



County of Santa Barbara
BOARD OF SUPERVISORS
Minute Order

June 21, 2016

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

BEHAVIORAL WELLNESS

File Reference No. 16-00491

RE: Consider recommendations regarding Amendments to the Phoenix and Psynergy Agreements for Fiscal Year (FY) 2015-2016, as follows:

- a) Approve and authorize the Chair to execute a Second Amendment to the Agreement for Services of Independent Contractor with Phoenix of Santa Barbara, dba Crescend Health (a local vendor), reallocating \$28,620.00 as County Subsidy funds in place of former Mental Health Services Act (MHSA) subsidy funds with no change to the maximum contract amount for FY 2015-2016;
- b) Approve and authorize the Chair to execute a Third Amendment to the Agreement for Services of Independent Contractor with Psynergy Programs, Inc., (not a local vendor) for the provision of adult residential mental health services, to increase the FY 2015-2016 contract by \$100,000.00 for a total contract amount not to exceed \$1,824,228.00 through June 30, 2017; 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 significant 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.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:

- a) and b) Approved; Chair to execute; and
- c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino



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

2016 JUN 10 AM 8:11

COUNTY OF SANTA BARBARA
CLERK OF THE BOARD OF SUPERVISORS
Department Name: Behavioral Wellness
Department No.: 043
For Agenda Of: June 21, 2016
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Alice A. Gleghorn, PhD, Director
Director(s) Behavioral Wellness, 681-5220
Contact Info: Pam Fisher, Deputy Chief, Clinical Operations
Behavioral Wellness, 681-5220

SUBJECT: Phoenix and Psynergy FY 15-16 Amendments

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Approve and authorize the Chair to execute a Second Amendment to the Agreement for Services of Independent Contractor with **Phoenix of Santa Barbara, dba Crescend Health** (a local vendor), reallocating \$28,620 as County Subsidy funds in Exhibit B-1 in place of former MHSA subsidy funds with no change to the maximum contract amount for FY 15-16.
- B. Approve and authorize the chair to execute a Third Amendment to the Agreement for Services of Independent Contractor with **Psynergy Programs, Inc.**, (not a local vendor) for the provision of adult residential mental health services, to increase the FY 15-16 contract by \$100,000 for a total contract amount not to exceed **\$1,824,228** through June 30, 2017.
- 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 significant 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 Department of Behavioral Wellness provides a continuum of mental health and substance use disorders to Santa Barbara County residents, in part through contracted providers including Community-Based Organizations (CBOs). Approval of the recommended actions will enable Behavioral Wellness to meet higher demands for inpatient beds and formalize a funding reallocation.

Background:

Phoenix dba Crescend Health

In January 2016, Phoenix of Santa Barbara, dba Crescend Health requested a reallocation of funding of \$15,017 from the Mental Health Services Act (MHSA) Subsidy for Board and Care to the MHSA Subsidy for Indigent Services in their Agreement with the County (BC 16-083). The Department of Behavioral Wellness evaluated this request and determined that there were not sufficient MHSA indigent clients to warrant a transfer to the MHSA Subsidy for Indigent Services. As an alternative, Behavioral Wellness approved the reallocation set forth in the Recommended Action pursuant to its authority under the contract (Exhibit B, Section V; 2).

Psynergy Programs, Inc. (Psynergy):

Psynergy is located in the Bay Area and provides residential treatment services to adult clients as a step down from IMDs. Psynergy works with clients in IMDs to identify clients who may be ready to step down through three progressions of residential care, with the eventual goal of equipping clients to return to Santa Barbara County to live independently. Based off projections from Psynergy's April and May invoices, Behavioral Wellness realized that June services would exceed the Current Total Contract Maximum by \$100,000.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State	\$ 50,000.00		
Federal	\$ 50,000.00		
Fees			
Other:			
Total	\$ 100,000.00	\$ -	\$ -

Narrative: The above referenced contract is funded by State and Federal Funds. These funding sources are included in the FY 2015-2016 Adopted Budget.

Key Contract Risks:

There is risk that the number of contracted IMD and IMD-alternative beds may increase beyond what the department has projected. In this case, the department will return to the Board of Supervisors to request an increase to the contract maximums where needed.

Special Instructions:

Please send one (1) executed signature page and one (1) minute order to: admhscontractsstaff@co.santa-barbara.ca.us

Attachments:

Attachment A: Phoenix of Santa Barbara, dba Crescend Health FY 15-16 Amendment 2

Attachment B: Phoenix of Santa Barbara, dba Crescend Health FY 15-16 Amendment 1 available at:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=2690154&GUID=ED74507E-B68E-407D-A393-76C2920ED7ED&Options=&Search=>

Attachment C: Phoenix of Santa Barbara FY 15-16 BC 16-083 available at:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=2359738&GUID=14B30727-1D7D-46A9-A284-11CBFCECB551&Options=&Search=>

Attachment D: Psynergy Programs, Inc. Amendment 3

Attachment E: Psynergy Programs, Inc. Amendment 2 available at:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=2600452&GUID=C7A0C6B6-E5EA-4C30-8DDF-58F413ED1D53&Options=&Search=>

Attachment F: Psynergy Programs, Inc. Amendment 1 available at:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=2367341&GUID=299BC969-00A8-4D0F-A887-2E6E4165511C&Options=&Search=>

Attachment G: Psynergy Programs, Inc. BC 15-034 available at:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=1821837&GUID=002D1CEB-B164-4B51-A421-B9F4AF6AFB2D&Options=&Search=>

Authored by:

Q. Lopez

ATTACHMENT D

Psynergy Programs, Inc. Amendment 3

THIRD AMENDMENT 2014-2017

TO AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR

This **Third Amendment** (hereafter Third Amended Contract) to the Agreement for Services of Independent Contractor, referenced as number **BC15034** is made by and between the **County of Santa Barbara** (County) and **Psynergy Programs, Inc.** (Contractor), for the continued provision of services specified herein.

Whereas, Contractor represents that it is specially trained, skilled, experienced, and competent to perform the special services required by County and County desires to retain the services of Contractor pursuant to the terms, covenants, and conditions referenced herein; and

Whereas, this Third Amended Contract incorporates the terms and conditions set for in the contract approved by the County Board of Supervisors in July 2014, the First Amendment approved by the County Board of Supervisors in July 2015, and the Second Amendment approved by the County Board of Supervisors in March 2016, except as modified by this Second Amended Contract.

Whereas, County anticipates that Contractor will provide, at the request of the County, a greater number of services than contemplated by the original Agreement, and will incur expenses beyond the value of this Agreement. This Amendment adds funds in the amount of \$100,000 for Fiscal Year 15-16 to the prior Agreement maximum of \$1,724,228, so as to compensate Contractor for additional services to be rendered under this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

I. **Delete Section II – Maximum Contract Amount from Exhibit B, Financial Provisions, and replace with:**

II. **Maximum Contract Amount**

The Maximum Contract Amount of this Agreement shall not exceed **\$500,000** for FY 14-15, **\$824,228** for FY 15-16, and **\$500,000** for FY 16-17, for a total contract amount during the term of the Agreement not to exceed **\$1,824,228**. Notwithstanding any other provisions of this Agreement, in no event shall the County pay Contractor more than this Maximum Contract Amount for Contractor's performance hereunder, without a properly executed amendment.

II. **Exhibit B-1, Schedule of Rates and Contract Maximum, and replace with the following:**

THIRD AMENDMENT 2014-2017

EXHIBIT B-1 MH DEPARTMENT OF BEHAVIORAL WELLNESS SCHEDULE OF RATES AND CONTRACT MAXIMUM

CONTRACTOR NAME:

Psynergy

FISCAL YEAR: 2014-2017

Contracted Services	Service Type	Mode	Service Description	Unit of Service	Service Function Code	County Maximum Allowable Rate
Medi-Cal Billable Services	24-Hour Services	05	Adult Residential	Bed Day	65	\$168.46
	Outpatient Services	15	Targeted Case Management	Minutes	01	\$2.02
			Collateral	Minutes	10	\$2.61
			(1) MHS- Assessment	Minutes	30	\$2.61
			MHS - Plan Development	Minutes	31	\$2.61
			(1) MHS- Therapy (Family, Individual, Group)	Minutes	40	\$2.61
			MHS - Rehab (Family, Individual, Group)	Minutes	41, 51	\$2.61
			Medication Support and Training	Minutes	60, 61, 62	\$4.82
			Crisis Intervention	Minutes	70	\$3.88
			Non - Medi-Cal Billable Services (Excluded from Cost Reporting Requirements)	Support Services	60	Licensed Facilities* - Mild Complexity-clients w/ benefits
Licensed Facilities* - Moderate Complexity-clients w/ benefits	Bed Day	n/a				\$94.00
Licensed Facilities* - Severe Complexity-clients w/ benefits	Bed Day	n/a				\$125.00
Licensed Facilities* - Mild Complexity-clients w/o benefits	Bed Day	n/a				\$100.00
Licensed Facilities* - Moderate Complexity-clients w/o benefits	Bed Day	n/a				\$130.00
Licensed Facilities* - Severe Complexity-clients w/o benefits	Bed Day	n/a				\$166.00
Unlicensed Facilities** - clients w/ benefits	Bed Day	n/a				\$30.00
Unlicensed Facilities** - clients w/o benefits	Bed Day	n/a				\$60.00
Transportation	Per Hour (15 min increments)					\$50.00

*Licensed facilities include Nueva Vista, Cielo Vista, Nueva Vista Sacramento, and other Adult Residential Facilities opened by Contractor during the term of this agreement.

**Unlicensed facilities include Tres Vista Supported Accommodations and Independent Living

THIRD AMENDMENT 2014-2017

EXHIBIT B-1 MH DEPARTMENT OF BEHAVIORAL WELLNESS SCHEDULE OF RATES AND CONTRACT MAXIMUM

CONTRACTOR NAME: Psynergy FISCAL YEAR: 2014-2017

	PROGRAM					TOTAL
GROSS COST:	\$ 500,000					\$500,000
LESS REVENUES COLLECTED BY CONTRACTOR:						
PATIENT FEES						\$ -
CONTRIBUTIONS						\$ -
OTHER (LIST):						\$ -
TOTAL CONTRACTOR REVENUES	\$ -	\$ -	\$ -	\$ -		\$0
MAXIMUM CONTRACT AMOUNT PAYABLE FY 14-15:	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ 500,000
MAXIMUM CONTRACT AMOUNT PAYABLE FY 15-16:	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ 824,228
MAXIMUM CONTRACT AMOUNT PAYABLE FY 16-17:	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ 500,000

SOURCES OF FUNDING FOR MAXIMUM CONTRACT AMOUNT (2)	FY 16-17				
	FY 14-15	FY 15-16	FY 16-17		
MEDI-CAL CORE MENTAL HEALTH (3)	\$ 250,000	\$ 412,114	\$ 250,000		\$ 912,114
MEDI-CAL MHSA (3)					\$ -
NON-MEDI-CAL MHSA					\$ -
NON-MEDI-CAL COUNTY/LOCAL	\$ 250,000	\$ 412,114	\$ 250,000		\$ 912,114
MHSA SUBSIDY (3)					\$ -
COUNTY SUBSIDY (3)					\$ -
OTHER FEDERAL FUNDS					\$ -
COUNTY FUNDS					\$ -
OTHER (LIST):					\$ -
TOTAL (SOURCES OF FUNDING) per Fiscal Year	\$ 500,000	\$ 824,228	\$ 500,000	\$ -	\$ 1,824,228

CONTRACTOR SIGNATURE: _____

STAFF ANALYST SIGNATURE: _____

FISCAL SERVICES SIGNATURE: _____

(1) MHS Assessment and MHS Therapy services may only be provided by licensed, registered or waived Mental Health clinicians, or graduate student interns under direct supervision of a licensed, registered or waived Mental Health clinician.

(2) The Director may reallocate between funding sources at his/her discretion during the term of the contract, including to utilize and maximize any additional funding or FFP provided by local, State, or Federal law, regulation, policy, procedure, or program. The Director also reserves the right to reallocate between funding sources in the year end cost settlement. Reallocation of funding sources does not alter the Maximum Contract Amount and does not require an amendment to the contract.

(3) MHSA funding may be offset by additional Medi-Cal funding.

THIRD AMENDMENT 2014-2017

SIGNATURE PAGE

Third Amendment to Agreement for Services of Independent Contractor between the County of Santa Barbara and Psynergy Programs, Inc.

IN WITNESS WHEREOF, the parties have executed this Third Amendment to be effective on the date executed by the County.

COUNTY OF SANTA BARBARA

By: 
PETER ADAM, CHAIR
BOARD OF SUPERVISORS

Date: 6/21/2010

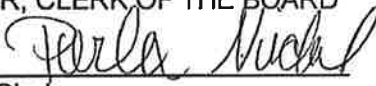
CONTRACTOR

PSYNERGY PROGRAMS, INC.

By: _____

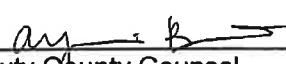
Date: _____

ATTEST:
MONA MIYASATO, COUNTY EXECUTIVE
OFFICER, CLERK OF THE BOARD

By: 
Deputy Clerk

Date: 6/24/2010

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: 
Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
THEODORE A. FALLATI, CPA
AUDITOR-CONTROLLER

By: 
Deputy

RECOMMENDED FOR APPROVAL :
DEPARTMENT OF BEHAVIORAL WELLNESS
ALICE A. GLEGHORN, PH.D.
DIRECTOR

By: 
Director

APPROVED AS TO INSURANCE FORM:
RAY AROMATORIO
RISK MANAGER

By: 

THIRD AMENDMENT 2014-2017

SIGNATURE PAGE

Third Amendment to Agreement for Services of Independent Contractor between the County of Santa Barbara and Psynergy Programs, Inc.

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COUNTY OF SANTA BARBARA

By: _____
PETER ADAM, CHAIR
BOARD OF SUPERVISORS

Date: _____

ATTEST:
MONA MIYASATO, COUNTY EXECUTIVE
OFFICER, CLERK OF THE BOARD

By: _____
Deputy Clerk

Date: _____

CONTRACTOR
PSYNERGY PROGRAMS, INC.

By: _____

Date: June 7, 2016

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
THEODORE A. FALLATI, CPA
AUDITOR-CONTROLLER

By _____
Deputy

RECOMMENDED FOR APPROVAL :
DEPARTMENT OF BEHAVIORAL WELLNESS
ALICE A. GLEGHORN, PH.D.
DIRECTOR

By _____
Director

APPROVED AS TO INSURANCE FORM:
RAY AROMATORIO
RISK MANAGER

By: _____

ATTACHMENT E

Psynergy Programs, Inc.

Amendment 2

available at:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=2600452&GUID=C7A0C6B6-E5EA-4C30-8DDF-58F413ED1D53&Options=&Search=>

ATTACHMENT F

Psynergy Programs, Inc.

Amendment 1

available at:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=2367341&GUID=299BC969-00A8-4D0F-A887-2E6E4165511C&Options=&Search=>

ATTACHMENT G

Psynergy Programs, Inc.

BC 15-034

available at:

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