit H Service Level Agreements
- Attachment K: Amended Exhibit I Mandatory Reporting
- Attachment L: Board Contract Summary Form
- Attachment M: PowerPoint Presentation

Authored by:

Shawn T. Lammer, Lieutenant

Shawn E. Small, Deputy Chief Probation Officer