



# Board Agenda Item 33

DATE: June 23, 2020

TO: Board of Supervisors

SUBMITTED BY: Dawan Utecht, Director of Behavioral Health

SUBJECT: Master Agreement for Individual and Group Providers for the Fresno County Mental Health Plan

RECOMMENDED ACTION(S):

- 1. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as all qualified providers will be able to participate.**
- 2. Approve and authorize the Chairman to execute a Master Agreement with Individual and Group Providers of specialty mental health services for the Fresno County Mental Health Plan, effective July 1, 2020, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$22,741,629.**
- 3. Authorize the Department of Behavioral Health Director or designee to add and/or delete providers to the Master Agreement for Individual and Group Providers of specialty mental health services for the Fresno County Mental Health Plan.**

Approval of the recommended actions will enable the Department of Behavioral Health (DBH) to continue to provide Medi-Cal beneficiaries medically necessary inpatient and outpatient specialty services. The services are provided by qualified community mental health professionals contracted with the Fresno County Mental Health Plan (FCMHP). The DBH Director or designee will be able to add or delete qualified providers, as necessary. The cost of the recommended new Master Agreement will be offset by Medi-Cal Federal Financial Participation (FFP) and Behavioral Health Realignment revenues, with no increase in net County cost.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If your Board does not approve the recommended Master Agreement, a service interruption may result from a lack of sufficient funds available, and many qualified service providers would not be able to provide services to County clients and mental health service wait times will increase for other contracted Medi-Cal providers.

SUSPENSION OF COMPETITION CONTRACT:

DBH recommends that your Board waive the competitive bidding process consistent with Administrative Policy No. 34 since every qualified individual or group provider of specialty mental health services in agreement with the contract terms and conditions, including all credentialing and compliance requirements will be able to participate as a contracted provider with the DBH Director or designee approval. The FCMHP

establishes the standard reimbursement rates for services; therefore, a competitive bidding process would not be warranted. County Purchasing concurs with the request to waive the competitive bidding process.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The maximum cost of the recommended Amendment (\$22,741,629) will be financed with Short/Doyle Medi-Cal Federal Financial Participation and Behavioral Health Realignment funds. Sufficient appropriations and estimated revenues of \$4,283,490 are included in the Department's Behavioral Health Org 5630 FY 2020-21 Recommended Budget, and will be included in future budgets for the duration of the Agreement; FY 2021-22 (\$4,411,994); FY 2022-23 (\$4,544,354); FY 2023-24 (\$4,680,685); and FY 2024-25 (\$4,821,106). Actual costs will be determined by actual services provided.

DISCUSSION:

Your Board approved the Fresno County Mental Health Plan (FCMHP) on March 17, 1998, with an effective date of April 1, 1998, through annual agreements with the California Department of Mental Health, now known as the California Department of Health Care Services (DHCS). The FCMHP is responsible for ensuring Medi-Cal beneficiaries of all ages have access to medically necessary inpatient and outpatient specialty mental health services.

The current Master Agreement was approved by your Board on June 16, 2015, and was superseded with an updated Master Agreement on March 20, 2018, and allows mental health services to be delivered through the broadest base of providers including psychiatrists, psychologists, licensed clinical social workers, licensed professional clinical counselors, and licensed marriage and family therapists to Medi-Cal eligible clients. Additionally, the superseding Agreement added provisions to allow Medi-Cal billing for associated and unlicensed staff under the director supervision of a licensed professional. Every provider accepted by the FCMHP must:

- be approved through the DBH Managed Care credentialing process;
- adhere to the requirements set forth in the FCMHP Provider Manual;
- follow quality assurance and utilization review guidelines;
- maintain appropriate clinical records; and,
- provide medical records upon request from the FCMHP.

The fee schedule has been updated to reflect increased and more competitive rates for specialty mental health services and is dependent upon the provider's professional discipline. All existing qualified providers that are interested in continuing to provide services may be included by signing the new Master Agreement accepting all incorporated terms and conditions. The Department anticipates adding a minimum of 60 providers to the Agreement. The DBH Director or designee will be able to add or delete providers, as necessary, throughout the term of the proposed Agreement.

The recommended Agreement includes a provision that allows that Department Director or designee to give a sixty (60) days advance written notice for non-renewal of each of the two (2) twelve (12) month renewal periods. In addition, the recommended Agreement allows either party to terminate their respective contract without cause upon giving sixty days advance written notice to the other party regarding an intention to terminate, with consideration for the welfare of the clients and necessary allowance for transition to another provider in order to maintain a continuum of care.

REFERENCE MATERIAL:

BAI #34, March 20, 2018  
BAI #41, September 13, 2016

BAI #37, June 16, 2015

BBR, Contract Status & Recommendations, dated May 6, 2010 - posted May 10, 2010

BAI #36, May 16, 2006

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Master Agreement for Individual and Group Providers  
E-PD-048 -- Suspension of Competition

CAO ANALYST:

Ron Alexander