



Board Agenda Item 38

DATE: January 28, 2025

TO: Board of Supervisors

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

SUBJECT: Agreement with Kings View Behavioral Health for Mental Health Patients' Right Services

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute an Agreement with Kings View, for mental health patients' rights services, effective upon execution through June 30, 2030, which includes a three-year and five months base contract and two optional one-year extensions, total not to exceed \$1,191,667.

The California Welfare and Institutions Codes (W&IC) Sections 5520-5523 mandates counties to provide patients' rights advocacy services. The recommended action will allow the County to continue contracted patients' rights advocacy services as mandated with no increase in Net County Cost. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. Non-approval of the recommended action would cause a disruption of mandated services to individuals in Fresno County.

FISCAL IMPACT:

There is no increase in Net County cost associated with the recommended action. The maximum amount of the agreement (\$1,191,667) will be fully offset with Mental Health Realignment. Sufficient appropriations and estimated revenues are included in the Department of Behavior Health Org 5630 FY 2024-25 Adopted Budget and will be included in subsequent budget requests for the duration of the term of the agreement.

DISCUSSION:

Welfare & Institution Code Sections 5520-5523 mandates the services of a Patient's Rights Advocate established the State Patient's Rights Office and the Mental Health Patients' Rights Advocate at a County level. The Local Mental Health Director within each County can appoint an advocate or contract for patient rights advocacy services. The recommended action will allow for contracted services to which the Patient's Rights Advocate would report directly to the Local Mental Health Director and/or designee on a monthly basis to review client/family complaints and review hearings to ensure clients receive quality advocacy services. The contracted provider would also report to the State Department of Health Care Services and the County's Behavioral Health Advisory Board (MHB) as requested by the Department.

Patient's rights advocacy services include investigating and resolving client/family complaints of abuse and violation of client's rights. In addition, advocates will advise clients prior to certification review hearing

certification related to 5250 - gravely disabled; 5260 - danger to self; 5270 - danger to others (advocates will provide advocacy and not a legal representation). Advocates will also monitor facilities for compliance in accordance with patient's rights regulations; assist staff in ensuring that patient's rights information is displayed in all mental health facilities and all incoming clients/families are advised of their rights; and assist individuals in registering a complaint.

A Request for Proposal (RFP) 25-021 was issued on October 22, 2024 and closed on November 19, 2024. The Department received one bid from Kings View. An evaluation panel comprised of three members, evaluated the proposal. The evaluation panel selected the bidder based on its proposal meeting the County's RFP service requirements, organization's capability, experience and knowledge of State mandated requirements in providing for patient's rights advocacy.

The recommended agreement includes modification language to allow changes to service rates that do not exceed 5% of the approved rate per fiscal year, with written approval by the DBH Director or designee. Rate adjustments shall be limited to one request per fiscal year. Rate adjustments are subject to contractor performance, availability of funds and applicable legislation. Modifications will not result in any change to the annual maximum compensation.

OTHER REVIEWING AGENCIES:

Behavioral Health Board was informed of the recommended agreement in January 2025 meeting.

REFERENCE MATERIAL:

BAI #29, March 5, 2024

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Kings View

CAO ANALYST:

Ron Alexander