



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-Coroner  
**Department No.:** 032  
**For Agenda Of:** December 5, 2023  
**Placement:** Departmental  
**Estimated Time:** 60 Minutes  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Bill Brown, Sheriff-Coroner, (805) 681-4290  
Contact Info: Lieutenant Anthony Espinoza, (805) 681-4091  
**SUBJECT:** **California Forensic Medical Group (CFMG)/Wellpath Annual Report for Healthcare Services at the Sheriff's Office Detention Facilities and Contract Monitoring**

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**County Counsel Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Receive and file the 2022 Annual Report prepared by California Forensic Medical Group (CFMG/Wellpath) for healthcare services at the Sheriff's Office detention facilities;
- b) Receive report and provide direction for Public Health expanded monitoring of the Agreement with CFMG/Wellpath and continued partnership with Public Health and Behavioral Wellness over healthcare services at the Sheriff's Office and Probation Department's detention facilities; and
- 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:**

This item is before your Board to receive a detailed annual report from CFMG/Wellpath, pursuant to the Agreement, containing a comprehensive review of the monthly statistical and program reports and examination of significant trends and issues. Reports have been provided for calendar years 2018 and 2019 as Departmental items and then in 2020 was submitted as an Administrative Item because of the COVID pandemic. The annual report was not completed and submitted for year 2021. The 2022 annual report is before your Board today. This item is to solely present CFMG/Wellpath's annual report for

activities conducted for the Sheriff's Office, as CFMG/Wellpath already presented their annual report for the Probation Department on August 29, 2023.

The following key components are discussed in the CFMG/Wellpath annual report January 1, 2022, through December 31, 2022. (Attachment A):

- Services Provided
- Annual Statistics
- COVID-19 Pandemic
- Medication Assisted Treatment Program (MAT)
- Jail Based Competency Treatment (JBCT)
- Early Access and Stabilization Services (EASS)
- Murray et al v Santa Barbara County (DRC)
- National Commission on Correctional Health Care (NCCHC) Accreditation
- Staff Training and Development
- In-Custody Deaths
- The Year Ahead

Starting in this next year of monitoring, the Behavioral Wellness Department (BWell) will modify its current contract monitoring to include intake, on-going services, crisis services and discharge planning. This will be for the remainder of the existing contract as well as any agreed upon extensions to the current contract. The updated monitoring tool will include citations around regulating authorities, contract stipulations, DRC Remedial Plan Recommendations, and behavioral health best practices reflected in community standards. In addition to increased monitoring, BWell has strengthened the corrective action process to include more detailed recommendations, specific action plans, identification of who is responsible for implementing the action plans, and due dates for corrective action plans.

Outside of the contract monitoring process, BWell has increased their collaboration and partnership with the Sheriff's Office in several ways:

- Discharge Planning and Aftercare Services
- Crisis Services
- Mortality Reviews
- Participation in MAC/CQI Meetings

In turn, Public Health will be working with the Sheriff's Office to increase their collaboration to enhance the current auditing of the SLAs. Additional information concerning what is being proposed for expanding the collaboration with Public Health and the Sheriff's Office can be found below in the Discussion section of this document.

**Background:**

On February 28, 2017, the Board of Supervisors approved the Sheriff and the Probation Department to contract with the CFMG/Wellpath for healthcare services (medical and mental health services) at the jail and for medical services only for Probation's juvenile facilities. On April 1, 2017, CFMG/Wellpath officially took over medical services for the Sheriff's Office and Probation Department.

It is the overall goal of CFMG/Wellpath and the Sheriff's Office to continue to improve patient care for those incarcerated in the detention facilities within Santa Barbara County. It is also the goal to continue to be open and transparent in communicating concerns about the care provided and present that information to the Board of Supervisors, including presenting the annual report in a timely manner each year and coming into compliance with presenting this report within the agreed upon timeframe. This will continue to allow presentations to occur after budget sessions and on calendar year statistics.

As you can see in the annual report, the partnership between CFMG/Wellpath and the Sheriff's Office continues to grow. As with the previous years, this is due to the continued dedication and collaboration between all of the involved County departments as we strive to provide the best possible service to the county's highest utilizers of medical and mental health services.

The Sheriff's Office has been actively working with the Public Health Department (PHD), BWell, and the CEO's Office to strengthen monitoring of the Wellpath contract and to amend the current audits completed by both PHD and BWell.

**Discussion:**

On September 12, 2023, your Board directed Staff to evaluate options for additional contract oversight from PHD. Staff from the Sheriff's Office, Probation, PHD, BWell, and the CEO's Office subsequently met and evaluated various scenarios for providing varying levels of additional oversight to the CFMG/Wellpath contract.

Since that time, the County Executive Office had several discussions with the Sheriff's Office, Probation, PHD and BWell staff about contract oversight. In general, all agreed that any changes should lead to broader objectives being met, including:

- 1) Providing for high quality healthcare outcomes for inmates and detainees;
- 2) Preparing the jail and juvenile hall for CalAIM implementation, which will require significant new services and processes;
- 3) Ensuring accountability of the private medical provider and County staff responsible for compliance, which could require clearer definition of roles and potentially more County compliance staff;
- 4) Developing processes to allow quick and effective communication and collaboration among the private medical provider, jail operations staff, Probation, PHD and BWell staff; and
- 5) Provide greater transparency as to performance and compliance.

As a result, County staff recommends the following:

- Add dedicated clinical staff within PHD assigned at the jail/juvenile hall to provide health care oversight and compliance monitoring. As integral members of the contract management team, the PHD personnel would be well-poised to provide ongoing feedback to both the Sheriff's Office, Probation and the contract service provider, toward the ultimate goal of improving the provision of medical and mental health services within the County jail facilities and juvenile hall, funded from the Litigation, Compliance, and Contractual Obligations Set-Aside in General County Programs.
- Ensure access to Wellpath's Electronic Health Records, reports and data.

- Support additional administrative needs in the jail via non-sworn, administrative staff to help bolster contract compliance, CalAIM implementation, and enhanced quality improvements, funded through a combination of reallocating existing Sheriff staff resources as well as anticipated CalAIM PATH 3 grant funding. It is also anticipated that once CalAIM is fully implemented and PATH 3 grant funds are expended, this can be sustained long term partially through Medi-Cal funding.
- Modify Wellpath's contract as part of the next contract extension in April 2024 to more clearly define PHD's role to provide clinical oversight, recommendations to the Sheriff's Office, and updates to your Board.
- Increase monitoring by PHD and BWell to include additional metrics beyond those they currently track. PHD could seek additional independent monitoring provided by third party consultants.
- Leverage Public Health's expertise by assisting the Jail with implementing the requirements of CalAIM.
- Require these newly dedicated resources (PHD and Jail) to monitor and regularly report out on performance measures and metrics for the existing contract and service level agreement (SLA) shortfalls, and also expand upon them through collaboration with the vendor and/or negotiation of future SLAs and contracts.
- Utilize corrective action plans or imposition of penalties, as appropriate, as part of proactive contract administration.

With these changes, and increased level of oversight and resources for compliance, the Sheriff's Office and Probation would continue contract administration. The County Executive Office, Sheriff's Office, and PHD staff concur that increased, coordinated clinical oversight of the jail portion of the contract can occur and be beneficial to the County. Potential changes to monitoring, oversight, and key performance measures have been identified that will be implemented with the assistance of clinical expertise and dedicated resources once added. Additionally, the requirements under the CalAIM Justice-Involved Initiative require significant planning and implementation with a medical focus or familiarity with the requirements of Medi-Cal, for which PHD's involvement would be greatly assistive.

It is recognized by all involved parties that the Sheriff and Probation must maintain control of their respective facility operations, and their inclusion, communication, and collaboration with PHD and BWell as full partners will be paramount. A successful collaborative process will also be predicated on the conditions listed above. The current contract with CFMG/Wellpath expires on March 31, 2024, which presents an opportunity to align new contract provisions and/or changes to administration with the anticipated contract one-year extension that will be negotiated.

#### **Other options considered:**

Staff also considered other alternatives:

- Continue contract administration under the Sheriff's Office and Probation, but add dedicated clinical staff within the Sheriff's Office to provide an added layer of oversight monitoring. Increase monitoring by PHD and BWell to include additional metrics beyond those they currently track. While the Sheriff's Office supports this scenario as a viable means of improving contract oversight, the CEO's Office believes this scenario would limit the ability of PHD to oversee increased monitoring plans and to negotiate directly with CFMG/Wellpath, which may result in delays and limitations.

- Transfer contract administration responsibilities from the Sheriff’s Office and Probation to PHD. In this scenario, PHD would work in close coordination with the Sheriff’s Office and Probation to jointly support the provision of services, as well as locating clinical staff on site at the jail to provide health care oversight and compliance monitoring. Although this alternative would provide the most direct oversight monitoring by PHD, it is the Sheriff’s position that this scenario would inappropriately interfere with the elected Sheriff’s sole and exclusive statutory authority to keep and operate the county jail and the prisoners within it, as mandated by California Government Code §26605, by reassigning the primary responsibility for a core operational function of the jail to PHD. Under the California Code of Regulations, a “facility administrator” has responsibility to ensure the “provision of emergency and basic health care services to all incarcerated persons.” (15 CCR § 1200.) A facility administrator is defined as the “sheriff, chief of police, chief probation officer, or other official charged by law with the administration of a local detention facility.” (15 CCR § 1006.) Since the Sheriff is the administrator for the jail, he believes he needs to oversee health care in jail facilities.

**Fiscal and Facilities Impacts:**

Budgeted: N/A

Narrative:

There is no fiscal or facility impact associated with the acceptance and filing of this report. The current CFMG/Wellpath contract approved by your Board is set to expire on March 31, 2024. The total contract amount for FY 2023-24 is \$14,723,353.38.

Based on Board direction, the CEO’s Office will return to the Board to transfer funding for the clinical staff position. Additionally, the Sheriff’s Office will return with a budget revision related to CalAIM PATH 3 funding.

**Attachments:**

Attachment A: Wellpath Annual Report 2022

Attachment B: Public Health Quarterly Audits 2022

Attachment C: Behavioral Wellness Quarterly Audits 2022

Attachment D: Health Services Record Main Jail 2022

Attachment E: Health Services Record Northern Branch Jail 2022

Attachment F: Wellpath Jail Medical Record Review Summary Contract Year 2022

Attachment G: Wellpath Presentation PPT

Attachment H: Jail Health Monitoring PPT

Attachment I: Contract Oversight PPT

**Authored by:**

Custody Commander Kenneth Callahan

Custody Lieutenant Anthony Espinoza