



Board Agenda Item 30

DATE: July 7, 2020

TO: Board of Supervisors

SUBMITTED BY: Dawan Utecht, Director, Department of Behavioral Health

SUBJECT: Retroactive Amendment I to Master Agreement No. 18-418 with Short-Term Residential Therapeutic Programs and Out-of-State Group Homes

RECOMMENDED ACTION(S):

Approve and Authorize the Chairman to execute a Retroactive First Amendment to Master Agreement No. 18-418 with multiple Short-Term Residential Therapeutic Programs and out-of-state group homes for the provision of specialty mental health services to adolescent youth in foster care, effective May 1, 2020 with no change in term of August 7, 2018 through June 30, 2023 and increasing the maximum by \$46,000,000 to a total of \$47,800,000.

Approval of the recommended action will allow for an increase to the overall maximum compensation amounts for FY 2019-20 and the remaining fiscal years of the contract. This will allow current and future mental health providers operating Short-Term Residential Therapeutic Programs (STRTPs) located within California and group homes located out-of-state to continue providing specialty mental health services to the foster care clients placed in their care. The recommended action will be offset by Medi-Cal Federal Financial Participation (FFP) and Mental Health Realignment revenues, with no increase in Net County Cost.

ALTERNATIVE ACTION(S):

There are no viable alternative actions. Should your Board not approve the recommended action, youth in the foster care/child welfare system may experience a gap and/or delay in essential specialty mental health services. Additionally, there will be a limited amount of specialty mental health resources available within the system of care; bringing the County out-of-compliance with the state's Continuum of Care Reform.

RETROACTIVE AGREEMENT:

The recommended action is retroactive to May 1, 2020, in order to cover specialty mental health services provided by STRTPs and out-of-state group homes in Fiscal Year (FY) 2019-20. In order to have adequate funding available to allow for payment to STRTPs added to the Agreement in the latter half of the Fiscal Year, the requested Amendment needs to become retroactive to May 1, 2020.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The recommended action will increase the total maximum compensation amount by \$1,000,000 for FY 2019-20 and to \$15,000,000 for each FY thereafter. The combined total of the increases equal \$46,000,000. The total maximum compensation amount of the amended Master Agreement (\$47,800,000) will be fully offset with Medi-Cal FFP and Mental Health Realignment. Sufficient appropriations and estimated revenues are available in the Department's Org 5630 FY 2019-20 Adopted Budget and will be included in the FY 2020-21

Recommended Budget and all subsequent recommended budgets for the entirety of the contract term. There are currently no pending invoices for this Agreement.

DISCUSSION:

On October 11, 2015, Assembly Bill 403 was signed into law allowing the State of California to implement provisions of the Continuum of Care Reform (CCR). This reform included the creation of a new youth residential licensing category - the Short-Term Residential Treatment Program (STRTP) - to replace the group home Rate Classification Level (RCL) structure and provide short-term, specialized, and intensive treatment, 24-hour care and supervision to youth and non-minor dependents placed within their agency.

On September 25, 2016, Assembly Bill 1997 adopted additional changes to further facilitate implementation of CCR including the requirement for STRTPs to provide specialty mental health services to youth and non-minor dependents placed in their care. This would allow for the timely provision of services and greater care coordination for foster youth in the system. Once licensure from the California Department of Social Services (CDSS) is achieved, the STRTP has twelve months to obtain mental health program approval, including Medi-Cal certification, by its local Mental Health Plan. For group homes converting to STRTPs within Fresno County, this mental health program approval is completed via the Fresno County Department of Behavioral Health (DBH).

On August 7, 2018, your Board approved Master Agreement No. 18-418 for the provision of specialty mental health services to foster youth placed within the care of STRTPs located within California and out-of-state group homes. At that time, only one STRTP - Promesa Behavioral Health (Promesa) - was included with the executed Master Agreement as they were the only local STRTP to have already received licensure by CDSS and their mental health program approval and Medi-Cal site certification from DBH. In addition, there were fourteen local group homes who were still in the process of receiving STRTP licensure and converting to an STRTP. The budget amount for the Master Agreement was originally set at \$900,000 per fiscal year, as this was the contracted amount of Master Agreement No. 14-313 for RCL 12-14 level of care group homes - the model for the STRTP facility.

Promesa obtained their mental health program approval and site certification in June 2019 and both Promesa Behavioral Health and the out-of-state facility, Devereux Advanced Behavioral Health, began providing specialty mental health services under this Agreement at the beginning of FY 2019-20. Four additional local STRTPs became fully operational between February 2020 and May 2020 and one additional out-of-state facility was added to the contract in March 2020. A total of 125 youth have received services via this Master Agreement since execution.

Currently, there are an additional eight local STRTPs which have been licensed by CDSS and are in the process of receiving their mental health program approval and site certification between July 2020 and December 2020. These facilities currently receive placements but do not have the means for a robust mental health program until they receive mental health program approval and site certification. Once fully operational, their addition to this contract would allow for a total of 228 youth to receive specialty mental health services if they are placed in an STRTP within Fresno County.

With the addition of several STRTPs and out-of-state group homes to the Agreement, as well as more robust data on the volume of service the County can anticipate within these programs, it has become apparent that additional funding is needed for the provision of these services and the success of youth placed in these programs. Access to these STRTPs and out-of-state group homes is imperative in meeting the varying needs of foster youth in need of placement and reduces the potential for gaps or delays in service. The recommended Amendment I would ensure the necessary budget and capacity for STRTPs and out-of-state group homes to meet the needs for youth, without a gap or delay in services.

OTHER REVIEWING AGENCIES:

The Behavioral Health Board will be informed of the recommended Amendment during the June 17, 2020 meeting.

REFERENCE MATERIAL:

BAI #39, August 7, 2018
BAI #40, July 11, 2017
Assembly Bill 1997, 2016
Assembly Bill 403, 2015
BAI #17, June 10, 2014

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendment I to Agt. No. 18-418

CAO ANALYST:

Ronald Alexander