



Board Agenda Item 26

DATE: May 6, 2025

TO: Board of Supervisors

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

SUBJECT: Amendment I to CalMHSA Presumptive Transfer Program

RECOMMENDED ACTION:

Approve and authorize the Chairman to execute Amendment I (State No. 4928-PT-2023-FC-AM1) to Agreement with the California Mental Health Services Authority for the Presumptive Transfer Program (State No. 4928-PT-2023-FC) to modify the Program Overview to include additional information for Assembly Bill 1051 and extending the term by two years from June 30, 2025 to June 30, 2027, effective upon execution, with a current balance of \$1,362,784 as of March 31, 2025.

There is no Net County Cost associated with the recommended action. Approval of the recommended action will incorporate additional information pertaining to Assembly Bill (AB) 1051 into the California Mental Health Services Authority (CalMHSA) Presumptive Transfer Program (Program) to include foster youth placed in out-of-county residential settings such as Community Treatment Facilities (CTFs), Group Homes (GHs), Short-Term Residential Therapeutic Programs (STRTPs), and Children's Crisis Residential Programs (CCRP) and allow the Department of Behavioral Health to continue participating in the program through June 30, 2027. The Program operates a banking pool and acts as a fiscal agent for participating counties to make and receive transfer payments for specialty mental health services (SMHS) reimbursed through Federal Financial Participation (FFP). CalMHSA has developed a member portal allowing counties to issue requests for fund transfers for services rendered to Foster Children from another jurisdiction and in reviewing and verifying requests for transfers to allow for timely payments. This item is countywide.

ALTERNATIVE ACTION:

There are no viable alternative actions. Should your Board not approve the recommended actions, the Department's participation in the inter-member transfer payment program to facilitate prompt payments between counties as required by Welfare and Institutions Code (W&IC), section 14717.1 will terminate June 30, 2025.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The agreement will be fully offset with Realignment funds. There is no maximum compensation for this participation program, the current balance is \$1,362,784 which has increased by \$58,980 since the end of the FY 2023-24 (\$1,303,804). This includes outgoing and incoming transactions within the member portal for SMH services provided. Sufficient appropriations and estimated revenues are included in the Department's Org 5630 FY 2024-25 Adopted Budget and will be included in subsequent budget requests.

DISCUSSION:

On March 12, 2019, the Board approved Participation Agreement No. 19-113 with CalMHSA authorizing the Department to join in the Presumptive Transfer Program. Counties who provide foster youth SMHS are reimbursed through FFP and county match through Medi-Cal billing. CalMHSA operates a banking pool and acts as a fiscal agent for participating counties to make and receive inter-member transfer payments. Each participating county has a separate financial ledger account and receives periodic statements of year-to-date balance, payments to other counties, and payments from other counties, administration costs and interest earned. Required future funding is based on the projection of actual expenses in order to make funding continuously available for the program. CalMHSA will transfer funds back to the participating counties that have more funding than deemed necessary for the program.

On May 3, 2022, the Board approved the extension of Participation Agreement (State No. 421-2018-PT-FC-A1) through June 30, 2025. Approval of the recommended actions allows foster children who are placed outside of the County to access SMHS in a timely manner. It also allows the County to be reimbursed timely for SMHS provided to foster children placed in this county. Under the W&IC, section 14717.1, responsibility for providing or arranging for SMHS shall promptly transfer from the county of original jurisdiction to the county in which a foster child resides, subject to any exceptions established pursuant to that section.

On March 5, 2024, the Board approved the Participation Agreement (State No. 4928-PT-2023-FC) effective July 1, 2023 through June 30, 2025 that superseded Participation Agreement (State No. 421-2018-PT-FC-A1). The new agreement includes language concerning CalMHSA's newly developed member's portal that allows counties to issue requests for fund transfers for services rendered to Foster Children from another jurisdiction, on top of reviewing and verifying requests for transfers to allow for timely payments. Due to the agreement being drafted and utilized by CalMHSA, it varies from the standard County template. The agreement with CalMHSA includes a mutual indemnification clause, a limitation on liability, and does not include the County's standard insurance requirements. The Department believes that the benefit of the contract as written outweighs any potential risks and recommends approval of the agreement.

Upon approval by your Board, Amendment I (State No. 4928-PT-2023-FC-AM1) will extend the Participation Agreement (State No. 4928-PT-2023-FC) by two years from June 30, 2025 to June 30, 2027 and expands fund transfers to include SMHS services rendered to Foster Children placed in out-of-county residential settings such as CTFs, GHs, STRTPs and CCRPs.

REFERENCE MATERIAL:

BAI #28, March 5, 2024
BAI #31, May 3, 2022
BAI #29, March 12, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Presumptive Transfer Amendment I with CalMHSA

CAO ANALYST:

Ron Alexander