



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: September 13, 2022
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
Contact Info: Jamie Huthsing, Division Chief of Quality Care Management,
Department of Behavioral Wellness, (805) 681-5220
Celeste Andersen, Chief of Compliance, Department of
Behavioral Wellness, (805) 681-5220
SUBJECT: Behavioral Wellness - California Mental Health Services Authority (CalMHSA)
Behavioral Health Quality Improvement Program (BHQIP) Participation
Agreement Fiscal Year (FY) 2022-2024, Psychiatric Inpatient Concurrent Review
(PICR) Participation Agreement FY 2022-2025 and Business Associates
Agreement under the Health Insurance Portability and Accountability Act of 1996
(BAA)

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 the **California Mental Health Services Authority (CalMHSA) Behavioral Health Quality Improvement Program (BHQIP) Participation Agreement No. 1303-BHQIP-2022-SB** to procure consultation services for the development, implementation, and continued support of the County’s Behavioral Health Plan to meet milestones required to complete the California Department of Health Care Services (DHCS) California Advancing and Innovating Medi-Cal (CalAIM) BHQIP mandated deliverables, for a Maximum Agreement Amount not to exceed **\$22,080** from the date of execution by the County through June 30, 2024 (Attachment A);

- B. Approve and authorize the Chair to execute the **California Mental Health Services Authority (CalMHSA) Psychiatric Inpatient Concurrent Review (PICR) Participation Agreement No. 1158-PICR-2022-SB** to conduct concurrent review and authorization of services for all psychiatric inpatient hospitals and psychiatric health facilities where the County client is placed, for a Maximum Agreement Amount not to exceed **\$178,483.20** inclusive of a \$6,374.40 administrative fee, from the date of execution by the County through December 31, 2024 (Attachment B);
- C. Approve and authorize the Chair to execute a **Business Associates Agreement under the Health Insurance Portability and Accountability Act of 1996 (BAA)** with **California Mental Health Services Authority (CalMHSA)** to allow for the exchange of private health information (PHI) and personal identifiable information (PII) as it applies to all Participation Agreements between the County and CalMHSA, as required and necessary to perform DHCS-mandated services, which are to begin upon execution of the BAA Agreement (Attachment C); and
- D. Determine that the above actions are government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment, and are organizational or administrative activities of the government that will not result in direct or indirect physical changes in the environment and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) and (b)(5) of the CEQA Guidelines.

Summary Text:

The above-referenced items are on the agenda to request the Board of Supervisors (Board) to approve and authorize the Chair to execute agreements with CalMHSA, BHQIP Participation Agreement No. 1303-BHQIP-2022-SB for the procurement of consultation services for the development, implementation, and continued support of the County’s Behavioral Health Plan to meet the milestones required to complete the CalAIM BHQIP deliverables for an amount of \$22,080 from the date of execution through June 30, 2024, and PICR Participation Agreement No. 1158-PICR-2022-SB to conduct concurrent review and authorization of services for all psychiatric inpatient hospital and psychiatric health facilities in the County for a Maximum Agreement Amount not to exceed \$178,483.20, from the date of execution through December 31, 2024. Also, the Department of Behavioral Wellness (BWell) requests the Board to approve and authorize the Chair to execute a BAA with CalMHSA to allow for the exchange of PHI and PII, as it applies to all Participation Agreements between the County and CalMHSA, as required and necessary to perform DHCS-mandated services upon execution of the Agreement.

Background:

The California Government Code (“Joint Exercise of Powers Act,” Section 6500 et seq.) permits two or more public agencies to jointly exercise powers common to the contracting parties through an agreement. CalMHSA is a Joint Powers Authority (JPA) formed in 2009 for the purpose of creating a separate public entity to provide administrative and fiscal services in support of its members. CalMHSA assists its members with the operation of various programs to contract and/or negotiate with the State or other providers; contract and/or negotiate with the State or Federal government for administration of mental health services, programs or activities, including managed mental health care and the delivery of specialty mental health services.

They also provide fiscal or administrative services to its members such as group purchasing, contract management, research and development, data management, maintenance of a research depository, technical assistance, capacity building, education, and training; and execution of policy requests. CalMHSA also provides its members with the ability to deal jointly with the California Department of Health Care Services (DHCS), Department of State Hospitals (DSH), the Mental Health Services Oversight and Accountability Commission (MHSOAC), and the legislature.

In 2014, the Board approved Behavioral Wellness' membership in CalMHSA. BWell currently has five agreements with CalMHSA--to deliver services for loan repayment, state hospital beds, Tech Suite, Help@Hand, and payment of Presumptive Transfer, all of which were previously approved by the Board.

BHQIP: Under CalAIM, BHQIP is an incentive payment program to support Mental Health Plans (MHP), Drug Medi-Cal State Plans (DMC), and Drug Medi-Cal Organized Delivery Systems (DMC-ODS), as they prepare for changes in the CalAIM initiative and other approved administration priorities. CalAIM is a DHCS initiative to reform the Medi-Cal program to help address many of the complex challenges facing California's most vulnerable residents. It offers beneficiaries a more equitable, coordinated, person-centered approach to maximize their health. The BHQIP priorities/milestones include payment reform, behavioral health policy changes, and bi-directional data exchange between systems of care for the purpose of improving quality and behavioral health outcomes and care coordination for Medi-Cal beneficiaries. Each participating entity earns incentive payments in the CalAIM BHQIP by achieving these milestones.

CalMHSA will provide BWell with assistance to achieve the Policy Change Milestone to update Utilization Management Protocols by conducting a landscape analysis of documentation audit practices and draft an updated Utilization Management protocol to comply with best practices and updated documentation audit standards. In addition, in order to achieve the Data Exchange Milestone, CalMHSA will collect and analyze Managed Care Plan (MCP) data to establish baseline performance on Follow-up After Emergency Department Visit for Alcohol and Other Drug Abuse or Dependence (FUA), Follow-up After Emergency Department Visit for Mental Illness (FUM), and Pharmacotherapy for Opioid Use Disorder (POD).

PIRC: DHCS state and federal regulations require County Mental Health Plan (MHP) Specialty Mental Services (SMHS) and Substance Use Disorder Services (SUDS) authorization of specialty health services. To ensure compliance with Parity in Mental Health and Substance Use Disorder Services Final Rule (Parity Rule; Title 42 of the C.F.R., § 438.910), DHCS Behavioral Health Information Notice (BHIN) 19-026 requires MHPs to operate a utilization management (UM) program that ensures beneficiaries have appropriate access to SMHS. MHPs are required to conduct concurrent review and authorization for all psychiatric inpatient hospital services and psychiatric health facility services. MHPs shall conduct concurrent review of treatment authorizations following the first day of admission. The County will incur a \$6,374.40 administrative fee, which is included in the total cost of the program.

CalMHSA has entered into a services agreement with Keystone Peer Review Organization, Inc. (Kepro), who shall conduct concurrent review and authorization of inpatient psychiatric hospital services on behalf of multiple California County MHPs. By utilizing Kepro's technology-assisted concurrent review process, CalMHSA will ensure a consistent and efficient review process across participating counties and will support MHP compliance with DHCS BHIN 19-026 and the Parity Rule.

BAA: The addition of the JPA BAA with CalMHSA will allow BWell to share clients’ private PHI and PII for our current or future project/programs with CalMHSA that are necessary for the delivery of SMHS mandated services and will support payment reform and the development of new Medi-Cal rates under CalAIM, which is set to launch in 2023. Both the BHQIP and the PIRC programs require the exchange of PHI/PII to comply with DHCS compliance requirements. Under the BHQIP agreement, CalMHSA will need to collect and analyze BWell client data to establish baseline performance on FUA/FUM/POD. Under CalMHSA PICR, through their contract with Kepro, CalMHSA will need access to Psychiatric Hospital client information to conduct web based concurrent review to comply with state and federal regulations and for Medi-Cal reimbursement.

The approval of the recommend actions would streamline the payment and billing process for Medi-Cal services.

Performance Measure:

CalMHSA facilitates the efficient use of resources for multiple public entities by providing group purchasing power, joint development of Requests for Proposal (RFPs) and contracts for services, reduced overhead costs through sharing of the expenses of administration and reporting, and shared research and strategies. CalMHSA’s administration of this program will result in greater efficiency in the implementation of these mandated services for compliance with state and federal requirements.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>BHQIP Cost FY 22-24</u>
General Fund	
State	\$ 11,040.00
Federal	\$ 11,040.00
Fees	
Other:	
Total	\$ 22,080.00

<u>Funding Sources</u>	<u>PIRC Cost FY 22-23</u>	<u>Cost FY 23-24</u>	<u>Cost through 12/31/2024 FY 24-25</u>
General Fund			
State	\$ 35,696.64	\$ 35,696.64	\$ 17,848.32
Federal	\$ 35,696.64	\$ 35,696.64	\$ 17,848.32
Other:			
Total	\$ 71,393.28	\$ 71,393.28	\$ 35,696.64
Grand Total			\$ 178,483.20

Narrative:

Key Contract Risks:

The County may withdraw from the Program upon six months’ written notice to CalMHSA.

Special Instructions:

Please return one (1) Minute Order and one (1) complete copy of the above items to Denise Morales at dmorales@sbcbswell.org and the BWell Contracts Division at bwellcontractsstaff@sbcbswell.org.

Attachments:

Attachment A: CalMHSA FY 22-24 PA No. 1303-BHQIP-2022-SB

Attachment B: CalMHSA FY 22-25 PA No. 1158-PICR-2022-SB

Attachment C: CalMHSA Agreement No. 1327-BAA-2022-SB

Authored by:

D. Morales