



# Board Agenda Item 30

DATE: April 22, 2025

TO: Board of Supervisors

SUBMITTED BY: Susan L. Holt, Director Behavioral Health

SUBJECT: Amendment II to County Performance Agreement with DHCS

RECOMMENDED ACTION(S):

1. **Approve and authorize the Chairman to execute Amendment II to Agreement No. 21-296 (State Agreement #21-10080) and associated Generative Artificial Intelligence Reporting and Factsheet with the California Department of Health Care Services, extending the term by twelve months from July 1, 2025 to June 30, 2026 (\$0); and**
2. **Approve and authorize the Department of Behavioral Health Director, or designee, to be the signatory and act as the Fresno County representative on behalf of the Board of Supervisors on the associated state agreement documents, with no change to the compensation amount or term.**

The recommended Amendment to the Performance Agreement with the California Department of Health Care Services (DHCS) will extend the term for an additional year. The Performance Agreement sets forth conditions and requirements that the County must meet in order to continue to receive funding for the Mental Health Services Act (MHSA) programs, Projects for Assistance in Transition from Homelessness (PATH) grant, Community Mental Health Block Grant (MHBG), and Substance Use Treatment and Prevention Block Grant (SUBG) programs as well as community mental health services provided with realignment funds, with no increase in Net County Cost. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended action, the County's ability to collect reimbursement from DHCS for services provided to County persons served with mental health conditions and substance use disorders would be limited.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. There is no monetary consideration included in the DHCS Performance Agreement meant to establish terms and conditions by which the County must operate in order to receive funding from MHSA, PATH, MHBG and SUBG grant programs.

DISCUSSION:

A Performance Agreement must be in effect between the County and DHCS to continue to receive funds for county persons served with mental health conditions and substance use disorders participating in DHCS programs as provided by the MHSA funds, PATH grant, MHBG monies, SUBG monies, and realignment funds.

The Performance Agreement is monitored by DHCS to ensure compliance with applicable federal and state laws and other applicable regulations. The County has successfully met the conditions and requirements and continues to receive program and grant funding each year.

On August 10, 2021, the Board approved Performance Agreement No. 21-10080 (County Agreement No. 21-296).

On April 23, 2024, the Board approved Amendment I (No. 24-190) to extend the term for twelve months through June 30, 2025.

Approval of Recommended Action one will extend the term of the agreement for another twelve months through June 30, 2026. Additionally, DHCS has amended Exhibit A to the agreement to include GenAI Technology Use and Reporting and Executive Order N-6-22 - Russia Sanctions clauses as discussed below:

GenAI Technology Use and Reporting: This reporting requirements is present in all new agreements with DHCS. This clause requires County and Contractors to notify the State in writing if their services or any work under these agreements, includes or makes available, any previously unreported GenAI technology. This clause requires County and Contractors to submit a State form (STD 1000) to serve as this notification.

Executive Order N-6-22 - Russia Sanctions: This Executive Order is present in all new agreements with DHCS. It directs state agencies to terminate contracts with, and refrain from entering any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions. It also outlines the termination process for Contractors conducting prohibited transactions with sanctioned individuals or entities.

OTHER REVIEWING AGENCIES:

The Fresno County Behavioral Health Board was notified of this item at their April 2025 meeting.

REFERENCE MATERIAL:

BAI #36, April 23, 2024  
BAI #28, August 10, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendment II to State Performance Agreement No. 21-10080  
On file with Clerk - GenAI Reporting and Factsheet

CAO ANALYST:

Ronald Alexander