



Board Agenda Item 24

DATE: January 12, 2021

TO: Board of Supervisors

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

SUBJECT: Amendment I to Agreement with California Department of Health Care Services - Substance Abuse Prevention and Treatment Block Grant

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute Amendment I to Agreement No. 19-728 (State Agreement No. 18-95242) with the California Department of Health Care Services to incorporate the Substance Abuse Prevention and Treatment Block Grant, effective upon execution by the State, with no change in term of July 1, 2018 through June 30, 2021 (\$0).

Approval of the recommended action will incorporate the Substance Abuse Prevention and Treatment Block Grant (SABG) into the California Department of Health Care Services (DHCS) Performance Agreement. The recommended amendment sets forth conditions and requirements that the County must meet in order to receive funding for the SABG in addition to the Mental Health Services Act (MHSA) programs, Projects for Assistance in Transition from Homelessness (PATH) grant, and Community Mental Health Block Grant (MHBG) programs as well as community mental health services provided with Realignment funds, with no increase in Net County Cost. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended action, the Department's ability to collect reimbursement from DHCS for services provided to County clients with mental health conditions and substance use disorders would be limited.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. There is no monetary consideration included in the recommended amendment. The SABG funding agreement related to the recommended Amendment will be presented to your Board for approval upon receipt from DHCS.

DISCUSSION:

On December 10, 2019, your Board approved Agreement No. 19-728 for the mandated Performance Agreement (State Agreement No. 18-95242) with DHCS to continue to receive funds for County clients with mental health conditions and substance use disorders participating in DHCS programs as provided by the MHSA funds, PATH grant, MHBG monies and Realignment funds effective July 1, 2018 through June 30, 2021.

The Substance Abuse Treatment and Planning Grant, also referred to as the SABG, is currently administered under a different contracting model from MHSA, PATH, MHBG, and realignment funds despite

being governed by similar or identical Federal statutes and regulations. SABG funding is currently tied to individual Department contracts, whereas MHSA, PATH, MHBG, and Realignment funding are administered via supplemental application documents that are incorporated by reference through the Performance Agreement.

The recommended amendment incorporates the SABG into the existing Performance Agreement and streamlines the Department's administration of the grant. The Department will submit annual SABG applications that consist of enclosures detailing various rules, regulations, and County requirements, in addition to program narrative and budgets.

The Performance Agreement will continue to be monitored by DHCS to ensure compliance with applicable Federal and State laws and other applicable regulations per California Welfare and Institutions Code, sections 5610 and 5651; however, it does not cover Federal Financial Participation or State General fund as they relate to Medi-Cal services provided through the Mental Health Plan contracts. The Department has successfully met the conditions and requirements and continues to receive program and grant funding each year.

The recommended Amendment to the Performance Agreement includes additional Contractor Certification Clauses (CCC 4/2017) as well as additional general contractual provisions. In the event of a dispute or grievance, the County agrees to follow the specific procedure outlined by DHCS within the Performance Agreement. If approved, the County agrees to indemnify the State for any claims arising from this agreement.

OTHER REVIEWING AGENCIES:

The Fresno County Behavioral Health Board was informed of this item at their December 2020 meeting.

REFERENCE MATERIAL:

BAI #35, December 10, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendment I to Agreement No. 19-728 (State Agreement No. 18-95242)

CAO ANALYST:

Ronald Alexander