



**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 & County Executive Office
Department No.: 043 & 012
For Agenda Of: June 27, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department: Antonette Navarro, LMFT, Director
Director(s): Department of Behavioral Wellness, (805) 681-5220
Mona Miyasato, County Executive Officer
County Executive Office, (805) 568-3404
Contact Info: John Doyel, MA, LAADC, Assistant Director, Behavioral Wellness, (805) 681-5220
SUBJECT: Department of Behavioral Wellness – Second Amendment to the Department of State Hospitals Pre-Trial Felony Mental Health Diversion Program Grant Agreement Fiscal Years (FY) 2020-2025

County Counsel Concurrence:

As to form: Yes

Other Concurrence: Risk

As to form: Yes

Auditor-Controller Concurrence:

As to form: Yes

Other Concurrence: County Executive Office

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Approve, ratify, and authorize the County Executive Officer, or designee, to execute the **Second Amendment** to the multi-year grant agreement with the **Department of State Hospitals (DSH), Agreement (No. 19-79011-000 A2)**, to increase the number of Pre-Trial Jail Felony Mental Health Diversion Program clients by six (6), expanding the client caseload from 22 to 28; modify client eligibility and housing funding distribution requirements; and increase the agreement amount by **\$852,000**, for a total grant amount of **\$5,714,500**, for the period of **January 1, 2020 through December 31, 2024** (Attachment A);
- B. Approve and authorize the Chair to delegate to the County Executive Officer, or designee, to accept subsequent reports pursuant to Exhibit A, Section 6.D of the DSH Grant Agreement (No. 19-79011-000 A2) and make immaterial amendments that do not change the amount or substantive terms of the DSH Grant Agreement; 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.

Summary Text:

This item is on the agenda to request the Board of Supervisors (Board) to approve, and authorize the County Executive Officer, or designee, to execute the Second Amendment to the multi-year grant agreement with the Department of State Hospitals (DSH), (No. 19-79011-000 A1), to increase the number of Pre-Trial Jail Felony Mental Health Diversion Program clients by six (6), expanding the client caseload from 22 to 28; modify client eligibility and housing funding distribution requirements; and increase the agreement amount by \$852,000, for a total grant amount of \$5,714,500, for the period of January 1, 2020, through December 31, 2024. This item also seeks delegation of authority to the County Executive Officer, or designee, to accept subsequent reports pursuant to Exhibit A, Section 6.D of the DSH Grant Agreement No. 19-79011-000 A2 and make immaterial amendments that do not change the amount or substantive terms of the DSH Grant Agreement. The County Executive Office has directed the Department of Behavioral Wellness (BWell) to manage the administration and compliance of the contract.

Approval of the recommended actions will allow the County to help divert individuals currently on the DSH IST waitlist, into a Residential Treatment Program instead of jail and secure appropriate placements and housing for specific FMHD clients. These actions will increase the overall number of clients in the program.

Background:

On January 28, 2020, the Board of Supervisors approved the Grant Agreement 19-79011-000 with DSH to accept \$2,644,500 for the period of January 1, 2020, and December 31, 2022, for the County to provide a Pre-Trial Mental Health Diversion Program. The DSH Diversion Program is a collaboration between DSH, county governments (CEO's Office, County departments of Behavioral Wellness, Public Defender, District Attorney, Probation and Sheriff; the Superior Court), community-based treatment providers and housing providers to help expand diversion programs for clients with serious mental illness. The DSH grant target population is individuals with serious mental disorders who have committed certain felony crimes and found by a Court of competent jurisdiction, to qualify for diversion services pursuant to Penal Code § 1001.36 referred to as Felony Mental Health Diversion Clients (FMDH). Specifically, individuals who face felony charges and could be determined Incompetent to Stand Trial (IST). The goal of the DSH Diversion Program is to provide these individuals, when deemed appropriate by the court, with long-term community mental health treatment and other services to avoid criminal charges and institutionalization.

Then, on January 24, 2023, the Board approved the First Amendment to the Grant Agreement which provided additional funds to expand diversion programs by adding a second category of diversion clients. The Agreement identifies the client in two categories. Category 1 clients are FMHD clients found IST or likely to be found IST with a diagnosis of Schizophrenia, schizoaffective disorder, or bipolar disorder. Category 2, are clients who are currently on the DSH Incompetent to Stand Trial (IST) waitlist. All clients in this category are eligible for housing if they are currently on the DSH waitlist. The goal is to secure appropriate placements and housing for diversion clients who are currently on the DSH IST waitlist and provide housing that is in the most appropriate level of care.

This second amendment increases program funds and expands services to an additional six (6) clients in Category 2, for a total of 10 clients in this category. This increases the overall caseload from 22 to 28 clients. Due to the increase of service to 6 individuals in Category 2 the funding in this area increased by

\$852,000, In addition, DSH updated or extended dates for housing funding distribution for client being placed in housing to allow more opportunities funding distribution for client placed in housing.

Performance Measure:

The County is expected to provide all services, including any and all required reports, in a timely manner in accordance with the criteria articulated in the agreement’s Statement of Work. Specifically, fund disbursement is tied to meeting program objectives and population goal outcomes pursuant to the DSH Grant Agreement. The project team does not anticipate any challenges in meeting the targets.

Contract Renewals and Performance Outcomes:

The County has accomplished the following program goals through March 31, 2023:

1. Established a comprehensive and streamlined referral and eligibility determination process with Public Defender thus far:
 - a. 31 clients found ineligible due to not meeting statutory requirements (e.g., no qualifying diagnosis, DSH/JBCT on current case number) or mismatch between current needs and available community resources. The number decreased from the last board summary because individuals whose charges were resolved were re-coded from “ineligible” to “withdrew before eligibility determination.”
 - b. 17 clients withdrew interest, charges were resolved, or opted for another program before eligibility determination.
 - c. 26 clients were evaluated by eligibility assessors using the START tool.
 - d. 21 clients were recommended and subsequently accepted into the program; 5 were not recommended.
2. 21 individuals have been accepted into the program and participated for at least 30 days.
3. 9 clients have been discharged: 4 clients have successfully completed the program and were successfully diverted; 1 termination due to AWOL; 1 termination due to re-arrest; and 3 terminations for other reasons (moving out of county, program non-compliance, court termination).
4. The Life House (Safe and Stable Housing) has served 12 DSH AB1810 clients (5 are currently active).
5. All quarterly data reports have been submitted to DSH on time.

Fiscal and Facilities Impacts:

Budgeted: No.

Fiscal Analysis:

<u>Funding Sources</u>	<u>Category 1 Funding</u>	<u>Category 2 Funding</u>	<u>Housing Funding</u>
Federal			
State - DSH Grant	\$ 2,644,500	\$ 1,420,000	\$ 1,650,000
County			
Total	\$ 2,644,500	\$ 1,420,000	\$ 1,650,000
Grand Total			\$ 5,714,500

Narrative: This Second Amendment increases the DSH grant funds in the amount of \$852,000 expands services to six (6) additional clients in Category 2. Matching Funds were required for Category 1 Diversion funds but not for housing, and the County has already provided the matching funds for Category 1 clients.

The additional funds do not require matching funds for housing or Category 2 clients. BWell will complete a Budget Revision at a later time if needed.

Key Contract Risks:

The County must meet target population goals defined as a Mental Health Diversion Client participating in the program for a minimum 30 days or completing the program within 30 days. The project team anticipates no difficulty in meeting the objectives. The contract requires the County to provide all services to Diversion Clients including medical care. If the County cannot serve the proposed number of clients due to actual costs exceeding the level of funds available, the contract may be amended by DSH. The contract also includes a budget contingency clause which absolves the State from liability to pay funds or other consideration under the Agreement if funds are not budgeted for the program in which case the County may cease services under the Agreement. The County may also cancel the contract upon 50 days written notice to DSH.

Special Instructions:

Please return one (1) Minute Order to mazavala@sbcbwell.org and BWell Contracts Division at bwellcontractsstaff@sbcbwell.org.

Attachments:

- Attachment A: DSH FY 20-25 Grant Agreement 19-79011-000 A2
- Attachment B: DSH FY 20-25 Grant Agreement 19-79011-000 A1
- Attachment C: DSH FY 20-23 Grant Agreement 19-79011-000

Authored by:

D. Morales