



Board Agenda Item 9.1

DATE: November 5, 2024

TO: Board of Supervisors

SUBMITTED BY: Susan Holt, Director, Department of Behavioral Health

SUBJECT: Resolution for the Submittal of Grant Applications and Participation in Behavioral Health Continuum Infrastructure Program

RECOMMENDED ACTION(S):

- 1. Make a finding that it is in the best interest of the County to waive the provision of Administrative Policy No. 27 that requires grant applications to be reviewed and approved by the Board before submitting to the funding agency, or submitted contingent on Board approval, due to the funding agency requiring Board approval before submitting the final application to the funding agency, making a retroactive approval unattainable;**
- 2. Adopt Resolution authorizing the Director of the Department of Behavioral Health to submit up to three grant applications to the California Department of Health Care Services, through its contractor Advocates for Human Potential, Inc., and to Participate in the Behavioral Health Continuum Infrastructure Program for 2024, Round 1 totaling \$67,000,000; and**
- 3. Approve and authorize the Director of the Department of Behavioral Health, or designee, to be the signatory on behalf of the Board of Supervisors on associated grant applications and all grant documents.**

There is no Net County Cost associated with the recommended actions. Approval of the first recommended action would waive Administrative Policy 27, forgoing board review and approval of the completed applications before they are submitted. This would allow the Department of Behavioral Health (Department) sufficient time to obtain and respond to the official applications. Approval of the second recommended action would authorize the submittal of up to three grant applications to the California Department of Health Care Services (DHCS) and approve participation in the Behavioral Health Continuum Infrastructure Program (BHCIP) for 2024 Round 1 Launch Ready Program. Your Board's adoption of a Resolution to submit an application and participate in BHCIP is a minimum requirement for the application. Approval of the third recommended action would authorize the Department's Director, or designee to be the signatory on behalf of the Board of Supervisors associated grant applications and all grant documents. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may direct the Department to return on December 3, 2024, with the mostly completed applications for approval to the extent that the Department has been able to fill them out prior to the application due date of December 13, 2024. Your Board may direct the Department to forgo applying for BHCIP Round 1 grant funding; however, for the Olive Campus project, the Department would be forced to use other resources, thus limiting the ability to continue to expand the capacity in the future. For the Psychiatric Residential Treatment Facility (PRTF) and the Senate Bill (SB) 43 Psychiatric Health Facility (PHF) projects, those facilities would not move forward until a funding source could be identified, and the Department's ability to serve the expanded grave disability population as outlined in SB 43 would be severely

limited. If the second recommended action is not approved, the Department will not meet all the minimum requirements of the Request for Application (RFA) nor be able to execute and submit the applications and all grant documents necessary to be considered for funding.

FISCAL IMPACT:

There is no increase in Net County Cost associated with these actions. The Department will submit applications to request grant funding for up to three project award locations, a total not to exceed \$67,000,000. The first project award request is for the Olive Campus in the amount of \$47,000,000. The second project award request is for the PRTF at the Heritage Centre in the amount of \$10,000,000. The third project award request is for a PHF at the Heritage Centre in the amount of \$10,000,000. The County will be providing a 10% (\$6,700,000) match for these project award requests funded by Realignment. Sufficient appropriations and estimated revenues are included in the Department's Org 5630 FY 2024-25 Adopted Budget and will be included in future budget requests for the duration of the grant funding period.

DISCUSSION:

In March 2024, Proposition 1 passed in California, which is a two-bill package including the Behavioral Health Services Act (BHSA), Senate Bill 326, and the Behavioral Health Infrastructure Bond Act of 2024 (BHIBA), Assembly Bill 531. The BHIBA portion is a \$6.38 billion general obligation bond to develop an array of behavioral health treatment, residential care settings, and supportive housing to help provide appropriate care facilities for individuals experiencing mental health and substance use disorders. Of the total amount, DHCS will distribute up to \$4.4 billion in bond funding for BHCIP competitive grants.

DHCS issued an RFA on July 15, 2024, for the BHCIP Round 1 2024 Launch Ready Program. BHCIP prioritizes regional models or collaborative partnerships, including public-private partnerships, aimed at constructing, renovating, and/or expanding community-based services, as well as projects using a campus-type model that collocate multiple levels of care on the continuum, with a focus on residential treatment facilities.

On December 12, 2023, your board adopted a resolution effective January 1, 2024, deferring implementation of the changes made to the Health and Safety Code and Section 5008 by SB 43 to January 1, 2026. These changes will require the Department to develop an extensive array of new policies, procedures, workforce, residential facilities, and treatment capacity for the expanded population potentially subject to detention and conservatorship.

The Department intends to submit up to three (3) applications for project award grant funding during Round 1. These project grant applications are for the Olive Campus, PRTF, and PHF. The overall goal of the Department is the expansion and the capacity for future growth of behavioral health services and resources to better meet the needs of persons served. The Olive Campus project, which is located at 5555 E. Olive Ave., Fresno, CA 93721, focuses on the expansion and co-location of both adult and youth behavioral health outpatient services. These services are currently operating at different sites and include, but are not limited to, psychotherapy, treatment, medication services, psychiatry services, assessment, crisis intervention, case management, and other support services. The architectural design of this facility will allow space for staff to work in a separate office setting when they are not delivering services. Both the adult and youth behavioral health outpatient services will also have their own sections and entrances within the facility.

The PRTF and PHF projects will both consist of the development and renovation of facilities located at the Heritage Centre. Both the PRTF and PHF projects will increase the Department's capacity for more beds. The PRTF is a licensed health facility that provides inpatient services to individuals under 21 years of age with complex mental health conditions in a non-hospital setting. This residential facility is an alternative to hospital care and is intended for individuals whose needs cannot be met in a community setting.

On October 10, 2023, SB 43 was signed into law effective January 1, 2024, which updates the existing law

under the Lanterman-Petris-Short Act that governs the involuntary detention, treatment, and conservatorship of people with behavioral health conditions. The new statute significantly updates civil detention and conservatorship laws in California by establishing new diagnostic criteria for being civilly detained to include danger to self, danger to others, and grave disability. SB 43 expands the definition of 'gravely disabled' to include a mental health disorder, a severe substance use disorder, or a co-occurring mental health disorder and a severe substance use disorder. In order to implement the changes made by SB 43, the County will need to develop an extensive array of new policies, procedures, workforce, facilities, and treatment capacity. A PHF will be renovated to accommodate the new requirements of SB 43 as the County currently does not have a facility equipped for involuntary substance use disorder treatment. This new PHF will provide short-term inpatient care for persons served with mental health needs, which includes, but is not limited to, psychiatry, psychiatric nursing, social work, rehabilitation, drug administration, and appropriate food services for those persons whose physical health needs cannot be met in an affiliated hospital or in outpatient settings.

If awarded grant funding, the County will be required to add a 30-year building use deed restriction for the provision of behavioral health services in the financed facility. Awarded funding would allow for the construction, acquisition, and or rehabilitation of real estate assets to expand the continuum of behavioral health treatment and service resources.

The RFA has several minimum requirements for an application to be considered for funding. One of the requirements is a resolution from the Board authorizing the submittal of grant applications to DHCS and to participate in BHCIP for 2024, Round 1. The County will not be considered for the application if it is still pending Board approval. The Department was provided access to the application after attending the pre-application consultations, which were scheduled for October 16, 2024, October 18, 2024, and October 23, 2024. Each application's questions will change based on the type of facility applied for. A copy of the application template is attached for your Board's review. Once the applications are finalized, the Department will provide copies to the Board.

Approval of the recommended actions would authorize the submittal of up to three grant applications to DHCS and approve participation in BHCIP for the 2024 Round 1 Launch Ready Program to expand behavioral health service resources within Fresno County. Should the County be awarded, BHCIP funding agreements will be brought to your Board for approval at a later date.

REFERENCE MATERIAL:

BAI #5, December 12, 2023

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution
On file with Clerk - Grant Application Template

CAO ANALYST:

Dylan McCully