



# Board Agenda Item 44

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DATE: June 21, 2022

TO: Board of Supervisors

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

SUBJECT: Forensic Continuum of Care for Co-Occurring Substance Use Disorder/Mental Health Outpatient, Full Service Partnership and Assertive Community Treatment Services

RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute an Agreement with Turning Point of Central California, Inc. for specialty mental health and substance use disorder outpatient, full service partnership and assertive community treatment services, effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$26,682,895.**

Approval of the recommended action will allow the Department of Behavioral Health to provide specialty mental health and substance use disorder outpatient treatment (OP), Full Service Partnership (FSP) and Assertive Community Treatment (ACT) services through Turning Point of Central California, Inc. (Turning Point). This continuum of treatment care targets justice-involved populations, specifically adult prison transfers and persons on pre-trial probation per California Assembly Bill (AB) 109: 2011 Public Safety Realignment (Chapter 15, Statutes of 2011); persons on mental health diversion through AB 1810: Mental Health Diversion (Chapter 34, Statutes of 2018, and those who have been found misdemeanor incompetent to stand trial (MIST) under Senate Bill (SB) 317 (Chapter 599, Statutes of 2021. The services are funded with 2011 Public Safety Realignment, Mental Health Services Act - Community Services and Support (MHSA-CSS), Drug Medi-Cal and Short-Doyle/Medi-Cal Federal Financial Participation (FFP) monies, with no increase in Net County Cost. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If your Board does not approve the recommended action, current treatment services for the AB 109 and AB 1810 populations will be discontinued.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The maximum compensation of the recommended agreement is \$26,682,895. The maximum compensation for the OP program is \$11,001,561 and for FSP/ACT program at \$15,681,334. Services will be funded by Public Safety Realignment, MHSA-CSS, Drug Medi-Cal (DMC) and Medi-Cal FFP. Sufficient appropriations and estimated revenues will be included in the Department's Org 5630 FY 2022-23 Recommended Budget and in subsequent budget requests for the duration of this program. Total expenditures are based on actual services provided.

## DISCUSSION:

The Fresno County Community Corrections Partnership (CCP) AB 109 Implementation Plan (Plan) was established in 2011 and is in its sixth update. The seventh update will be brought to your Board at a future date by the Probation Department. The Plan implemented the Post-Release Community Supervision (PRCS) Act of 2011, pursuant to California Penal Code, section 3450, and includes evidence-based treatment services for adult prison population transfers: outpatient substance use disorder and specialty mental health services; FSP for specialty mental health services to seriously mentally ill individuals including transfers under Probation Department (Probation) supervision, 24 hours a day, 7 days a week with telephone and face-to-face contact, as needed; and outpatient pre-trial services for transfers under Probation supervision and awaiting trial.

On June 20, 2017, your Board approved Agreements No. 17-265 and 17-266 with Turning Point for Outpatient substance use disorder and mental health treatment services and FSP specialty mental health services to adult prison transfer and pre-trial probation populations as set forth in AB 109. On May 7, 2019, your Board approved an Amendment to Agreement No. 17-265 to address modifications due to DMC Organized Delivery System (DMC-ODS) service requirements. On December 13, 2021, the CCP Executive Committee approved the Department's request for AB 109 funding to continue substance use disorder and/or mental health treatment outpatient and FSP services for up to five additional fiscal years. Furthermore, services could expand to include an ACT level of care with higher frequency of services and persons served no longer needed to leave the programs once their probation term ended.

On March 7, 2022, the Department issued Request for Proposal (RFP) No. 22-047 for a Forensic Behavioral Health Continuum of Care to include ACT, FSP, and OP program services. The RFP required prospective bidders to describe comprehensive substance use disorder and mental health service delivery with an emphasis on evidence-based models of care to meet the unique needs of the justice-involved target population, with preference given to bidders who could provide both services. The RFP closed on April 4, 2022, with one proposal submitted by the incumbent: Turning Point. The evaluation committee comprised of staff from the Department, the Sheriff's Office, and Probation reviewed the proposal according to Internal Services Department - Purchasing Division guidelines based on a combination of proposal content, quality of proposed services, and experience in delivering treatment services to the target population. The committee came to a consensus and recommended awarding services to Turning Point based on a complete and responsive proposal, demonstrated knowledge and experience working with the AB 109 population, demonstrated experience collaborating with Probation, and an effective and comprehensive cost proposal.

If the recommended agreement is approved, and as requested under the RFP, Turning Point will also work with the County to include services to incorporate Whole Person Care-Like Pilot funding as approved by your Board on January 21, 2020. The Department will return to your Board for approval to add the services to the recommended agreement.

The recommended agreement will allow the Department Director, or designee, the ability to approve changes to budget expense category subtotals and individual program budget maximums not to exceed 10% of the annual maximum compensation amount, with no change to the term maximum. The recommended agreement provides for termination due to non-allocation of funds upon giving 30-days advance written notice to the contractor and provides for termination without cause by the contractor, the County, or the Director, or designee, upon giving 60-days advance written notice to terminate. Additionally, County Risk Management recommended additional contract language to minimize risk of a potential loss to the County, which includes a waiver of subrogation protecting the County from all loss.

## OTHER REVIEWING AGENCIES:

The Behavioral Health Board was made aware of the recommended Agreements during its June meeting.

REFERENCE MATERIAL:

December 13, 2021 - CCP Executive Committee Minutes  
BAI #44, June 23, 2020  
BAI#25, January 21, 2020  
BAI #46, May 7, 2019  
BAI #42, June 20, 2017  
BAI #28, June 21, 2016  
BAI #44, September 13, 2011

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Turning Point

CAO ANALYST:

Sonia M. De La Rosa