



Board Agenda Item 43

DATE: June 18, 2024

TO: Board of Supervisors

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

SUBJECT: California Mental Health Services Authority Medi-Cal Peer Support Specialist Certification Program Participation Agreement

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute Participation Agreement with California Mental Health Services Authority, to manage on behalf of counties the Medi-Cal Peer Support Specialist Certification Program, and adhere to Welfare and Institutions Code Section 14045.14 (a)(3) state reporting requirements, effective upon execution through one year from the effective date (\$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 associated California Mental Health Services Authority Peer Support Specialist Certification Program related reports and forms, without modifying the maximum compensation.**

Approval of the first recommended action will allow the Department of Behavioral Health (DBH) the ability to be a participating county in the California Mental Health Services Authority (CalMHSA) Medi-Cal Peer Support Specialist Certification Program and allow CalMHSA to manage the Medi-Cal Peer Support Certification Program for Fresno County and on the County's behalf, adheres to Welfare and Institutions Code (WIC) Section 14045.14(a)(3) reporting requirements. Approval of the second recommended action will allow the Department of Behavioral Health Director to sign related reports and forms, without modifying the maximum compensation, and act as a representative of the County. There is no impact to Net County Cost. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the first recommended action, DBH would need additional staff resources to implement a Medi-Cal Peer Support Specialist Certification Program that requires submitting a plan for Department of Health Care Services (DHCS) approval of how the certification program will meet all the federal and state requirements for the certification and oversight of peer support specialists (WIC Section 14045.14 (a)(3)). The plan must include Initial Certification Policies and Procedures, Certification Exam, Biennial Certification Renewal Policies and Procedures, Training Curriculum for: Peer Support Specialist, Parent, Caregiver and Family Member Peers, and Peer Supervisors, Certification Fee Schedule, Grandparenting/Reciprocity Process, Complaints/Corrective Actions Process, and Reporting Process. Also, additional resources would be needed to report on the required data elements of this program set forth in BHIN 21-041. Without the ability to utilize CalMHSA's Peer Support Specialist Certification Program immediately, the County does not have a mechanism to certify additional Peer Support Specialists; Fresno County, amongst the Department and its contracted providers, has some Medi-Cal Peer Support Specialists

that are generating revenue by claiming for their services rendered, and would like the infrastructure in place to increase the amount of Medi-Cal certified Peer Support Specialists amongst the behavioral health workforce. If the second recommended action is not approved, the Department will return to the Board for all necessary action regarding reports and forms. This may cause a delay in accessing services.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions.

DISCUSSION:

On September 14, 2010, your Board approved Agreement No. 10-489 with the California Mental Health Services Authority (CalMHSA), authorizing the Department to join the CalMHSA Joint Powers Authority (JPA), to develop, implement, administer and provide fiscal oversight of Mental Health Services Act (MHSA) projects.

On June 18, 2013, your Board approved Amendment No. 10-489-1 with the California Mental Health Services Authority (CalMHSA), broadening the stated purpose for the JPA to allow CalMHSA to perform additional services for Behavioral Health Departments acting alone or in collaboration with other Departments, which includes but is not limited to data management, research and development.

On September 25, 2020, legislation SB-803 Peer Support Specialist Certification Act was signed into law. This legislation required the State Department of Health Care Services (DHCS) to establish statewide requirements for counties or their representatives to use in developing certification programs for the certification of peer specialists, who are individuals who self-identify as having lived experience with the process of recovery from mental illness, substance use disorder, or both. The established Peer Support Specialist Certification program allowed California to join 48 other states and the United States Department of Veterans Affairs in using standardized curricula and certification protocols for having peer support services bill for the work provided.

On March 22, 2022, your Board approved Agreement No. 22-095 with California Mental Health Services Authority (CalMHSA), authorizing the Department to participate in the initial implementation of the Peer Support Specialist Certification program.

The recommended Agreement will allow DBH to continue to participate in the certification program developed by CalMHSA, and therefore continue to allow more Peer Support Specialists to become certified and be able to bill the State for Medi-Cal services provided to persons served. It will update the previous agreement to include data reporting to DHCS on behalf of counties in adherence with WIC Section 14045.14 (a)(3); and data sharing with participating counties regarding candidates seeking certification based on county of residence.

The Agreement varies from standard County template as it was drafted by CalMHSA. The template is utilized by CalMHSA to execute Participation Agreements with different counties and is consistent statewide. It is disclosed that the County's standard indemnity and liability language is not contained within this Agreement. This agreement contains dual indemnity and damages paid by CalMHSA are capped. The Department believes that the benefits of the recommended agreement outweigh any potential risk and recommends approval of the agreement.

REFERENCE MATERIAL:

BAI #40, March 22, 2022

BAI #57, June 13, 2013

BAI #39, September 14, 2010

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Participation Agreement with CalMHSA

CAO ANALYST:

Ron Alexander